

**QUESTIONS AND ANSWERS THAT ADDRESS MYTHS AND REALITIES  
ABOUT LEGAL BASIS OF EQUAL EMPLOYMENT OPPORTUNITY  
AND AFFIRMATIVE ACTION (EEO/AA)\***

**What are Affirmative action and Equal employment opportunity, and are they the same thing?**

The ideas underlying affirmative action and equal employment opportunity are similar with respect to selection, employment and promotion, but affirmative action and equal employment opportunity embody different concepts. Equal employment opportunity means that all individuals must be treated equally in the hiring process, in training, and in promotion. Each person has the right to be evaluated as an individual on his or her qualifications without discrimination based on stereotypic conceptions of what members of minority groups or any other protected class are like. Classifications protected under federal equal employment opportunity (EEO) laws are those of race, color, national origin, sex, religion, age, or handicaps. State and local governments have identified additional EEO protected classifications, as well.

Affirmative action goes further than equal employment opportunity. It means affirming that organizations and individuals in organizations will proactively and aggressively seek to overcome the effects of past discrimination against groups such as women and minorities, disabled persons, and veterans by making a positive and continuous effort in their recruitment, employment, retention and promotion. Affirmative action also means that organizations must actively seek to remove any barriers that artificially limit the professional and personal development of individuals who are members of protected classes. Affirmative action applies to all job categories and levels.

**Does affirmative action mean that we are applying different standards for white males than for women and minorities?**

Affirmative action was never meant to encourage the hiring of any candidate who is less than qualified. One standard should be applied to all candidates. Assuming that there is a double standard implies that minorities and women are less qualified, generally, than white males. It is important that job-related criteria be used during the search process and that all candidates be screened according to those criteria.

It is important to note here that the term best qualified is often very subjective, particularly in the absence of job-related criteria. One person's best is someone else's average. Often people are differently qualified to do the job and bring different but equally important assets. Candidates are often described as best qualified based on years of experience. That measure of qualification is often not valid, and also works against women and minorities who are frequently newer in their fields but who may be equally or better qualified than candidates who have more years of experience. Qualifications also are often measured by the candidate's degree-granting institution. This emphasis on the top tier schools (a very subjective description) also tends to work adversely against women and minorities. By themselves, years of experience or degree-granting institutions do not always provide enough information to predict the potential of a candidate.

**AI feel that affirmative action is a form of reverse discrimination.**

The concept of affirmative action includes the idea that there has been historical discrimination against members of minority groups and women, and that every individual must be treated equally so that a position should be awarded to the most qualified candidate. The fact that a qualified candidate is able to provide diversity to a department, is able to serve as a role model for other employees and students, and can offer a range of

perspectives also are factors in the evaluation and selection process. Effective recruitment will ensure the greatest likelihood of producing a diverse pool of candidates that includes minorities and women.

**Do we have a Quota of women and minorities that the University or its departments must hire?**

The University and its departments have hiring goals, not quotas. The use of goals is designed to achieve greater inclusion of individuals who were previously excluded or underutilized. Ideally, the percentage of women and minorities working in a department, college or unit at the University should be similar to the percentage of women and minorities available for such positions. Hiring goals are established for each department, school or division, as appropriate, in accordance with the U.S. Department of Labor regulations. The goals are determined through consultation with the appropriate Dean, Director or Department Chair. Affirmative action means reaching out to candidates and giving all candidates fair consideration throughout the process.

Quotas, as opposed to goals, are assigned by courts to correct a pattern of discriminatory employment practices.

**Is it true that once we hire a minority or woman, we cannot ever fire him or her?**

According to the principles of affirmative action, the standards for achievement, job requirements, and job expectations must be applied fairly to all individuals. The terms of employment are the same for everyone. The same standards and the same degree of discretion should be accorded all employees.

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\*Adapted from Affirmative Action Recruitment manual for Faculty and Professional and Scientific Searches, the University of Iowa.