Walden Dissertations and Doctoral Studies

Walden Dissertations and Doctoral Studies Collection

2017

Reducing Risks From Workplace Discrimination

Shannon B. Creighton
Walden University

Walden University

College of Management and Technology

This is to certify that the doctoral study by

Shannon Creighton

has been found to be complete and satisfactory in all respects,
and that any and all revisions required by
the review committee have been made.

Review Committee
Dr. Robert Miller, Committee Chairperson, Doctor of Business Administration Faculty

Dr. Jaime Klein, Committee Member, Doctor of Business Administration Faculty

Dr. Z Al Endres, University Reviewer, Doctor of Business Administration Faculty

Chief Academic Officer
Eric Riedel, Ph.D.

Walden University
2017

Abstract

Reducing Risks From Workplace Discrimination

by

Shannon Creighton

MBA, Appalachian State University, 2012

BS, Appalachian State University, 2004

Doctoral Study Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Business Administration

Walden University

December 2017

Abstract

In 2014, the Equal Employment Opportunity Commission reported multiple claims of workplace discrimination in the United States; the claims resulted in costly settlements. The purpose of this qualitative, multiple-case study—which used the theory of enterprise risk management as the conceptual framework—was to explore how 4 human resource managers in small-to-medium sized enterprises in the southeastern region of the United States successfully implemented proactive strategies to reduce the financial and legal risk resulting from workplace discrimination. Using Yin's 5 steps of data analysis along with triangulation of findings from the semistructured interviews, company documents, and websites, the following 4 themes were identified and verified: the need for education, external accountability, formalized policies and procedures, and the barriers to proactive strategies. To reduce risks from workplace discrimination, 3 recommendations for future action by human resources managers were proposed: education, external accountability, and formalized policies and procedures. The findings and recommendations can bridge the gap between small-to-medium enterprise human resource practices and efficacious enterprise risk-management strategies. A diverse workforce can catalyze innovation, increase organizational effectiveness, and thus benefit employers and employees. Communities may benefit by experiencing a culturally representative work environment and lower unemployment for underrepresented populations.

Reducing Risks From Workplace Discrimination

by

Shannon Creighton

MBA, Appalachian State University, 2012

BS, Appalachian State University, 2004

Doctoral Study Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Business Administration

Walden University

December 2017

Acknowledgments

I would like to offer my appreciation to my family and friends who supported me and stood by me throughout this process and journey. I would like to thank my committee members, Drs. Miller, Klein, and Endres. I appreciate your guidance and patience.

Table of Contents

List of Tables

Section 1: Foundation of the Study

The Civil Rights Act of 1964 became a turning point in American history by addressing discrimination in employment, voting, public accommodations, and education (Aiken, Salmon, & Hanges, 2013). President Lyndon B. Johnson signed the momentous act into law amid a firestorm of discussion. Title VII of this act prohibited discrimination based on race, color, national origin, sex, religion, and retaliation. The Civil Rights Act also called for the formation of the Equal Employment Opportunity Commission (EEOC), which began operations on July 2, 1965. In the year between the bill's passage and the establishment of the EEOC, workers filed over 1,000 complaints (EEOC, 2015b). Congress has since passed other nondiscrimination acts since 1963, including the Equal Pay Act of 1963, Age Discrimination in Employment Act of 1967, Americans with Disabilities Act of 1990, and Genetic Information Nondiscrimination Act of 2008 (EEOC, 2015b).

Background of the Problem

Workplace discrimination refers to the actions of institutions or individuals setting unfair terms and conditions that systematically impair the ability of members of certain groups to work, often motivated by beliefs of superiority over a disadvantaged outgroup when compared to a dominant group (Okechukwu, Souza, Davis, & de Castro, 2014). Workplace discrimination occurs because of a feeling of superiority, which often leads to the impairment of a classification of people to efficiently work because of workplace tensions. Discrimination may occur at any point during the employment process-

including application, hiring, training-or anytime during the employment relationship. Even if workplace discrimination claims do not make it to court, settlements can be costly to employers.

Legislators have made undeniable progress in reducing the instances of discrimination against race, gender, age, and disability (Shih, Young, & Bucher, 2013). But even with increased regulations from lawmakers and the EEOC, discrimination persists. In 2014, the EEOC received 89,385 claims of workplace discrimination (Lotito, Fitzgerald, & LoVerde, 2016). Dipboye (2016) stated if inequalities do not exist, managers still must concentrate on reducing discriminatory actions because discrimination is ubiquitous throughout organizational culture.

Discrimination reduces employee morale and cohesion, impairs trust, and hinders innovative thinking and problem solving that ultimately affects production and profitability (Chen, Chen, Hsu, & Podolski, 2016). King, Avery, and Sackett (2013) stated the Civil Rights Act targets organizations and not individuals. Thus, organizations and their leaders are liable for employees' action. The shift in responsibility prompted organizational leaders to try to reduce discriminatory actions by their employees by implementing accountability mechanisms and training, among other tactics.

Problem Statement

Despite substantial efforts, workplace discrimination against underrepresented populations persists (Lindsey, King, McCausland, Jones, & Dunleavey, 2013). In 2014, the EEOC reported 89,385 claims of workplace discrimination resulting in $450,000,000 in settlements (Lotito, Fitzgerald, & LoVerde, 2016). The general business problem is that workplace discrimination exposes small businesses to financial and legal risk. The specific business problem is that some human resource managers in SMEs lack proactive strategies to reduce the source of this financial and legal risk.

Purpose Statement

The purpose of this qualitative multiple-case study was to explore how some human resource managers in SMEs use proactive strategies to reduce the financial and legal risk brought on by workplace discrimination. The targeted population included the human resource managers of four SMEs in the southeastern United States who implemented proactive strategies (Harpur, 2014). The study has implications for positive social change: It is expected to provide human resource managers with information about strategies for creating a work environment free of discrimination for all employees. Communities may benefit by experiencing a culturally representative work environment and lower unemployment for underrepresented populations.

Nature of the Study

In this study, I looked at ideas and concepts from the participants' perspective, in this case, human resource managers. I identified and explored themes that emerged from

the participants' responses (Smith, 2015). Overall, I explored strategies from the viewpoint of human resource managers who had successfully implemented risk-management strategies that mitigated workplace discrimination. Thus, a qualitative design was the appropriate choice. Quantitative or mixed methods studies were not well suited for this study because I did not need to analyze theories, hypotheses, or numerical data because analysis of theories, hypotheses, or numerical data would not yield the data needed to answer the question (Hoare & Hoe, 2013).

Since I studied participants from four distinct SMEs, a multiple-case study design was appropriate. I did not conduct exploratory research and ask questions to comprehend the characteristics of real-life events (a descriptive case study; Yin, 2015). I did not seek to discover theories in the data (grounded theory; Walker, 2012). I did not study the human experience from the viewpoint of those living the phenomena (phenomenology; Tuohy, Cooney, Dowling, Murphy, & Sixsmith, 2013). I did not study an entire culture of people to understand their perspectives (ethnography; Yin, 2013). Because I interviewed four human resource managers at four separate SMEs, a qualitative multiple-case study was appropriate.

Research Question and Interview Questions

Research Question

What proactive strategies did some human resource managers in small-to-medium enterprises use to reduce financial and legal risk resulting from workplace discrimination?

Interview Questions

1. How do you identify possible risks associated with workplace discrimination in your organization?

2. How do you monitor your organization for possible discriminatory behaviors?

3. What proactive strategies do you have in place to mitigate the risk of financial loss or legal action associated with workplace discrimination?

4. Who is involved in the process of identifying and implementing proactive strategies to mitigate discrimination?

5. What barriers were encountered to implementing the strategies?

6. How were the implementation barriers addressed?

7. How do you assess the strategies' effectiveness?

8. What other ideas would you like to add to this discussion?

Conceptual Framework

For this research study, I used the theory of enterprise risk management (ERM). The Casualty Actuarial Society first defined ERM in 2003 as the process by which organizations assess, control, exploit, finance, and monitor risks from all sources (Bromiley, McShane, Nair, & Rustambekov, 2015). Organizational leaders manage these risks to increase short- and long-term profitability. The CAS identified four main types of risks: hazard, financial, operational, and strategic. ERM advocates seek to manage risks in aggregate, not independently. Since no one person has the expertise to manage all aspects of business risk, team dynamics are usually employed. According to Oliveira

(2014), the Casualty Actuarial Society enumerated seven steps to manage overall risk in an organization:

1. Identify the question

2. Identify the risk

3. Measure the risk

4. Formulate strategies to limit the risk

5. Implement the strategies

6. Monitor results

7. Repeat

Ibik and Obi (2014) outlined four strategies for managing risk: (1) avoid, (2) reduce, (3) transfer, and (4) retain or accept.

