ORGANIZATIONAL INJUSTICE IN THE 21ST CENTURY WORKPLACE

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Abstract

The purpose of this paper is to highlight the continued existence of organizational discrimination within organizations in the 21st century found in the form of systemic discrimination embedded in organizational policies, procedures and culture. Although there have been many advances to improve equality within workplaces, systemic discrimination is still highly practiced, at times even without the employer’s knowledge. Neglecting to address this type of organizational injustice allows the reproduction of discrimination and organizational injustice to occur. This problem exists in workplaces and affects many, however is difficult to identify and prosecute. Through personal experiences, research of tribunal cases and investigation of variables associated with organizational injustice, discrimination and organizational injustice are found embedded within policies, procedural practices and organizational culture. Supervisory and management teams are the key focus in reducing systemic discrimination since they are to lead employees through demonstrating organizational policies and procedures. In addition, adopting elements of Taoism and Chinese cultural values in Western organizational governance may broaden our understanding of leadership and organizational hierarchy. These findings serve as a starting point to the long journey ahead in eliminating systemic discrimination.
Introduction

As a Chinese Canadian female, I have been fortunate not to have experienced racism or gender discrimination while growing up or in the education system. My parents educated me to exercise the value of respect, kindness and understanding to everyone regardless of gender, class or race. These were cultural values my parents believed were important in life. The purpose of this paper is to highlight the existence of continued systemic discrimination in organizations and the need to re-establish organizational justice.

It was not until I entered the workforce in early 2000 when I began to discover the face of racism and gender discrimination. Not having to confront these challenges earlier in life, I was astounded that such behaviour still existed so predominately in the 21st century. During my first few years of full-time employment, I was employed by a municipality to cover a maternity leave and was interested in participating in a job-related course that was encouraged by the supervisor. I approached my supervisor expressing my interest and was advised that due to ‘budget restrictions’ my request could not be approved. Since I had little experience in the workforce and was innocent, I accepted this reality, not realizing that organizational politics were a possibility due to my employment status, gender or race.

Another work experience with a different municipality entailed a great deal of time handling customer inquiries. One incident involved a male customer of Indian origin who approached my desk, which was also used as a service counter. He started his
conversation by requesting that I stand to communicate with him. I had replied stating I would be able to assist him from where I was sitting, in front of my computer. He stated that it was disrespectful for a woman not to stand to communicate with men and demanded he receive what was his perception of respect from women. As I did not want to make a scene, I complied and stood up to assist with his inquiry. It was only after the incident, I felt extremely disappointed that I had agreed as my action encouraged this man’s cultural beliefs of women. It was a type of gender discrimination in the workplace that would be difficult to address under workplace policies.

My current position working for a municipal politician has provided me the opportunity to gain insight on how ineffective workplace policies can be even in a government setting. Municipal councillors have the second most powerful position within the organization, apart from the Mayor. One incident involved a municipal employee, who turned to our office for assistance, with concerns on the exposure and pressure to take part in what he believed to be employee harassment. This employee was Latino, had witnessed and was forced to participate in what is also known as ‘hazing’ in his departmental area. His co-workers felt that it was appropriate to initiate such behaviour to new employees, however he had great concerns observing such activity and had reported this to his immediate supervisor. He realized his supervisor did not take appropriate action to cease this type of activity and proceeded to file a formal complaint with Human Resources. After an internal investigation was conducted by Human Resources, he was advised that his complaint was reviewed and action was taken. He returned to work to find that the activity was still occurring which prompted
him to escalate his complaint to the councillor’s office, in addition to filing a Human Rights complaint. When our office requested Human Resources for a report on this complaint, we were advised that the employee was experiencing anxiety and was on ‘stress leave’ and that the supervisor had been requested to take part in an online respectful workplace training. The fact that Human Resources mentioned the employee’s health minimizes the impact of the ordeal, implying it may have been his health condition that influenced his perception. The inappropriate behaviour engaged by the supervisor and other employees were made to appear miniscule by dismissing any corrective action required for the other employees and by such a minor corrective action for the supervisor who condoned such activity under his supervision. Policies are in place to address behaviours and actions that harm the workplace environment, however when the outcome places implicit blame on the employee for reporting inappropriate behaviour, organizational justice has not been served to its employees at any level. The outcome of this particular incident demonstrated that although workplace policies are made aware to employees, exercising them are at the discretion of Human Resources and management.

