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2. Diversity Legislation in a Global Perspective: Equality and Fairness in Employment

Chapter 2: Diversity Legislation in a Global Perspective

Multiple Choice

1. The 1986 Equal Employment Opportunity Act revised in 2006 encouraged companies to:

- A) Not ask for information about felony conviction in initial application
- B) Eliminate existing gender gaps and discrimination in their workforce
- C) Increase the pay gap between men and women
- D) Not review employee social media accounts as a basis for employment

Ans: B

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2. In what year did the United Nation's General Assembly adopt the Universal Declaration of Human Rights?

- A) 1945
- B) 1940
- C) 1948
- D) 1950

Ans: C

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3. To practice in today's global economy, managers need a framework to understand:

- A) Discrimination policies
- B) Legislative and business-related social policies
- C) International human rights
- D) All of the above

Ans: D

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4. According to Dothard and Rawlinson (1977), was the prison that turned down a woman because she did not meet the minimum height and weight requirements to become a prison guard in violation with the law?

- A) Yes
- B) No

Ans: B; the minimum weight and height requirement was reasonable and therefore non-discriminatory. The 1991 Civil Rights Act now provides a practice that is seemingly neutral (height and weight), but has discriminatory impact (i.e. excluding women) which violates the law. Page: 30

5. The International Covenant on Economic, Social, and Cultural Rights entered into force on January 3, 1976. As of June 2012, the Covenant had been ratified or acceded to by how many states?

- A) 150
- B) 70
- C) 167
- D) 200

Ans: C

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6. The principles of *secularism* in the public arena (as in Turkey) and of freedom from religion (as in France) are used to justify:

- A) A ban on gender discrimination in schools and in the workplace
- B) A ban on different languages in schools and in the workplace
- C) A ban on prominent religious attire in schools and in the workplace
- D) Appropriate religious attire in schools and the workplace

Ans: C

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7. An important evolution of the law now requires that the judge or jury see harassment through the eyes of the:

- A) Attorney
- B) Reasonable Person
- C) Victim
- D) Prosecutor

Ans: C

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8. Employees who are treated unfairly are more likely to be less _____ and less _____.

- A) Motivated; Trustworthy
- B) Creative; Dedicated
- C) Productive; Loyal
- D) All of the Above

Ans: D

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9. The directive on the equal treatment of persons in the labor market, adopted by the EU Council of Ministers on June 7, 2000, and amended October 5, 2002, calls for all EU members to:

- A) Adopt antiharassment programs
- B) Set up national bodies and civil remedies to ensure their enforcement
- C) Encourage employers to take measures to combat all forms of sexual discrimination and sexual harassment in the workplace

D) All of the above

Ans: D

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10. Often the obstacles for implementation are _____ and long-existing _____ that are discriminatory

- A) Non-traditional; theories
- B) Superficial; problems
- C) Traditional; cultural practices
- D) Simple; cultural practices

Ans: C

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11. The Lilly Ledbetter Wage Bill was aimed at

- A) Providing a tax break for returning jobs back to the United States
- B) Banning job discrimination based on sexual orientation or gender identity
- C) Closing a loophole in the U.S. legislation related to equal pay for equal work
- D) Providing jobs for immigrant workers in the United States

Ans: C

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12. Much less common in international legislation is protection based on _____.

- A) Sexual orientation
- B) Age discrimination
- C) Race discrimination
- D) Religious affiliation

Ans: A

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13. What country's relatively recent legislation provides a very broad protection from a wide variety of discrimination characteristics, including "race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth?"

- A) South Africa
- B) Canada
- C) United States
- D) Europe

Ans: A

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14. Equal remuneration legislation requires:

- A) No discrimination to be made while recruiting men and women workers
- B) Closing the loophole in the U.S. legislation related to equal pay for work
- C) Work organizations to pay men and women workers equally for the same work or work of similar nature
- D) All of the above

Ans: D

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15. Which country's constitution, adopted by royal decree of King Fahd in March 1992, includes no statement of equality related to gender, race, or ethnicity?