Harvey and Lusch (1999) enumerated a series of risks they considered as intangible: process issues, informational issues, configuration issues, and human issues. The human issues are the most closely linked to workplace discrimination and included (a) employee turnover, (b) employee discrimination, (c) inadequate training/development, and (d) inexperienced managers. J. Pfeffer coined the phrase *human capital risk managem*ent to signify the process of managing the intangible risk of human intellectual capacity (Delery & Roumpi, 2017; Mäenpää & Voutilainen, 2012). According to Mäenpää and Voutilainen (2012), human capital risk management implies that managers need to identify and evaluate potential risks or liabilities related to human capital. Stam (2009) identified other risks associated with human capital: structural, human, and

relational liabilities. Giuliani (2015) stated that researchers have rarely applied risk management strategies to intellectual and human capital strategies. However, to eliminate the potential risks in employment activities, human resource managers must use all the available risk management strategies of the organization to manage human capital risks, for example, ERM strategies (Gherman, Brad, & Dincu, 2015).

Operational Definitions

Proactive strategies: Organizations following a proactive strategies approach to human resource management have a broad, encompassing view; they value diversity, integrate inclusive principles throughout the organization, have open lines of communication, and undertake initiatives that are pre-emptive instead of reactive (Harpur, 2014).

Small to medium-sized enterprises (SME): The Small Business Administration (SBA) classifies a business as an SME if the enterprise has less than 1,500 employees. The size limitations vary by industry (sba.gov, 2016).

Southeastern region: The U.S. Geological Service (USGS) delineates the southeastern region of the United States as Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee (usgs.gov N.D.).

Assumptions, Limitations, and Delimitations

Assumptions

According to Myers (2013), assumptions in a study are items out of the researcher's control, but if removed, the study would become immaterial; according to

Braun and Clarke (2013), assumptions are so rudimentary that without them, the research problem could not occur. This study included three assumptions: (a) respondents answered the interview questions truthfully, (b) the HR managers had the ability to speak about the topic, and (c) the participants' were capable of remembering strategies during the interview process.

Limitations

Limitations are intrinsic flaws in the study that are out of the researcher's control (Greene, Schmidt, Kamer, Grenache, Hoke, & Lorey, 2013). Limitations include the local environment, traditions, and ideas of the southeastern region of the United States. The United States is a diverse collection of ideologies and a research project limited to one region may not truly reflect how the entire nation feels about a subject.

Delimitations

A delimitation is the boundary or restriction used to narrow the case study (Yin, 2014). The delimitation in this study was the use of smaller organizations: that is, four SMEs in the southeastern United States. I limited access to participants within my local geographic region. Direct interviews with employees who had experienced discrimination could have provided more detailed information about strategies to reduce future discriminatory actions; however, in this study, I concentrated on the experiences of four HR managers.

Significance of the Study

In this study, I explored how four human resource managers in four SMEs used proactive, risk-management strategies to reduce financial and legal risk resulting from workplace discrimination. The goal was to ensure a more fair and equitable work environment for all employees and thus reduce the likelihood of employee discrimination claims. Insights from this study could add value to the business community by highlighting strategies to improve business-operating processes and provide fair and equitable work environments for all workers.

This study has two major implications for positive social change. It could enhance access to fair and equitable work environments for all workers, including those from diverse backgrounds, from diverse lifestyles, and with physical attributes. A diverse workforce can promote innovation, increase organizational effectiveness, expand the pool of potential human capital, enlarge the customer base, and increase customer satisfaction. As managers concentrate on fostering inclusive workplace environments, business leaders advocate for social change that can influence governmental, societal, and fundamental policies (Chrobot-Mason & Aramovich, 2013). Communities benefit from (a) a more culturally representative work environment and (b) lower unemployment rates for underrepresented populations through increased economic opportunities and growth. However, if managers address diversity properly, workers experience lower levels of absenteeism and employee conflict (Guillaume, Dawson, Woods, Sacramento, & West,

2013; Shih, Young, & Bucher, 2013). Such reduced levels can lead to improved health, productivity, and job satisfaction accruing to employees' families and communities.

A Review of the Professional and Academic Literature

In 2014, the EEOC processed 89,385 claims of workplace discrimination (Lotito, Fitzgerald, & LoVerde, 2016). The number of actual discriminatory encounters far exceeds this number (EEOC, 2015). However, many small-to-medium sized business leaders do not possess the necessary skills and abilities to mediate discriminatory actions in the workplace. The purpose of this study was to explore how some human resource managers in SMEs used proactive strategies to reduce financial and legal risk resulting from workplace discrimination.

In this literature review, I focused on workplace discrimination, the EEOC, and ERM strategies. Human resource managers could use this review to learn about strategies to mitigate discriminatory actions, help underserved populations experience a fair workplace, and help managers increase overall company profitability by using ERM strategies in their human resources departments.

In the review, I used the following databases: Google Scholar, Academic Search Complete, Business Source Complete, ABI/Inform Complete, and ProQuest Dissertations. The following keywords were used to identify electronic sources: *Equal Employment Opportunity Commission, EEOC, workplace discrimination, enterprise risk management,* and *ERM*. The review is divided into three distinct segments: business costs of discrimination, the EEOC, and ERM. I used 181 unique sources throughout the entire

study, 155 (85%) were peer-reviewed journal articles, 160 (87.9%) of which were published within the last 5 years. Of the 138 unique sources included in the literature review, 119 or 85.6% were published between 2013 and 2017.

Workplace Discrimination

Mirsha and Mirsha (2015) described discrimination as biased decision-making based on a prejudice against a certain demographic identifier such as age, race, sex, etc. Equally, Dietz, Joshi, Esses, Hamilton, and Gabarrot (2015) referred to workplace or employment discrimination as unfair differential treatments of current or prospective employees solely based on their social or demographic group membership. The U.S. Census Bureau has estimated by 2025 42% of the United States' population will be from a minority group (Brimhall, Lizano, & Mor Barak, 2014). If business leaders are unable to manage the growing diversity in the workforce, organizations will lose profitability and competitive advantages.

Legislators classified discrimination into two categories under the Civil Rights Act of 1964: disparate treatment and disparate impact (Civil Rights Act, 1964; Morrison, 2013). Disparate treatment is any organizational practice that intentionally discriminates against a person or group of people based on one of the protected classes outlined in Title VII of the Civil Rights Act. The dividing line between disparate treatment and impact is intentionality. Morrison (2013) stated disparate impact does require exhibiting intent to discriminate. Disparate impact implies that all employees are treated equally according to a preset system or guidelines, but that a particular group of persons are unfairly excluded

based on the results. Morrison continued by stating the Supreme Court recognized hostile work environment claims, including sexual harassment, as under the jurisdiction of Title VII, most district courts have affirmed the ability of plaintiffs to assert pattern or practice hostile work environment claims.

For an individual to be successful in filing a claim of individual disparate treatment, the claimant must prove they suffered an adverse employment action and that the employer acted with discriminatory intent (42 U.S.C., 2012; Morrison, 2013). The standards to prove disparate treatment have two obstacles for the employee. First, rarely employers will explicitly state they are terminating an employee because of race, gender, or any other protected class. Second, employers, especially in "right to work states" offer reasons for the adverse employment action based on factors that do not violate Title VII. Without direct evidence, the claimant must present a pattern or series of actions from the employer to allow the fact-finder assigned to the case to determine that internal bias motivated the employer's actions (Morrison, 2013).

Not all discriminatory actions are overt and link directly to organizational outcomes. Some forms of discrimination are subtler and impact a person's work environment (Ruggs, Speights, & Walker, 2013; Shih, Young, & Bucher, 2013). These subtle, negative actions may influence organizational decisions and outcomes. King et al. (2013) and Marcus (2013) identified various forms of minority status indicators including visible (e.g. race), invisible (e.g. ethnicity), perceivably controlled (e.g. obesity),

uncontrolled (e.g. disability), widely studied (e.g. gender), and understudied (e.g. sexuality).