Another experience pertains to recruitment and selection - in the 2010 municipal election, one of the long-standing councillors was defeated and her staff was replaced at the request of the new incumbent. The new councillor desired to employ a personal friend to work as his Executive Assistant. This position required certain qualifications as posted on the job description by the municipality. To overcome this challenge, the councillor hired his friend as the Administrative Assistant and after a month of
employment, she was promoted to the role of Executive Assistant. It was clear to other staff in the area that the individual did not meet the minimum requirements of the position, however this was made possible as a direct result of the councillor’s power and authority. The municipality has a structured hiring process defined by policies; however in this case, it demonstrates how the policies are disregarded for those who hold a position of power within the organization. This practice clearly outlines certain policies and procedures are in place formally, but do not necessarily apply to everyone within the organization and it is uncertain as to how often this occurs.

My most recent knowledge of an incident was when my co-worker was treated with the utmost disrespect through yelling and threats made by another municipal councillor. His anger was inappropriate and threatening comments were made. As there were witnesses to this incident, she filed a formal complaint under the organization’s Respectful Workplace Policy. An internal investigation was conducted and Human Resources advised my co-worker that the councillor’s comments were made in a non-threatening joking manner, and that my co-worker had misinterpreted his message. Human Resources advised my co-worker that the corrective action would be for the councillor to participate in an online respectful workplace training but also questioned my co-worker if she had misunderstood his intention. My co-worker was dissatisfied with this response and escalated the complaint to the City Manager’s Office. At which time she was advised the most the councillor had agreed to was to have a meeting to apologize for how she felt, but would not acknowledge his inappropriate behaviour, as this would interfere with his future career succession plan. It is clear that
the councillor had violated one of the policies the municipality had implemented however, as a result of his authority and power, it was his word and power against the employee’s.

Since 1980, the most significant change in Canadian public policy has been the adoption of the Canadian Charter of Rights and Freedoms (Charter) in 1982 and the establishment of the Equality Rights provisions in 1985. (Andiappan, Crestohl, & Singh, 1989, p. 828) In addition, another area that has been developed since the 1970’s is the prohibition of racial harassment in the workplace through the revision of the Ontario Code in 1981. In Ontario Human Rights Commission and O’Malley v. Simpsons-Sears et al., the Supreme Court of Canada followed the American lead and concluded that adverse effect discrimination is a contravention of the Code, therefore an employer may be held liable for discrimination regardless of whether or not there was any intent. (Andiappan, Crestohl, & Singh, 1989, p. 829) For racially motivated harassment to contravene human rights law, the activity leading to the complaint must be persistent to the point of causing an uncomfortable work environment which is supported by the working of the revised Ontario Code. (Andiappan, Crestohl, & Singh, 1989, p. 832) Issues of corporate liability for the actions of its employees has been raised in a variety of areas of law and a general guideline for the directing mind and will of the corporation test is that if an employee exercises managerial functions, he or she will be included whereby the act of the employee becomes the act of the corporate entity itself, in accordance with the organic theory of corporate responsibility. (Andiappan, Crestohl, & Singh, 1989, pp. 832-833) In the 1987 decision of systemic employment discrimination
Involving gender between *Action Travail des Femmes vs. Canadian National Railway Co.* (*ATF*) drew upon the definition of systemic discrimination in the Abella Commission Report. (Beck, Reitz, & Weiner, March 2002, p. 6) In 1997, a Canadian Human Rights Tribunal decision, *National Capital Alliance on Race Relations (NCARR) vs. Health & Welfare Canada* was the first successful human rights case of systemic racial discrimination in Canada. NCARR, a non-profit anti-racism advocacy group filed its complaint with the Canadian Human Rights Commission in 1992 prior to the amendments. This decision focussing on barriers to promotion of visible minorities to top management positions, the so-called glass ceiling phenomenon was particularly important because it emphasized how hidden and ambiguous systemic racial discrimination may be. The respondent in the case was not an obviously prejudiced employer, it was the Government of Canada – Federal Public Sector which regularly affirms commitment to equal opportunity on multiculturalism. (Beck, Reitz, & Weiner, March 2002, p. 1) In the *Noel Ayangma vs. The Government of Prince Edward Island* case in 2001, the trial judges found that the hiring process employed and the emphasis on certain qualifications constituted systemic discrimination on the part of the respondent. To address racial intolerance in the schools of the province, a joint federal-provincial initiative was to create and hire a Race Relations Consultant. It was found that because the committee was seeking someone with knowledge of the education system in the province, it constituted evidence of systemic discrimination because it was found that there would be a few from the visible minority community that would have such knowledge. Visible minorities were therefore precluded by the process thereby
constituting systemic discrimination. (McQuaid, 2001, pp. 6-7) In City of Toronto vs. Canadian Union of Public Employees, Local 79 (Hoffman), 2009, a grievance was filed claiming violations to a collective agreement regarding a promotion of the grievor. It was found that the grievance captured the allegations that the posting provisions of the collective agreement had been violated in failing to promote the grievor, the grievor was discriminated against on the basis of her sex. It notes that the employer inappropriately took into account the grievor's absences in assessing her candidacy rather than fairly and objectively assessing her qualifications. (City of Toronto and Canadian Union of Public Employees, Local 79, 2009, p. 9) In Chiswell vs. Valdi Foods 1987 Inc., the Board of Inquiry found John Curry and Valdi Foods discriminated against Paula Chiswell by creating and permitting a racially poisoned environment to exist in the workplace while she was employed as a cashier in the Valdi Foods store in Ontario. The Board found through unconscious discriminatory behaviour constituted a violation of the Ontario Human Rights Code. (Canadian Human Rights Reporter) Finally, in Canada (Attorney General) vs. Grover (No.1), 1992, the Tribunal found the National Research Council of Canada discriminated against Dr. Chander Grover because of his race, colour and national origin. Between 1986 and 1990, Dr. Grover experienced a number of setbacks that included the denial of research funds, refusal for conference participation, disbandment of his research group, work assignment under a junior scientist, denial of promotion and employment termination. The Tribunal found that concerted effort by two directors prevented Dr. Grover’s career progression and that Dr. Grover was the victim of differential treatment in a number of situations. (Canadian
Human Rights Reporter) The above mentioned cases highlight that discrimination still exist even when rules, policies and procedures are in place. Although it may not be obvious, discrimination has now been strategically embedded within organizational structures and politics.