- A) Luxemburg
- B) Thailand
- C) England
- D) Saudi Arabia

Ans: D

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16. What guidelines did the Basic Law for Gender-Equal Society legislation, introduced April 1, 1999, include?

- A) Prohibiting discriminatory advertisements in the hiring process
- B) Making it easier to start a mediation process
- C) Asking certain types of interview questions only to members of one gender is forbidden
- D) All of the above

Ans: D

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17. In _____ countries, legislation and social policy stem from a value system that is shared by a people and thus represent their collective wish to enforce these values.

- A) Undeveloped
- B) Developing
- C) Conservative
- D) Democratic

Ans: D

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18. New developments included in the U.S. Equal Employment Opportunity Commission (EEOC) manual _____ discrimination by an American employer even when the employer is operating abroad

- A) Ignore
- B) Condone
- C) Prohibit

D) Authorize

Ans: C

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19. Punitive damages entail a sum of money designed to punish the defendants and to deter others from repeating the offense. Which is the only country that allows punitive damages awards?

- A) Saudi Arabia
- B) Vietnam
- C) China
- D) United States

Ans: D

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20. In 2008, the headquarters for the Promotion of Gender Equality had formulated a Program for the Acceleration of Women's Social Participation. The program provides opportunities to assist women with:

- A) Capacity-building opportunities
- B) Awareness-raising to boost women's participation in all fields
- C) Achieving work-life balance opportunities and education for women
- D) All of the above

Ans: D

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True/False

21. True or False. In democratic countries, the laws represent a value system shared by the people.

Ans: True

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22. True or False. The scope of protections against sexual harassment varies minimally among countries.

Ans: False

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23. True or False. Many countries around the world do not have adequate discrimination legislation.

Ans: True

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24. True or False. Much more common in international legislation is protection based on sexual orientation.

Ans: False

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25. True or False. Sociologist Émile Durkheim, predicted almost a century ago that a society that loses its organic solidarity—an internal compass for what is right and wrong—must turn to the courts for relief.

Ans: True

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26. True or False. A growing number of insurance carriers are now offering employment practices liability insurance specific to foreign countries' labor laws.

Ans: True

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27. True or False. The legal definitions of sexual harassment and the protections provided under the law are similar from one country to the next.

Ans: False

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Essay

28. What was the first major anti-discrimination legislation signed by President Obama, and why was it put into law?

Ans: Lilly Ledbetter worked for 19 years at a Goodyear plant in Alabama and sued after she found that she was paid less than her male counterparts. The battle reached the Supreme Court, which ruled against her in a 5-4 decision. The high court's decision was based on the principle that a person must file a claim of discrimination within 180 days of a company's initial decision to pay a worker less than it pays another worker doing the same job. Ledbetter, who discovered this discrimination only after 19 years of working for the company, could not have possibly sued within this time frame. Under the new bill every new discriminatory paycheck would extend the statute of limitations. Legislation was signed by President Obama in 2009.

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29. A survey conducted by the Committee on Asian Women (CAW) examined the legal provision for protection and prevention of sexual harassment at the workplace among a select number of Asian countries. Describe their findings. Were provisions existent? Were the provisions the same among the selected Asian countries?

Ans: The findings indicate that the legislative situation in Southeast Asia is mixed. Although there are clear legal provisions laid down for the protection and prevention of sexual harassment in places like Hong Kong and South Korea, such provisions are nonexistent in countries like Pakistan. Somewhere between are countries like Malaysia, which has a code of practice rather than legal provisions for employers to establish in-house mechanisms to combat sexual harassment.

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30. What are the two philosophical principles of the Universal Declaration of Human Rights?

Ans: (a) the right to liberty and equality is the birthright of every human being and cannot be alienated; (b) human beings, as distinguished from other creatures, are rational and moral and therefore entitled to certain

rights and freedoms.

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