Baretto and Ellemers (2013) stated that most contemporary societies hold the view that all people are equal. These egalitarian views are incompatible with overt expressions of discrimination or superiority. Thus, most expressions of bias are subtle and difficult to detect. More subtle forms of bias are biased language, assumptions based on stereotypes, or even paternalistic behaviors such as limited women's behaviors in fear of safety (Baretto & Ellemers, 2015). Individuals tend to avoid expressing explicitly biased judgments, and attempt to control relatively implicit biases, especially when the moral implications of doing so are made salient (Van Nunspeet, Derks, Ellemers, & Nieuwenhuis, 2015; Van Nunspeet, Ellemers, Derks, & Nieuwenhuis, 2014).

Baretto and Ellemers (2015) stated most people are motivated to be unbiased in the treatment of others. People subconsciously ascribe stereotypes to groups of people. These stereotypes are predictors of people's behaviors that their intentions are to remain unbiased. Individuals express subtle discrimination and stereotyping through emphasizing the strengths of groups such as athletic ability for African Americans or domestic household activities for women. Through a process of reinforcing these stereotypes become prescriptive in nature. Society views people who break these new norms as disloyal to their "assigned" groups (Schmitt, Branscombe, Postmes, & Garcia, 2014). For example, if women become professionals and work in a corporate setting, some people view them as neglecting their home responsibilities to their families. Jones,

Peddie, Gilrane, King, and Gray (2013) stated there are serious negative effects on individual well-being and self-esteems through subtly biased behaviors

Targets of workplace discrimination find it difficult to remove themselves from the environment in which they were discriminated against (Shih, Young, & Bucher, 2013). Employees perceive lawsuits costs as high, the social costs inhibitive, and the fear of losing employment restrictive to reporting discrimination. Though the cost of addressing workplace discrimination may be high, failing to address the issue is even more costly.

Baretto and Ellemers (2015) identified a shortcoming in diversity-related research. The authors stated there was no clear way to determine if someone claiming discrimination was downplaying or exaggerating the degree to which they encounter discrimination, or when and why they are most likely to do so. In some instances, there is no consensus as to whether an action is discriminatory or not. For example, individuals who identify with groups that tend to be the target of bias are more likely to perceive discrimination against marginalized groups than members of nontargeted groups.

Baretto and Ellemers (2015) also pointed to another important shortcoming in discrimination remediation. Most anti-discrimination reporting tools require the victim to expose or confront bias or unequal treatment. This line of reasoning requires the victim to recognize the discriminatory stereotyping and bias and places the burden of social costs upon the already mistreated individual. Expecting victims to be responsible for

identifying and confronting discrimination is unrealistic (Moss-Racusin, van der Toorn, Dovidio, Brescoll, Graham, & Handelsman, 2014).

The EEOC stated high rates of discrimination are the consequence of shifting financial circumstances and increased diversity in the workforce. Despite substantial regulation and many organizations' equal employment opportunity and diversity statements, some protected groups consistently fare significantly worse than others in career opportunities (Samavati & Dilts, 2016). Similarly, Deloitte stated risks associated with human capital were one of the major sources of risks for an organization (Jill & Houmes, 2014). Lajili (2015) continued this theme by stating human assets are critical to company performance and must be addressed in the strategic planning process of the organization to mitigate the risk and cost of employee turnover. Zakharova and Kratt (2014) admonished that all the attention of human resource managers should focus on mitigating the negative impacts of human capital risks to reduce the impact on a company's return on investment.

With the increasing importance of risk management related to human capital, Samavati and Dilts (2016) stated companies were searching for ways to manage the risks from damage awards and litigation from discriminatory claims. Samatavi and Dilts continued by stating the right to hire, fire, and manage an organization's workforce is important to operational efficiency, and at the core of entrepreneurial decision. However, with managerial privileges comes the intrinsic risk that an employee may take exception to an adverse personnel act and seek remediation against the employer.

Not all discriminatory actions are overt and link directly to organizational outcomes. Some forms of discrimination are subtler and impact a person's work environment (Ruggs, Speights, & Walker, 2013; Shih, Young, & Bucher, 2013). These subtle, adverse actions may influence organizational decisions and outcomes. Baretto and Ellemers (2015) stated discriminatory behaviors have become less overt and explicit. Instead, there is a much more subtle and implicit cycle of group-based social expectations that tends to undermine the self-confidence of those disadvantaged and impedes their ability to perform well. Most forms of modern discrimination and bias go unnoticed or unreported (Jetten, Iyer, Branscombe, & Zhang, 2013) because real situations are rarely as distinct as presupposed in anti-discrimination regulations (Baretto & Ellemers, 2015b).

Cortina, Kabat-Farr, Leskinen, Huerta, and Magley (2013) called the less overt discrimination "modern discrimination." Cortina et al. stated that more traditional forms of discrimination were blatant derision, endorsement of offensive stereotypes, and support for overt discrimination against women and people of color. These traditional forms of discriminatory actions declined in the latter portion of the 20th century. Researchers developed new titles for the so-called modern discrimination including modern sexism, neosexism, contemporary sexism, modern racism, aversive racism, symbolic racism.

Cortina, Kabat-Farr, Leskinen, Huerta, and Magley (2013) continued by stating modern forms of discrimination differ from traditional forms because business leaders consciously espouse principles of equality and impartiality, publicly denounce bigotry

and prejudice, and strongly identify as non-prejudiced. However, these same individuals discreetly carry objectionable sentiments and perceptions toward women and minorities, leading them to discriminate in discreet or rationalizable ways (Cortina, Kabat-Farr, Leskinen, Huerta, & Magley, 2013). Most forms of modern discrimination and bias go unnoticed or unreported (Jetten, Iyer, Branscombe, & Zhang, 2013) because real situations are rarely as distinct as presupposed in anti-discrimination regulations (Baretto & Ellemers, 2015b).

Krings, Johnston, Binggeli, and Maggiori (2014) continued the theme of modern discrimination and subtle incivility by stating that people with more subtle prejudices carry stereotypes against certain demographics of individuals. Subtle prejudices lead to the belief the person is not prejudice, that discrimination no longer exists, and that minority groups are unfair in their claims of discrimination. These preconceptions reveal a subtle, seemingly rational form of showing prejudice and help people preserve their self-image. Modern forms of discrimination appear in social interactions at work and include verbal, nonverbal, and paraverbal cues.

Business Costs

Workplace discrimination can be costly to businesses (Triana, Jayasinghe, & Pieper, 2015). These costs stem from poor employee attitudes, employee health, employee engagement and motivation, employee turnover, productivity, and loss of sales. Triana et al. stated negative workplace outcomes have a direct effect on business profitability. Shih, Young, and Bucher (2013) continued this thought by stating studying

workplace discrimination was of utmost importance because workplace discrimination is common and difficult to mitigate, there are significant costs associated with discrimination, and it affects almost everyone. Wood, Braeken, & Niven (2013) corroborated this sentiment by stating workplace discrimination had significant effects on worker performance. Hirsh and Cha (2015) explained the financial impact from discrimination allegations extend beyond the immediate litigation costs.

Reduced innovation. Chen, Chen, Hsu, and Podolski (2016) identified a negative causal effect of workplace discrimination on business innovation. Innovation requires teamwork and employee participation; however, workplace discrimination reduces workforce cohesion and lowers social ties and trust. The erosion of cohesion and trust prevents cooperation which limits knowledge creation and idea exchange among employees. Innovation and creativity have long-term natures and require employees with long-term commitments. Discriminatory workplaces decrease employees' commitment, loyalty, and satisfaction with organizations. More inclusive organizations tend to recruit and retain highly-skilled workers that spur innovation and creativity.

Chen et al. (2016) drew from Becker's (1957) seminal discrimination framework and identified three specific reasons workplace discrimination reduced corporate innovation. First, Becker linked innovation to the process of developing and implementing new ideas by workers who interact and exchange ideas with coworkers (Muller, Geyer, Soule, Daniels, & Cheng, 2013, Van de Ven, 1986). Trust is a requirement for collaborative innovation (Hardwick, Anderson, & Cruickshank, 2013).

The tension and lack of trust created by discriminatory actions and behaviors (Downey, van der Werff, Thomas, & Plaut, 2015) significantly decreases the efficacy of innovation development.

Second, discrimination in the workplace prevents the inclusion of workers with different backgrounds and therefore is detrimental to innovation (Beck & Schenker-Wicki, 2014; Hewlett, Marshall, & Sherbin 2013). Innovation requires a broad range of diverse perspectives and intellectual skills. Empirical evidence suggests groups consisting of more varied perspectives produce higher-level decisions than more homogeneous groups. Wang, Rode, Shi, Luo, & Chen (2013) stated workgroup diversity positively impacted creativity and innovation because of increased ideas and perspectives provided by workgroup members with more diverse backgrounds and perspectives. Parrotta (2014) found a firm's number of patents increases with a more diverse workforce as well. Conversely, discriminatory work environments inhibit collaboration and trust that limits creativity (Chen et al., 2016).