**Organizational Politics**

Hidden and/or concealed racial discrimination in employment that is built into organizational structures and processes are by nature very difficult to identify (Beck, Reitz, & Weiner, March 2002, p. 1). In some cases, employers may simply keep racially prejudice views under wraps. (Beck, Reitz, & Weiner, March 2002, p. 4) Organizational politics are embedded in daily workplace relationships and is nested behind the practice of policies and procedures. Systemic discrimination in employment was introduced by the Abella Commission in 1984 in relation to racial minorities as well as women and other potential targets of discrimination. The term refers to instances in which opportunities are denied to members of particular groups due to established practices and procedures in an organization. Many include formal rules that tend to exclude certain groups without clearly related to the capacity to perform their job. It also applies to more informal practices embedded in normal organizational life which become part of the system. (Beck, Reitz, & Weiner, March 2002, p. 4) Systemic discrimination is a continuing phenomenon which has roots deep in history and societal attitudes and cannot be isolated to a single action or statement. By its very nature, it
extends over time. (Beck, Reitz, & Weiner, March 2002, p. 7). Although there are policies and enforcement responsibilities that exist at the federal level, defined by the Canadian Human Rights Act (CHRA) and Employment Equity Act (EEA) there is no consensus on their effectiveness. (Beck, Reitz, & Weiner, March 2002, p. 1)

Often the realities of inequality affect individuals/employees who are members of more than one socially disadvantaged group in society – for example, a single mother who is a member of a racial minority and on social assistance may be discriminated against on the basis of race, sex and social condition. (Sheppard, 2000, p. 896) For the purpose of this paper, we will refer to such employees as ‘disadvantaged.’ Kimberle Crenshaw named the experience of membership in more than one group as “intersectionality.” She notes that intersectionality refers not simply to the quantitative addition of discrimination on the basis of more than one ground of discrimination. It can be better described as discrimination within discrimination. (Sheppard, 2000, pp. 911-912) Such individuals rely on organizational policies to ensure organizational justice is exercised for all employees. However, those who implement and enforce the organizational policies are those in power who determine the outcome of complaints and investigations. In fear of retaliation, termination, loss of future job opportunities and lacking in organizational power, the injustice gets reinforced and continues within the organization. In the end, the purpose of policies and organizational justice do not benefit those who need it the most. How do personal beliefs, traditions and morals impact the actions of supervisors and management when exercising policies and procedures? How does a white middle aged male executive who believes that a
women’s place is in the home exercise equal opportunity in the workplace? How does an executive who is racist against Chinese people demonstrate a respectful workplace when there are employees of Chinese descent? Or would there even be any Chinese employees? Although it seems organizational justice has been achieved over the course of many years with the perceived elimination of discrimination, it is now the challenge to eliminate the systemic injustice that is embedded behind workplace policies, procedures and organizational culture which make it more difficult for employees to prove.

**Human Resources Management (HRM) and Leadership**

Organizations in today’s society have progressed a great deal especially in the area of managing human resources. Human Resources Management (HRM) is considered a critical organizational resource that helps an organization sustain its effectiveness. (Hung, Ansari, & Aafaqi, 2004, p. 99) The role of HRM has progressed from the traditional personnel function to a strategic management function. HRM refers to the policies, practices and systems that shape employees' behaviours, attitudes and performance. It may consist of work incentives, training and career development, promotion opportunities, compensation, professional recognition and rewards, stable employment and job security. (Hung, Ansari, & Aafaqi, 2004, p. 101) It is important for organizations to design effective and competitive HRM practices that promote the level of commitment of high performing employees in the organization. (Hung, Ansari, & Aafaqi, 2004, p. 100) For many organizations, sustaining organizational justice means
to implement policies and procedures that benefit all employees within an organization. An organization’s policies signal to employees what organizational values and beliefs are important. Perceptions of policy justice create a framework for expectations of fair treatment that interact with the dimensions of organizational justice. Policies are particularly important in establishing expectations for what should happen. (Brown, 2010, p. 1593) Organizational policies often display what organizations believe to be important and can enhance employees’ trust and confidence. Fair policies not only establish what the organization considers appropriate treatment, but also build employees’ expectations that treatment will occur. Perceptions of policy justice are likely to have important effects on employees’ citizenship behaviours and their desire to remain within the organization. (Brown, 2010, p. 1592) However, rule systems create their own contradictions and can take time a great deal of human ingenuity to untangle them, even when we have created them ourselves. (Prince, 2005, p. 14)

Another component of HRM and an important factor in fairness is an evaluation of the policies itself. Policy justice as defined by Brown et al., are perceptions of fairness related to organizational policies such as rules and decision criteria – it focuses on values, decision criteria or logic inherent in a policy. Policies are conceptual or an abstract used to guide decision-making (Brown, 2010, p. 1590) which require the action of the decision maker’s ethical, moral and fair ruling. Certain policies, although not explicitly discriminatory, and even when applied neutrally, have a negative impact on certain racialized/disadvantaged groups. More blatant form of racism has been found in Canadian policies towards refugees and immigrants that directly target certain racialized
groups based on profiling, stereotyping and public annoyance. (Refugees, November 2000, p. 18)

Organizations may create complaint handling procedures to conduct internal investigations on policy violations. By handling complaints internally rather than allowing them to reach formal legal networks, organizations avoid cost, time and harm to their public image that may result from litigation. The rational perspective suggests that employers’ primary goal in complaint handling is to keep the complaint away from the formal legal system. (Edelman, Erlanger, & Lande, 1993, p. 499) Edelman suggests that organizations elaborate their formal structures to create visible symbolic structures that signify attention to civil rights laws and due process. (Edelman, Erlanger, & Lande, 1993, p. 501) Edelman found that public sector organizations and those with personnel departments are especially likely to create visible symbolic structures since they depend heavily on the public for approval and that the personnel profession is an important carrier of institutionalized practices. (Edelman, Erlanger, & Lande, 1993, p. 501) A study conducted by Hofrichter found that mediators tend to redefine social problems as interpersonal problems – legal principle is translated into psychological and personal terms. Conflict becomes private, excluded from public scrutiny and made irrelevant to a public interest. (Edelman, Erlanger, & Lande, 1993, p. 504) An important implication for the employment context is that alternative dispute resolution may reproduce societal differences in power and privilege, which allows more powerful parties to circumvent legal rights won by those with less power. (Edelman, Erlanger, & Lande, 1993, p. 506) Complaint handlers are both adjudicators and management representatives - within the
organization, their role is to be ‘neutral’ but should the complainant file an external complaint, the complaint handler who conducted the investigation is likely to assist or represent the employer. Consequently, the complaint handlers may be cautious about “finding” illegal discrimination because to do so could hinder the organization’s position. Employers establish rules of this process in that they specify the nature of the complaint process and the conditions under which it is used and retain significant control throughout the whole process. (Edelman, Erlanger, & Lande, 1993, p. 506) Macaulay notes that the complaint handlers in “private governments” tend to carry their own goals and interests to the dispute resolution process. The managers who handle complaints have career ties to the employer and may uphold the legitimacy of management actions to advance their own careers. Given the formal inequality of employers/managers and employees – by virtue of their position in the hierarchy, employees have more difficulty being strong advocates on their own behalf. (Edelman, Erlanger, & Lande, 1993, p. 507) Employees in such disputes are at a great disadvantage compared to the employers, who almost always are legally represented. The balance of power rests on the respondents as they have more experienced legal teams, more financial resources and greater number of witnesses. (Aston, Hill, & Tackey, 2006, p. xii) Complaint handlers appear to utilize educational remedies when they determine that the problem is due to a lack of information. While such remedies may inform managers and employees about legal rules and rights, the objective is most consistent with the managerial objective of restoring a productive work environment. (Edelman, Erlanger, & Lande, 1993, pp. 524-525) The symbolic structures in which organizations have
created to demonstrate compliance becomes a channel for the mixture of organizational norms and values into laws – laws are shaped and reshaped by management ideologies and discourses. (Edelman, Erlanger, & Lande, 1993, p. 531)