Third, innovation is a long-term process in which human capital is more important than physical capital (Chen, Leung, & Evans, 2015). Chen, Leung, and Evans discussed the positive role "employee-friendly" and inclusive work environments had on innovation. Discrimination limits an organization's ability to benefit from their workforces because targeted employees are less satisfied, loyal, and committed to their work. Innovation requires trust and commitment, but discriminatory environments limit these requirements.

Chen et al. (2016) provided evidence of the inverse relationship between innovation and discrimination by exploring innovation differences in organizations in states before and after the passage of antidiscrimination laws. The authors revealed a significant increase in firm's patents and patent citations in states that passed antidiscrimination legislation as opposed to states that did not pass similar legislation, and concluded fair and inclusive work environments foster creativity and innovation.

Chua (2013) also made the case that discrimination inhibits corporate innovation. Chua stated insensitive attitudes and behaviors of managers and employees exerted a negative effect on people around them, decreasing their productivity, and creativity. Chua continued by stating when an organization encounters a discrimination accusation, employees not involved in this dispute might come to believe that leaders exclude all people from diverse backgrounds. Discriminatory work environments undermine not only the organization's diversity policies but also its ability to innovate.

Employee disengagement. Employee engagement is a wide-ranging measure of employee interchange with the organization and is an important concern for business leaders (Boone, James, McKechnie, Swanberg, & Besen, 2013). Cortina et al. (2013) noted adverse consequences of discrimination had negative financial ramifications for organizations, who must absorb the costs of employee distraction and discontentment, work team conflict, and declines in productivity. Baum, Schäfer, & Kabst (2016) agreed by stating discrimination eroded employee morale and attitude toward their job. This erosion of employee attitudes led to significant decreases in productivity. Discrimination

was also linked to increased job withdrawal and decreased enthusiasm and engagement (Wood, Braeken, & Niven, 2013). A decline in employee engagement can be detrimental to worker productivity, customer service, and financial performance (Mehrzi & Singh, 2016).

Baum, Schäfer, and Kabst defined job withdrawal as the process where employees begin to neglect their work responsibilities psychologically or physically, which included lack of effort. Jones, Peddie, Gilrane, King, and Gray (2016) echoed the adverse effects on business profitability by stating stigmatized employees disengaged from their work more often which resulted in decreased productivity. Boone et al. (2016) discovered employee disengagement cost American companies approximately $300 billion each year.

Discrimination affects not only the individuals experiencing the discrimination but the witnesses to the discrimination as well. For example, employees who witnessed gender-based hostility expressed greater organizational withdrawal and lower well-being. With exposure to workplace injustice, both victims and witnesses may become isolated and participate in higher levels of counterproductive work behaviors and diminished productivity (Cortina, Kabat-Farr, Leskinen, Huerta, & Magley, 2013). Employees who experience incivility second hand (e.g., witnessing the mistreatment of colleagues) reveal lower job satisfaction and commitment.

McDonald, Brown, & Smith (2015) stated detrimental behavior is a possible result when employees perceive injustice or a lack of resolution in their employment

circumstances because of incivility or discrimination. One such detrimental behavior is anger. Von Scheve and Ismer (2013) and Hatfield, Carpenter, and Rapson (2014) have stated anger is a collective emotion. McDonald, Brown, and Smith (2015) suggested workers who believe they have been treated discriminatorily may not act directly or confrontationally to correct the situation, they may take surreptitious avenging action, such as theft or sabotage, to 'get even' or to balance a seemingly inequitable situation.

Employee turnover. Many factors may trigger employee turnover, but job satisfaction tends to be among most of the lists (Hofhuis, Van der Zee, & Otten, 2014). One factor of job satisfaction is related to workplace culture. Hofhuis, Van der Zee, and Otten stated workplace cultures that were not open and inclusive of minority employees were a strong predictor of employee absenteeism and turnover. Minority workers in non-accepting work environments may experience perceived discrimination which in turn can affect their rate of voluntary termination. Fostering a positive organizational environment toward diversity is important to develop social exchanges and increase retention of minority members (Hofhuis, Van der Zee, & Otten, 2014; Singh & Selvarajan, 2013). Poor diversity climate can cause employees to feel distrustful and wary of their employer, to the point employees are willing to sever their bonds with their employer (Singh and Selvarajan, 2013). Employees are more likely to be dissatisfied with their job and quit when they exposed to discriminatory actions, either directly or indirectly, (Cortina, Kabat-Farr, Leskinen, Huerta, & Magley, 2013).

Sing and Selvarajan (2013) stated employee turnover is a major issue employers must manage. More employees quit their jobs each year than are terminated or laid off. Cortina, Kabat-Farr, Leskinen, Huerta, and Magley (2013) stated employees that encounter incivility and discriminatory behaviors in the workplace are much more likely to leave an employment situation voluntarily. Employee turnover is not only a threat to a company's talent pool, but the cost of replacing an employee is high. The cost of replacing an employee can range from 30 % of an entry-level employee's annual salary to 400 % for a specialized or high-level employee (Singh and Selvarajan, 2013).

Other costs. Hirsh and Cha (2015) noted other costs to businesses associated with workplace discrimination claims. Hirsh and Cha stated discrimination claims and verdicts could lead to lower stock prices because of financial uncertainty and questions of moral legitimacy following claims. During the litigation process, the investigators may release company information that may cause investors to become concerned about the reputation and legitimacy of the offended business, thus depressing market value and stock price.

Courts can award plaintiffs individual-monetary relief or assess punitive damages to the offending organization (Hirsh & Cha, 2017). Courts may also require organizations to make changes to their employment policies, which can be costly to implement. Employment policies such as hiring, firing, promotion, worker training, and diversity programs may all be required by the court system.

EEOC

Complying with government regulation is a major challenge for small-to-medium sized enterprises (SME). Legislators continue to enact new rules that become increasingly costlier for SMEs to maintain compliance. Kitching (2015) stated smaller firms suffer disproportionately from regulatory burdens. Employment regulations are one of the principal challenges encountering SMEs, and many of these organizations seek outside expertise in managing employment-related regulations. Kitching (2016) suggested many SME managers operate in a state of 'vulnerable compliance,' not understanding if the organization is compliant with federal and state regulations. Employment regulations, especially Title VII of the Civil Rights Act and subsequent addendums, require employers to act, discover, and interpret legislation, as well as adapt to human resource management practices compliant to legal requirements. If organizations fail to meet the required legal standards, they may encounter legal sanctions or other negative consequences.

Human resource managers encountered increased legal risks when addressing situations of recruitment, dismissal, and redundancy issues (Kitching, 2015). This increased risk can cause additional stress and anxiety for the manager. SMEs address numerous challenges in human resource management because human capital is critical to the success of any organization (Onkelinx, Manolova, & Edelman, 2015).

Congress created the EEOC as an enforcer of the legal framework to enforce anti-discrimination legislation prohibiting unfair treatment based on race, color, religion,

national origin, and sex, and prohibiting retaliation. Most charges of discrimination are resolved administratively by the EEOC, but statistics reveal approximately 25,000 discrimination claims are filed in federal court each year (Hagelskamp & Hughes, 2014; Hirsh & Cha, 2017). Settlements to remedy workplace discrimination claims range from monetary penalties to required structural organizational changes. If employees believe they have been the victim of discriminatory behavior, the affected employees must file a claim with the EEOC who has the legitimacy and regulatory force of the United States government. The EEOC has been successful at prosecuting a wide-ranging docket of cases.

The EEOC's mandate in Title VII of the Civil Rights Act was removing barriers that favor an identifiable group of employees over another and to make remedies for injuries suffered because of unlawful employment discrimination (Campbell & Marcum, 2016). The agency has unique access to workforce demographics and market trends that give the EEOC a unique role and responsibility in fighting workplace discrimination (Kim, 2015). The EEOC provides a critical administrative and enforcement function (Bornstein, 2014). Bornstein concluded the EEOC is essential for the enforcement and success of the Civil Rights Act and the protection minority workers across the United States.