Our origins of leadership are deeply rooted in a cultural framework. Most studies of leadership pertain to the organizational contexts and the undeniable fact that they are hierarchically ordered, implicit assumptions are rarely communicated. The perspective of only ‘leaders’ of importance are those appointed to position; that such people are essential to preserve order; that they are aligned with what are called ‘organizational goals’ and it’s their job to align everyone else with such goals, even if they are morally questionable. The focal point of leadership in this view tends to persuade non-leaders to do what the leader wants. (Prince, 2005, pp. 113-114) The typical western approach to leadership attempts to establish codified principles that may be written down for transmission to a relatively passive ‘learner.’ (Prince, 2005, p. 106)

Although it may appear that organizations have achieved a level of organizational justice through the development and implementation of workplace policies, procedures, and the presence of HRM, the execution and enforcement of such policies and procedures lays the challenge. There are still a number of concerns that need to be addressed to achieve and sustain organizational justice for all employees, in particular those who are at a disadvantage. Many variables contribute to organizational justice and we must consider and encompass all elements that affect this dimension, some of which are addressed alongside with organizational justice theories while a few have been not been considered.
Organizational Justice

In organizational sciences, justice is considered to be socially constructed. Organizational justice refers to members’ sense of moral propriety of how they are treated. Justice is a subjective concept that captures what individuals believe to be right rather than an objective reality or a prescriptive moral code. (Cropanzano, Bowen, & Gilliland, 2007, p. 35) That being said, there are many variables that influence one’s perception of justice. Justice in an organizational setting can be described by focusing on the antecedents and consequences of two subjective perceptions: 1) fairness of outcome distributions / allocations, also known as distributive justice and 2) fairness of procedures used to determine outcome distributions / allocations, known as procedural justice. (Colquitt, Conlon, Wesson, Porter, & Ng, 2001, p. 425) Prior to 1975, the study of justice was primarily focused on distributive justice. Thibaut and Walker introduced the concept of procedural justice while Leventhal and colleagues broadened the list of determinants of procedural justice which lists six criteria that a procedure should meet if it is to be perceived fair. (Colquitt, Conlon, Wesson, Porter, & Ng, 2001, p. 426) Bies and Moag introduced two most recent advances by focusing on the importance of the quality of interpersonal treatment people receive when procedures are implemented, known as interactional justice. This element reflects the degree to which people are treated with politeness, dignity and respect by authorities / third parties who are involved in executing procedures and determining outcomes. The second element is what they refer to as informational justice, which concentrates on the explanations provided to people who convey information about why procedures were used a certain way or why
outcomes were distributed in a certain fashion. (Colquitt, Conlon, Wesson, Porter, & Ng, 2001, pp. 426-427) These elements combined are a foundation of building trust, which is an important factor in considering organizational justice.

The element of trust has recently emerged as a popular topic in organizational research. Trust defined in the Oxford English Dictionary appears as a noun and a verb. As a noun, it is defined as “confidence in or reliance on some quality or attribute of a person or thing, or the truth of a statement.” As a verb, trust is “To have faith or confidence; to place reliance; to confide.” (Oxford English Dictionary) As prescribed in Goffman’s Theory of Interaction Order, trust is “…the mutual confidence that no party to an exchange will exploit another’s vulnerability. To trust others is to accept the risks associated with the type and depth of the interdependence inherent in a given relationship.” (Misztal, 2001, p. 313) Paul Dumouchel notes trust can be identified with a judgement about the trustworthiness of another agent. (Dumouchel, 2005, p. 419) When trust is perceived as an expectation, in many cases, it is an expectation that cannot be represented, either by the agent who has the expectation or by the theorist that attributes it. The language of expectation becomes metaphorical to the point of absurdity. (Dumouchel, 2005, pp. 421-422) Dumouchel proposes to view trust as an action since actions can be observed unlike expectations or psychological dispositions. (Dumouchel, 2005, p. 424) As an action, by trusting, a person makes themselves vulnerable to the agent who is trusted in a way that would not exist had the person refrained from trusting. To trust is to give another individual power over us which provides an opportunity for more harm to be caused. (Dumouchel, 2005, p. 425) Trust
decisions are part of a family of human decisions made every day and most of our
decisions involving other people’s responses are based on beliefs about their intentions.
(Dumouchel, 2005, p. 429) As a result, trust in decision makers/authorities is important
because these individuals typically have considerable discretion in terms of allocating
rewards and resources (Colquitt, Conlon, Wesson, Porter, & Ng, 2001, p. 428) based on
their beliefs and moral standards.

Ethics and morals are also important elements that contribute to the evaluation of
organizational justice in managerial conduct. People care about justice because they
believe it is the morally appropriate way of treating one another. (Cropanzano, Bowen,
& Gilliland, 2007, pp. 35-36) Ethics according to Bauman is something more than a
mere description of what people do; even more than a description of what they believe
they ought to be doing in order to be decent, just, good – or in a more generally term, ‘in
the right.’ (Barker, 2002, p. 1100) An individual’s ethics is descended from a world view
in that it’s a set of assumptions, subsequently originating from values and moral
principles which manifest themselves in a characteristic pattern of decisions and
presuppose moral outcomes. Differences in moral systems are likely reflected in a
differential content and function of guilt and shame across cultures. As an example,
Confucian cultures emphasize that one’s life is an inheritance from one’s ancestors.
Chinese identity is defined in terms of the system of relationships in which a person is
involved – personal identity is dependent on continued relations with the group.
(Bedford & Hwang, 2003, p. 130) Confucian ethics are based on concepts of personal
duties and social goals rather than personal rights as seen in Western individualism.
(Bedford & Hwang, 2003, p. 131) A central difference between American and Chinese in self-concept may lead to a differential sensitivity to shame. Compared to Americans, a greater proportion of the identity of a Chinese person is dependent on relationships with others to a greater extent than Americans. Therefore, Chinese people are sensitive to being personally shamed by actions (or lack of action) on the part of others. (Bedford & Hwang, 2003, p. 139)

A component that is related to perceptions of justice that has not been explored in great depth, is the perception of organizational justice between men and women. Jepsen and Rodwell have noted justice levels have not been found to differ by gender which implies men and women report similar levels of their perceptions of fairness in the workplace. However, the impacts or consequences of these perceptions of justice vary. (Jepsen & Rodwell, 2010, p. 724) Although what constitutes as fair procedures is regarded similar for men and women, women are said to be more interested than men in the process that is followed in determining an outcome in addition to being more interested in maintaining social harmony than men. (Jepsen & Rodwell, 2010, p. 726) Gender differences exist in the perceived importance of procedural justice issues. Things such as procedures for appeals, availability of change mechanisms, procedures for defining decision process are important contributors to procedural justice. (Sweeney & McFarlin, 1997, p. 84) Data has suggested women focus more on process-oriented issues whereas men seem to be more outcome-oriented. One explanation for these findings is that women may be socialized to be more sensitive to, and interested in, cultivating relationships with coworkers than men. Another possibility is that women
may have to rely more on formal procedures and systems to obtain various organizational outcomes because of history of discrimination and sex-role stereotyping that has kept them away from key decision-making processes. Evidence suggests that women tend to rely more on formal posting/bidding processes to obtain promotions (Sweeney & McFarlin, 1997, p. 85) as a result of historic societal stereotypes that have been placed on genders in the workplace. Much of the stereotyping, and many of the assumptions that go with it, tend to function at the level of the subconscious; it is a case of subconscious bias leading to less favourable treatment of women. Employers may set up what appear to be models of good practice for recruitment or promotion, yet if those involved in the process are allowed to inject their own subjective views – the decision-making process will almost certainly be influenced by such views. (Earnshaw, 1993, p. 32) There is a significant difference between women and men in their reliance on fair procedure outcomes. It is important to consider the complex nature of gender itself. Based on the sex-role socialization model, it argues that men have been socialized to achieve satisfaction from outcomes – often obtained from competition. Women are socialized to collect satisfaction from the process of interaction; therefore this perspective claims that women’s reliance on procedural propriety is not necessarily instrumental but rather a source of satisfaction in and of itself. It is necessary to examine the impact of sex-role orientation on preferences for procedural and distributive justice. (Sweeney & McFarlin, 1997, pp. 92-93)