EEOC history. Title VII of the Civil Rights Act of 1964 created the EEOC. President Lyndon B. Johnson signed the act into law in 1964 and the EEOC one year later (EEOC, 2015b). Title VII specifically prohibits employment discrimination based

on race, color, religion, sex, and national origin, but the EEOC also enforces the Age

Discrimination in Employment Act, the Equal Pay Act, the Americans with Disabilities

Act, and the Genetic Nondiscrimination Information Act. Numerous laws and executive

orders have shaped the mission and scope of the EEOC since its creation.

In June 1941, then President Franklin D. Roosevelt signed Executive Order 8802

titled, Reaffirming Policy of Full Participation In The Defense Program By All Persons,

Regardless Of Race, Creed, Color, Or National Origin, And Directing Certain Action In

Furtherance Of Said Policy (EEOC, n.d.; Gates & Saunders, 2016) that prohibited federal

contractors from discriminating against workers based on race, color or national origin.

This order is significant because it was the first presidential action to prevent

employment discrimination by private employers holding government contracts (EEOC,

2015b). President Roosevelt signed Exec. Order No. 8802 (Gates & Saunders, 2016) to

help protect against worker strikes during World War II to ensure continuous production

of military supplies. The law applied to all defense contractors, but lacked any provisions

for enforcement or repercussions.

The next significant event in the history of discriminatory protections came in

July 1948 by President Harry Truman. Exec. Order No. 9981 (1948) entitled,

Establishing the President's Committee on Equality of Treatment and Opportunity In the

Armed Forces. Exec Order 9981 called for the desegregation of the United States

military. The order required there be "equality of treatment and opportunity for all

persons in the armed services without regard to race, color, religion or national origin"

(1948). The actual integration of the military did not occur until the beginning of the Korean War in 1952.

Executive Order No. 10590 (1955) created the President's Committee on Government Employment Policy. President Dwight D. Eisenhower created this committee to be composed of five members, as follows: (a) one representative of the Civil Service Commission, to be designated by the Chairman, (b) one representative of the Department of Labor to be appointed by the Secretary of Labor, (c) one representative of the Office of Defense Mobilization, to be designated by the Director, and (d) two public members to be appointed by the President. President Eisenhower commissioned the committee to advise the President periodically as to whether or not the private employment practices in the Federal Government were in conformity with non-discriminatory employment policies.

In March 1961, President John F. Kennedy signed Exec. Order No. 10925 (1961) that reaffirmed the federal government's commitment to reducing employment discrimination by dissolving the committee created by President Eisenhower and establishing a new committee called President's Committee on Equal Employment Opportunity. President Kennedy's committee differed from President Eisenhower's in one specific way, and the newly formed committee could issue sanctions for the first time. Lyndon B. Johnson became the first chairperson of the President's Committee. President Kennedy touted this committee as a step towards eliminating discriminatory actions for all.

The first national civil rights legislation was passed by the United States Congress on June 10, 1963. Legislators called this act the Equal Pay Act (EPA). The EPA protected men and women from discrimination based on gender by stating employers should pay men and women who performed similar work at the same establishment on an equal basis. The Labor Department would administer this regulation until 1978.

On June 19, 1964, the Senate passed the Civil Rights Act of 1964. This act is arguably one of the greatest anti-discrimination bills ever passed by the United States Congress. Congress debated the bill for 534 hours, resulting in 500 amendments to the original bill. President Lyndon B. Johnson signed the Civil Rights Act into law on the evening of July 2, 1964. The legislation contained 11 sections addressed many issues ranging from voting rights to protections against discrimination. Title VII outlined and created the EEOC.

The series of executive orders before Congress passing the Civil Rights Act were attempts by the executive branch of the United States Government to combat the discriminatory environment that existed in America by creating a mechanism to encourage the diversification of the American workforce. The authors of the executive orders attempted to address some specific facet of equal employment opportunity, but the creation of a central hub to address the diversification of the American workforce was weak, narrow, and short-termed. However, the EOs became the building blocks of the more robust action of the EEOC. The initial anti-discrimination efforts were largely symbolic because they lacked enforcement mechanisms.

Title VII of the Civil Rights Act of 1964 articulated the purpose and mission of the EEOC. Section 703(a) of Title VII deems it unlawful for employers to fail or refuse to hire any person or discriminate an individual concerning their compensation, terms, conditions, or privileges of employment based on their race, color, religion, sex, or national origin. The act continued by stating it was also illegal for employers to limit, segregate, or classify an employee in any way that would restrict or tend to limit a person's status as an employee based on the same demographic attributes. Unlawful discrimination encompasses a range of actions including failure to hire, termination of employment, failure to promote, or altering an employee's terms and conditions of employment (Morrison, 2013). Congress created the EEOC to enforce the new directives outlined in Title VII.

Section 705(g) granted the EEOC power and authority: to work with or utilize regional, state, local, and other agencies, both public and private; to pay mileage fees to witnesses whose testimonies are taken or summoned before the Commission; to provide technical assistance to further compliance with this subchapter or any subsequent order; to assist in accomplishing remedial action as provided by the subchapter; to conduct technical studies appropriate to accomplish the purposes and policies of this subchapter and to make the results of such studies available to the public (EEOC, 2012).

The United States Congress did not grant the EEOC litigation authority; however, the commission could cooperate with a range of external actors, participate in private lawsuits, offer conciliation, and institute technical assistance programs (Kim, 2014).

When Congress first ratified Title VII, if the EEOC could not mitigate a claim of

discrimination, the case was referred to the Attorney General of the United States to bring

a lawsuit on behalf of the people. In 1972, Congress made amendments to the EEOC's

authority. The amendments granted the EEOC authority to sue a private employer

directly, without the assistance of the Attorney General. Unlike the list of executive

orders before 1964, the EEOC had enforcement capacity, a budget, and a dedicated staff.

Congress funded the EEOC with $2.25 million and 100 employees. Congress based the

original EEOC budget on estimates of 2,000 annual discrimination claims. However, the

EEOC received over 8,800 claims in its first year.

The Supreme Court settled two important cases in the EEOC's early 1980s that

set the precedence for the authority given to the commission. EEOC vs. Shell Oil Co.

(Morrison, 2014) affirmed the EEOC could initiate an investigation of a private

employer, even without official charges being filed by the claimant. In a decision

remitted in the General Telephone Co. of the Northwest vs. EEOC (1980), the court ruled

the EEOC could bring a suit in its name against a private employer to exonerate the

overriding public interest.

In 1991, Congress amended the Civil Rights Act of 1964 through the Civil Rights

Acts of 1991 (Morrison, 2014). The Act expanded the remedies available to claimants of

employment discrimination to include compensatory and punitive damages. Another

important change was Congress expanded the definition of "complaining party" to

include the EEOC. This change allowed the EEOC to sue for compensatory and punitive

damages (42 U.S.C. § 1981(a)(1); Morrison, 2014).

The EEOC has created a three-tier classification system to sort the large number

of cases filed with the commission each year. Investigators assign cases into categories

with the letters A, B, or C. Category A cases are the highest priority and will likely be

litigated by the Commission. Category B are claims that appear to have merit, but require

further proof to have a substantial case. Category C cases are cases where the

commission's leaders have decided even with further investigation, claims are unlikely to

be successful (Hatry, Wishner, & Howell, 2016). Category A charges receive priority.

Investigators will investigate Category B as resources permit. Investigators will likely

dismiss Category C. Yang, Lopez, and Inzeo (2015) identified the criteria necessary for a

claim to receive strategic significant or Category A status. The Commission should give

SA status to claims that affect many employees, cases that might have an impact on law

development, and cases that involve substantial changes to employer practices. Hatry et

al. stated these guidelines are at the initial discretion of the reviewer.

Once the Commission assigns the SA status, the EEOC first tries to settle the

claim through conciliation. If conciliation is unsuccessful, the field attorney representing

the EEOC must make the decision whether the case should proceed to litigation. Hatry et

al. (2016) reported four criteria used by the field attorneys in the determination process.

The criteria include (a) history of discriminatory allegations, (b) the strength of evidence,

(c) the likely time and cost to pursue the litigation, and (d) the likelihood a bar would

review the case. If these criteria are satisfied, the regional attorney and the Office of the General Council decide to file legal proceedings.

The EEOC identified six strategic priorities to plan resource allocations. These priorities include: (a) eliminating barriers to recruiting and hiring, (b) protecting vulnerable workers (e.g. immigrant and migrant workers), (c) addressing emerging issues, (d) enforcing equal pay acts, (e) continuing access to legal systems, and (f) preventing harassment through targeted outreach and systemic enforcement. Regional directors can add local priorities to the plan as deemed necessary.

Process of litigation. The EEOC must meet certain conditions precedent through a multi-step administrative process before it can file charges in a federal court (Morrison, 2014; 29 C.F.R, 2013). The administrative process includes receipt of the charge and notification to the implicated employer, an investigation, a determination of reasonable cause, and an attempt to conciliate. A charge is a "jurisdictional springboard" for an investigation to take place. The charge can be filed by or on behalf of the affected party by the victim or a representative of the EEOC. To provide employers assurance against superficial claims from disgruntled employees, the EEOC requires claims of discrimination to made in writing and accompanied by an oath or affirmation. 29 C.F.R. §1601.12 (2013) outlined the required information for valid claims to include: (a) full name and contact information for the person filing the claim, (b) the full name and address of the respondent of the charge, (c) a clear and concise statement of the facts, (d) if known, the approximate number of respondent's employees, and (e) a disclosure

stating whether the unlawful practice have been brought before a state or local agency. The EEOC must notify the accused employers within ten days of verifying victims' claims.

Once the claim has been verified and the employer notified, the EEOC must commence its investigation. The EEOC has broad investigative powers. The investigation may include interviewing the claimants and witnesses, obtaining a statement from the respondent, on-site inspections, and other requests for information (EEOC, n.d.c). Title VII also provides the EEOC the authority to issue administrative federal court subpoenas. The investigation must be at least loosely related to the claim, but courts have upheld the Commission's need to be free of impairment in its research (Morrison, 2014).

Once an EEOC investigation starts, investigators may file other charges if additional information supports. The EEOC may add additional violations to the claim or expand the scope of the claim to include a class of employees, not just the original claimant. Even if the original employee settles their suit with the employer directly, once the investigation has commenced the EEOC may continue to pursue their investigation. If after the conclusion of the investigation the EEOC finds reasonable cause to believe the charges are likely to be true, the Commission will issue a letter of determination to the charging party and respondent.

Researchers have noted the Civil Rights Act of 1964 is one of the most monumental legislations in regards to discrimination (Aiken, Salmon, & Hanges, 2013; Engstrom, 2014). However, other researchers have stated the Civil Rights Act was

effective in its inception but its efficacy stalled in subsequent years. For example,

researchers discovered reduced segregation between white and black men from 1966

through the 1970s, but additional progress for black men ended after 1980 (DiTomaso,

2013). Further, DiTomaso continued by stating there was minimal change in segregation

between white men and women in the 1960s and 1970s, but such segregation decreased

in the 1980s, slowed in the 1990s, and stabilized thereafter.

The EEOC has advantages over individual or private plaintiffs in cases of

workplace discrimination. The EEOC possesses the statutory right and authority to sue in

its name to maintain the public interest in averting employment discrimination and to

pursue assistance from a group of employees (Schlanger & Kim, 2014). The EEOC's

public funding allows the organization to pursue claims with smaller monetary values

that may prove inhibitive for individual claimants. Other cases are difficult to prove or

require resources not available to private counsel, but the EEOC has access to assets from

its national reach. The EEOC recommitted its efforts to represent discriminated parties in

lawsuits to prove systemic discrimination claims (EEOC, n.d.b). The EEOC is uniquely

equipped to address claims of systemic discrimination (Ford, 2014).

King, Avery, and Sackett (2013) argued the Civil Rights Act of 1964 has been an

effective piece of legislation. Many employers and employees understand the regulation

and what it protects. Second, a series of legal cases have defined the framework to ensure

compliance with the law. King, Avery, and Sackett argued the Civil Rights Act is a

deterrent to illegal behaviors. Finally, the legislation offers a remedy for those who have been negatively affected.

Critiques. Even with the advantages the EEOC carries, most litigations are modest. Most awards are small and most remediation last for years (Schalnger & Kim, 2014). A minimal number of cases are contentious, and most claims require judicial intervention. EEOC-mitigated claims result in increased oversight and required rationalization for employers concerning hiring and firing protocols. Schlanger and Kim concluded the EEOC's legal practices are pursuing a standard, organizational personnel systems that have helped to promote and ratify the managerialism reactions adopted by many organizations.

Kim (2015) revealed a flaw in the EEOC and Civil Rights legislation by stating the Act does not outline specifically which managerial actions are considered illegal. Litigators have fought subsequent cases with societal and political tensions (Ford, 2014). Many of these cases have been controversial and challenged in subsequent appeals. Schanger and Kim (2014) questioned the EEOC's ability to provide lasting relief for protected employees. The authors stated most remediation involved requiring the employer to provide sexual harassment and workplace discrimination training for employees. Kalev, Dobbin, and Kelley (2006) argued increased employee training has a negative effect on reducing workplace discrimination claims. Therefore, given the high number of remedies that require training, the EEOC's efforts may encourage more discriminatory actions in the workplace.

Despite continuous improvement and EEOC's focus on eliminating workplace discrimination, discrimination still exists (Lindsey, King, McCausland, Jones, & Dunleavy, 2013). Hatry, Mark, and Davies (2013) noted EEOC performance measures are mainly process oriented and not outcome oriented. Out of seven identified measures, only one is outcome oriented, the percentage of resolutions that contain targeted relief. The EEOC tracks internally and publicly the total monetary awards. Internal reports contain the number of conciliations that were successful. Hatry, Wishner, and Howell (2016) stated the EEOC had issues with attorney retention. The researchers reported attorneys leaving the EEOC to pursue private practice because they could earn more income. Hatry, Wishner, and Howell identified this as an important priority for the Commission.

There are other criticisms of the EEOC. Jacobs, Murphy, and Silva (2013) questioned the legitimacy of the EEOC's procedures in certifying disparate impact and treatment cases based on statistics and sample size. Jacobs, Murphy, and Silva state the use of statistical significance tests has the negative outcome because the size of an organization or an applicant pool has more impact on determining adverse impact than the extent to which procedures truly discriminate. In theory, the size of the organization unduly influences statistical proofs of discriminatory actions meaning it is worse for an organization to be larger in scale than discriminatory. The authors argued the EEOC's method of determining statistical significance is too simplistic.

King, Avery, and Sackett (2013) also acknowledged the existence of critics to the Civil Rights Act and those who question the legality and constitutionality of the EEOC. Senator Rand Paul famously argued the Civil Rights Act was a far overreach by the federal government and private businesses were negatively affected by the law. Senator Paul has not been the only voice to question the legality of the Civil Rights Act. In the case Heart of Atlanta Motel v. United States, 379 U.S. 241 (Lopez, 2015), the Supreme Court ruled the act as legitimate based on the Interstate Commerce Clause.

Other researchers including Thompson and Morris (2013) and Williams et al. (2013) outlined a progression of the Civil Rights Act that led to instances of reverse discrimination. Reverse discrimination is a situation where authority figures unfairly deny the majority group rights based on a favoritism towards a minority group. Thompson and Morris stated affirmative action goes beyond non-discrimination and involves special efforts to increase diversity by implementing policies that provide preferential treatment of persons from minority groups.

Risk Management

Risk management has considerable implications for competitiveness and is a prerequisite for business strategy planning to reduce potential losses and take advantage of market opportunities (Brustbauer, 2016). In perfect capital markets, risk management does not add value to a firm; however, in imperfect market conditions risk management can help managers take advantage of and exploit such market imperfections (Grace, Leverty, Phillips, & Shimpi, 2015). Even though managers can never fully eliminate

risks, there must be strategies to manage them (Khan, Hussain, & Mehmood, 2016).

Traditional views advocated avoiding risks to save money, but researchers and business

managers now should embrace risk. Risks are present in almost every financial and

economic activity. Risk identification, assessment, and response is a part of a company's

strategic direction (Dionne, 2013).

Risk is a combination of the likelihood or regularity of an event and its

consequences, which is usually harmful (Dionne, 2013). Dionne described risk

management as an array of financial or operational activities that maximize the worth of

an organization or a portfolio by limiting the costs related to cash flow instability.

Researchers have identified five distinct types of risk: (a) pure risk, (b) market risks, (c)

default risks, (d) operational risks, and (e) liquidity risks. Bromiley, McShane, Nair, and

Rustambekov (2015) stated even a single strategic decision might involve multiple types

of risk during execution. Different dynamics influence encountered risk, including the

economic atmosphere, management style, and technology and innovation (Soltanizadeh,

Abdul Rasid, Mottaghi Golshan, & Wan Ismail, 2016). Farrell and Gallagher (2015)

stated risk management is not all about minimizing the total risk a company faces, but

rather choosing the optimal level of risk to maximize shareholder wealth.