The Fairness Heuristic Theory proposes that people especially need fairness judgements when they are concerned about potential problems associated with social
interdependence and socially based identity processes. This dilemma is concerned with questions whether one can trust others not to exploit/exclude one from important relationships/groups. This theory argues that as a result of surrendering authority to another person raises possibility of exploitation and exclusion, people frequently feel uneasy about their relationship with authorities and about outcomes they receive from authority. (van den Bos, Wilke, & Lind, 1998, p. 1450) This theory also argues that in order to explain the fair process effect, it is necessary to know what information is (versus is not) available to people when they are forming outcome judgements. (van den Bos, Wilke, & Lind, 1998, p. 1456) This is directly dependent upon those who exercise their judgements on workplace policies and procedures. It is significant for those employees who are at a disadvantaged in the workplace as they are situated in a position of subordination within society which limits their power and authority to extract organizational information from their supervisors.

Another element which needs to be considered is cultural influences/differences. The impact of minority status on justice perceptions have also been virtually ignored in justice literature. (Ritter, Fischbein, & Lord, 2005, pp. 1501-1502) There are many reasons why minorities may regard justice differently than non-minorities. Empirical evidence suggests bias against minorities exists in job access, evaluations, promotions, organizational and supervisory support, organizational fit, pay grade, organizational attachment and daily treatment. A study conducted by Henry and Ginzberg for the Social Planning Council of Metropolitan Toronto shocked those who were unaware of subtle and not so subtle racially discriminatory hiring practices of the employers in the
Toronto region and demonstrated how prejudice can be built inadvertently into corporate personnel practices. (Andiappan, Crestohl, & Singh, 1989, p. 827) Little research effort has been placed to determine the consequences of divergent experience on subsequent (in)justice expectancies, perceptions and reactions to leader behaviours. (Ritter, Fischbein, & Lord, 2005, p. 1502)

Theorists have suggested, being a member of a stigmatized group deeply affects individuals, perhaps altering their personalities permanently. Harris, Levens and Van Hoye proposes that people who more strongly identify with a particular subgroup which has historically experienced discrimination will be more likely to perceive discrimination than those who do not identify with the group. In a study conducted by Operario and Fiske, it was found that respondents who were high on ethnic identity reported experiencing significantly more discrimination than those who were low on ethnic identity. This effect was only found for minority subjects. (Harris, Lievens, & Van Hoye, 2004, p. 58) One explanation has focused on increased sensitization, whereby individuals who highly identify with a subgroup are more sensitive to inequalities and therefore are more likely to attribute bad outcomes to discrimination. (Harris, Lievens, & Van Hoye, 2004, p. 58) It is from an early age that minorities experience a pervasive pattern of discrimination and learn to accept a disadvantaged status. The experience with discrimination likely leads one to develop a cognitive framework of justice beliefs that is used to form expectations regarding the fairness of future events and outcomes which are presented in forms of Paranoid Social Cognition (PSC) and Anticipatory Injustice (AI). (Ritter, Fischbein, & Lord, 2005, p. 1503) PSC suggests that past
experiences affect expectations and such expectations influence trust-related judgements. AI focuses specifically with justice expectations and perceptions in organizations. AI is interpreted as negative experiences regarding a leader’s future behaviour such that subsequent perceived injustice is the result of expected and not only experienced injustice. AI is theorized to influence perceptions of the likely unfairness of future organizational outcomes, processes and interpersonal treatment. (Ritter, Fischbein, & Lord, 2005, p. 1503) Research and theory driving PSC and AI research suggests minorities are more likely to expect injustice from leaders. It is largely due to individuals extracting prototypes or typical categorizations (ie: leader prototype) such that difference between patterns can be ignored and similarities are reinforced. According to the prototype model, perceived discrimination is determined by how well a particular event or incident reflects widely held beliefs, expectations, and norms about the violation of social responsibility. Inman and Baron who examined this approach suggested that people hold certain expectancies as to who the perpetrators and victims are and these expectancies determine judgements of discrimination. (Harris, Lievens, & Van Hoye, 2004, p. 56) Given that racial stereotypes are activated with the leader prototype, if a minority person learns through experience that White leaders are unfair, this becomes a heavily weighted unit in their leadership prototype and is heavily weighted in reference to all White leaders. This process results in the generalization of unfairness expectations from previous to current leaders. (Ritter, Fischbein, & Lord, 2005, pp. 1504-1505) It is important to note injustice prototype is not likely to occur for minority participants with a minority leader because of the shared
group history and social identification. (Ritter, Fischbein, & Lord, 2005, p. 1505)