Traditional models of risk management. Traditional risk management

strategies have focused on making decisions to minimize the adverse effects of

unintended losses of an organization. Dionne (2013) stated risk management has evolved

since its inception. Modern risk management strategies started to evolve in the 1950s,

after World War II. Risk management strategies aimed to identify potential losses and examine the feasibility of various strategies to limit risk exposure. Kunreuther, Heal, Allen, Field, and Yohe (2013) surmised organizations are naturally risk and ambiguity adverse.

Dionne (2013) refers to the process of mitigating internal risks as self-insurance. Baranoff et al. (2005) continued by outlining six risk controls techniques: risk avoidance, loss prevention, loss reduction, separation, duplication, and diversification. Risk avoidance refers to the refusal of organizational leaders to engage in activities that expose them to certain risks. Loss prevention utilizes actions to decrease the occurrence and severity of losses from risks. Separation is dividing assets to ensure those assets are not all exposed to the same risk and the same time. Duplication includes the implementation of redundant processes to prevent the cessation of an operation. Finally, diversification extends risk exposure over a range of operations, markets, or regions.

Brinkman (2013) suggested the complexity of modern risks joined with the increased pressure to hold organizations responsible for their actions, led some managers to focus on the ability to provide a defensible justification for their decisions concerning risk, at the expense of sound judgment. Brinkman continued by stating the need for intelligent risk management based on (a) control systems that lessen the burden of managerial attention, (b) elevated tolerance levels for ambiguity in the risk mitigation process, and (c) internal systems that generate usable knowledge.

Historically, firms have managed various risks independently because various functional areas within business chose to address risks differently (Bromiley, McShane, Nair, & Rustambekov, 2015). Managing risk is about managing ambiguity related to a threat. Traditional risk management concentrates on risks originating from physical or legal causes such as natural disasters or fires, accidents, death, and lawsuits. Risk management is vital to firm stability, investor performance, and government accountability (Bromiley, McShane, Nair, & Rustambekov, 2015; Eckles, Hoyt, & Miller, 2014).

Traditional risk management strategists have used a disaggregated, siloed approach to categorize and manage risks without acknowledging the relationship of those risks (Grace, Leverty, Phillips, & Shimpi, 2015; Soltanizadeh, Abdul Rasid, Mottaghi Golshan, & Wan Ismail, 2016) The allocation of risk mitigating resources was decided locally and not based on a general knowledge of the entire enterprise risk (Sax & Torp, 2015). Under the fragmented view of risk, business leaders focused on specific possible events, insurable by using insurance and derivative instruments (Farrell & Gallagher, 2015; Fraser & Simkins, 2016). Soltanizadeh et al. (2016) stated managers traditionally have ignored risk management in strategic planning processes. If risk management strategies existed, they were a result of a manager's perception and experience of risk. Traditional risk management involved strategies such as hedging and corporate insurance which could decrease financial loss, bankruptcy costs, conflicts of interest between managers and stakeholders, the cost of regulatory accountability, and expected taxes.

Regulators are pressuring firms to integrate risk management strategies further in corporate governance. Businesses are facing regulations and pressure from legislators through laws such as the Sarbanes-Oxley Act (Lundqvist, 2014). Significant pressure has also arisen from rating agencies such as Standard and Poors and Moody's which include risk management strategies in their evaluations of non-financial corporations. These increased pressures have created a business environment focused on managing risk thus creating the need for a holistic approach because the siloed approach to risk management is not an effective way to manage corporate-wide risks (Shad & Fong-Woon Lai, 2015). Researchers widely accept for a firm to control its risk taking, setting risk budgets is imperative among different business units and collect all risks into a consistent framework (Farrell & Gallagher, 2015). Farrell and Gallagher cited a copula-based study to demonstrate a firm's total amount of risk differs from the sum of the enterprise's individual risks.

Human capital risks. Often, organizations only apply risk management strategies to specific projects or sectors i.e. finance or accounting (Arnesen & Foster, 2016). Managers give little attention to the human resource environment. Instead, the tendency seems to focus on riskier departments. Becker and Schmidt (2015) stated that potential risks cover a much wider spectrum to include inherent, nontechnical risks such as personnel risks. Historically, the fields of risk management and human resources have existed without intermingling, but there have been calls for a closer integration of the two departments (Becker & Schmidt, 2016; Meyer, Roodt, & Robbins, 2011; Arnesen &

Foster, 2016). Many HR managers' job descriptions do not include risk management as a performance measure even though some companies have experienced losses because of a lack of governance.

Becker and Schmidt (2015) stated risk management is about mitigating risks and protecting company resources and the most valuable resource of any organization is people. Markoulli, Lee, Byington, and Felps (n.d.) emphasized the need for human resource practitioners to concentrate on mitigating the risk associated with employment compliance and litigation since navigating labor law should be a large part of the HR team's function. Human resource risk managers must focus on mitigating risks before jeopardizing a project or organization. For human resource managers to eliminate the potential risks in employment activities, managers must utilize the full resources of the organization to manage human capital risks (Gherman, Brad, & Dincu, 2015).

Potential risks human resource managers encounter include any threat, vulnerability, or action that impacts, positively or negatively, the results of HR policies, plans, training, or objectives (Gherman et al, 2015). Identifying risks in the HR and personnel functions must be a regular operational practice (Arnesen & Foster, 2016). Having risk management procedures and policies implemented allows an enterprise to address changes effectively. Risks can arise from any of the core functions of an HR department, including purchasing insurance, maintaining cash reserves, installing security systems, diversification, recruiting, safety, training, coaching, policy and procedure development, effectively addressing employee complaints of harassment or

discrimination, and uniform termination procedures (Meyer, Roodt, & Robbins, 2011).

De Beer and Du Toit (2015) stated human capital risks include company culture, talent

shortages, retention, ineffectiveness, employee performance, unethical behavior,

disengagement, grievances and disputes, excessive absenteeism, employee wellness,

sabotage, workplace violence, as well as noncompliance with industry and other

regulations and laws.

Identifying risks from the workforces is paramount because human capital

accounts for nearly 50% of all operating costs to a corporation (Anaraki-Ardakani &

Ganjali, 2014). Deloitte argues every business scandal or regulatory violation has its start

in the human capital (De Beer & Du Toit, 2015). Human capital risks occur in three

predominant areas: (a) compliance, (b) productivity, and (c) growth. Compliance risks are

risks to an organization's financial well-being or reputation from failure to meet

regulatory or legal requirements such as legislation, discrimination, health and safety,

occupational health, disciplinary procedures, employment decisions, and corporate

governance. Productivity risks refer to the risk of losing output because of under-trained,

under-skilled, or unmotivated employees. Growth risk is the risk of failing to maximize

organizational capabilities to achieve business development.

Deloitte reported people and behaviors were the largest sources of business risk to

an organization (De Beer & Du Toit, 2015) and Anaraki-Ardakani & Ganjali (2014)

argued for human resource professionals to adopt a structured and systematic process to

identify, classify, and manage risks. Becker and Schmidt (2015) highlighted the need for

more risk management in human resource departments and stated the issue was becoming more important for global executives. HR risk management allows HR managers the opportunity to accomplish their fiduciary responsibilities of maintenance and sound financial administration (De Beer & Du Toit, 2015).

Meyer, Roodt, and Robbins (2011) stated most companies and HR managers employ a reactive approach to managing HR risks. HR practitioners must expand their roles from stewards to strategists. Becker and Schmidt argue risk managers should address HR risks in the overall corporate risk structure. De Beer and Du Toit stated HR risks are not dissimilar from other risks across organizations. Anaraki-Ardakani and Ganjali (2014) argued for HR managers to utilize established risk management procedures to add value to an organization. Collaboration between HR and risk management should include similar vocabulary, identification, and assessment of risks. HR managers should integrate risk management structures that are consistent across the organization to reduce confusion and exploit synergies.

Enterprise risk management. A more recent concept, ERM, provides a tool to enhance the value of systems, both commercial and communal, from a systematic point of view (Wu, Chen, & Olson, 2014). According to the Committee of Sponsoring Organizations Commission (COSO), ERM is an integrated risk management approach that has the possibility to increase organizations' risk management efforts (COSO, 2013). After a series of business scandals and failures in the early 2000s, organizations, investors, and stakeholders suffered tremendous losses (COSO, 2013). ERM is an

important business concept because it supports value establishment by enabling

management to effectively forecast events associated with risk and ambiguity (Jill &

Houmes, 2014). ERM is a proactive approach to prepare for and react to unforeseen

events that regularly occur in a fast-changing environment (Choi et al., 2015; Mikes and

Kaplan, 2014; Sax & Torp, 2015).