Although the legislative resources on their own cannot achieve equality, it is important to explore various approaches to improve the effectiveness of legal remedies for racial discrimination in employment. (Andiappan, Crestohl, & Singh, 1989, p. 846) Although there may be extensive research in this area alone, there has been little effort to include this area in the understanding of organizational justice.

**Implications**

How do we achieve organizational justice for all employees? It seems the gap lies at the middle of the bureaucratic hierarchy – where supervisors and managers exercise their power to enforce policies and procedures. Trust and relationships need to be re-established and nurtured between management and employees through the consideration of all elements that affect organizational justice. Supervisors and managers are key players within an organization who practice serving justice by utilizing the organization’s policies and procedures as they guide their teams of employees on a daily basis and it is up to them to establish a strong sense of trust and respect with their staff. It is the role of Human Resources to ensure upper tiered staff are fully aware and understand the perceptions of organizational justice and consider all the variables that influence organizational justice. An unfortunate consequence of the exclusive focus on ‘leaders’ is that important considerations of process, specifically cognitive, social and political process between those labelled as leaders and those labelled followers are ignored. How people think, react and feel to what the ‘leader’ is up to is left out; its
entire physical and social interrelationship erased, or worse subordinated to that single individual we label ‘the leader’, the person in charge. Therefore, ‘the leader’ stands supreme, isolated in the social field, the only point of interest. (Prince, 2005, pp. 114-115) Even when workplace policies, procedures and federal rules are in place unfairness and discrimination still continues discreetly. In the absence of effort put forth to apply organizational policies for all employees and to neglect all variables associated with organizational justice, the silence can be considered as the of violence. This silence allows offenders to believe injustice is appropriate. As Sally Armstrong puts it, “in the absence of protest, evil is nourished.” (Porter, 2013)

Conclusion

Stereotypes in organizational culture, negative policies and ineffective leadership all feed off each other. In order to break this vicious cycle, organizations and government agencies need to undertake immediate, sustained and proactive action. Changing systemic injustice is necessary if organizations want to truly live up to organizational values of transparency, fairness, trust and equality. There is a lesson to learn from Taoism leadership – Taoism highlights the importance of understanding others – the importance of attending to what is there with presence and it must be said with integrity and emphasis placed on peaceful and harmonious social relations devoid of pointless and damaging power games evident in political circles. (Prince, 2005, pp. 118-119) Taoism also recommends that it may be a beneficial task to set aside our cherished assumptions and to take the time to observe how people actually interrelate
rather than pre-judging through the filter of formulated models (Prince, 2005, p. 108), which have made their way into organizational policies and procedures in the way of systemic discrimination. Organizational policies and procedures need to start adapting to society’s changing social conditions and evolving conceptions of human rights to begin the journey to organizational justice. It also brings to light the need to provide justice protection in systemic discrimination based on both the perception and the reality of difference. When systemic discrimination is built into the organizational system, it is ongoing therefore the main focus is on removing the discrimination moving forward. (Beck, Reitz, & Weiner, March 2002, p. 20) It is time to reinvestigate the importance of process, and bring it into the core of leadership models and set aside some of our assumptions about leadership and hierarchy and concentrate on relationships that develop leaders with integrity who are attuned to the diverse group of individuals they are to lead. It is time to implement elements of Taoism into our leadership models and extend the moral and ethics of the Chinese culture to re-establish channels of trust, relationships and accountability within our organizational environment.
References


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