COSO believed ERM's integrated framework was the solution to prevent future

business scandals and failures and anticipates it would become broadly accepted by

companies and in fact all stakeholders, investors, and concerned parties. However, after a

decade, the effectiveness of COSO's ERM model remained debatable. The problem was

COSO's ERM model focused exclusively on internal control while one of the key

elements of an effective ERM practice is the ability to integrate risks with regards to both

internal and external controls (PMBOK, 2013)

ERM has become a best practice for organizations to moderate and control risks

across the organization. Shad and Fong-Woon Lai (2015) called ERM a business

necessity. Originally formulated as a strategy for the banking industry following the 2008

financial and subprime crisis, ERM has been adopted by businesses outside the financial

arena (Kanhai & Ganesh, 2014). ERM is a holistic view of risks from the entirety of the

organization (Grace, Leverty, Phillips, & Shimpi, 2015; Khan, Hussain, & Mehmood,

2016; Sax & Thorp, 2015). ERM encourages increased risk-management attentiveness

supporting a firm-wide risk management method, converting into complete operational

and strategic management decisions (Brustbauer, 2016). ERM draws from theoretical risk

concepts to deliver broad management, proposing key principles but leaving specific details to the implementing firms. A key component of ERM is the examination of the risk interactions and their aggregation (Farrell & Gallagher, 2015).

The Committee of Sponsoring Organizations of the Treadway Commission (COSO) defined ERM as a process, enacted by an organization's board of directors, management and other personnel, used in a strategic setting and across the organization, intended to detect possible events that may impact the organization, and manage risks to be within its risk appetite, to offer practical assurance regarding the attainment of organizational objectives (Mikes & Kaplan, 2014). Since its release in 2004, researchers have widely quoted the COSO ERM framework and referenced it in extant literature reviews (Lundqvist, 2014). Many of the current concepts for ERM stem from COSO's outline of ERM. Most ERM frameworks are similar in concepts, but differ greatly in implementation (Lundqvist, 2014).

Lee and Green (2015) stated ERM is a process that provides a robust and holistic top-down view of key risks facing an organization. ERM is designed to manage and reduce risks on an enterprise-wide basis effectively. This new risk management design ensures the preservation and growth of stakeholder value. ERM suggests an organization address all risks comprehensively (Bromiley, McShane, Nair, & Rustambekov, 2015). Soltanizadeh et al. (2016) emphasized the need for managers to align ERM and other risk management strategies to the business's corporate vision.

American ERM practitioners drew from concepts already in place in Europe. Frameworks such as collective views of risk, reinforcement of strategic capacities, multidisciplinary approaches to managing risks, and collaboration between functional areas to manage uncertain futures (Bromiley, McShane, Nair, & Rustambekov, 2015). The term "ERM" was later coined by Holton (1996). Finance scholars have developed arguments justifying the management of systematic and unsystematic risks because both sources of uncertainty cost firm's money. Various regulatory frameworks globally have contributed to the development and improvement of ERM. This includes International Organization for Standardization ISO 31000, COSO 2004, Federation of European Risk Management Associations (FERMA), the Sarbanes-Oxley Act (SOX) in the United States (Shad & Fong-Woon Lai, 2015).

ERM assumes holistically managing risks is more efficient and less costly than managing subsidiary risks separately (Bromiley, McShane, Nair, & Rustambekov, 2015; Eckles, Hoyt, & Miller, 2014). Traditional risk managers were only concerned with systemic risks such as natural disasters and continuity, but ERM theorists recognize a large portion of the overall risk profile for a corporation is in strategic areas where there is a lack of historical data to make accurate predictions of future volatilities. ERM researchers also recognize risks are not simply to be mitigated, but risk management can be a source of strategic competitive advantage if properly done. ERM implementation can help identify unexploited opportunities across the enterprise (Baxter, Bedard,

Hoitash, & Yezegel, 2013). Brustbauer (2016) stated ERM is about recognizing opportunities during good times and protecting against risks in shrinking economies.

ERM practioners seek to manage risk to remain within an organization's risk appetite and to provide reasonable assertion about the realization of organizational goals (Kanhai & Ganesh, 2014). A significant calculation in determining if firms exhibit effective ERM tactics centered on the institution's risk culture. Researchers have discovered a correlation between culture and successful ERM implementations (Kanhai & Ganesh, 2014). Creating a culture of risk management is a key factor implementing a successful ERM system (Gavalas & Syriopoulos, 2014). Roslan and Dahan (2013) defined risk culture as the standards and traditions of the conduct of persons and of groups within an organization that determine the way in which they identify, understand, discuss, and act on the risks the organization confronts and takes.

For ERM to be effective, it must directly link to company strategy. Second, ERM was designed to identify happenings that could influence company performance as defined by its strategic objectives. Third, ERM's goal is to deliver reassurance that companies achieve strategic objectives. Soltanizadeh, Abdul Rasid, Mottaghi Golshan, and Wan Ismail (2016) concluded strategy and risk management must be aligned.

Using ERM facilitates holistically risks assessment across divisions and in a methodical way prioritize assets, apply a portfolio philosophy. ERM also allows managers to identify and address unidentified strategic threats in lower-level departments. Hence, an enterprise-wide method to risk management encourages risk

consciousness and risk understanding to all managers and employees throughout the business structure. It distinguishes the importance of the data and recommendations from people at all levels of the firm (Sax & Torp, 2015).

Benefits of ERM. Researchers have pointed to many benefits from implementing ERM at the corporate level. The value propositions of risk management at firm level are indirect in nature. Managers have seen reduced costs, lower earnings volatility, lower stock price volatility, increased competitive advantage and increased stakeholder confidence (Soltanizadeh, Abdul Rasid, Mottaghi Golshan, & Wan Ismail, 2016). ERM eliminates redundant risk-mitigating processes across the organization. Nair, Rustambekov, McShane, and Fainshmidt (2014) regarded ERM as a dynamic abilities device and noted greater ERM proficiency allows a firm to increase performance in stock prices and profitability in unpredictable economic conditions.

ERM programs enable corporations to mitigate the likelihood the firm will be unable to pursue potentially lucrative future ventures by reducing fiscal distress (Khan, Hussain, & Mehmood, 2016). Khan, Hussain, and Mehmood also stated effective risk management, by steadying the business earnings, will mitigate the perceived risk of the firm and will thus increase its chances of being solvent. Therefore, for a creditor, such a business is a low-risk firm, and therefore more debt options will be available. When creditors view businesses as low-risk, banks tend to lower financing costs, which means smaller interest payments and reduced cost. Second, with an improved availability of

investment, the firm builds a stronger collection of feasible business opportunities for future investments.

ERM frameworks allow managers to make more effective decisions about risks because an integrated approach enables managers to view risks jointly and analyze their interactions. ERM increases risk awareness and leads to more efficient capital allocations (Grace, Leverty, Phillips, & Shimpi, 2015). By applying methodical ERM procedures, which involve recognizing, evaluating, and reacting to the entirety of risks that challenge an organization and its capability to achieve strategic objectives, firms are postulated to lower their overall risk exposure and increase performance (Sax & Torp, 2015). Business leaders use ERM to provide firms with an informational advantage that allows them to create a competitive advantage (Walker, 2013). Shad and Fong-Woon Lai (2015) summarized risk management is a process that enables firms to grow economically and financially as it reduces the risk of business activities and cost of capital.

Critiques. ERM is an ambiguous conglomeration of guidelines that researchers have been unable to agree on a consensus. Lundqvist (2014) stated firms often use multiple frameworks to guide implementation or assume implementation into internal ERM frameworks, thus suggesting a level of ambiguity regarding guidance. Lundqvist also pointed to the inconsistency in current literature concerning the effectiveness of ERM strategies.

ERM is costly and requires considerable time and energy to implement, and with inconclusive results of value creation, larger corporations are the most likely to

implement ERM strategies (Gatzert & Martin, 2015; Lundqvist, 2014). ERM has a

negative net present value from a frictionless capital market perspective, and by

diversification, investors can mitigate risk. Therefore, the benefit of ERM revolves

around the existence of capital market friction (Soltanizadeh, Abdul Rasid, Mottaghi

Golshan, & Wan Ismail, 2016). Soltanizadeh et al. acknowledged the minimal impact on

an extensive range of firm variables and concluded ERM failed to create value for many

organizations. Sax and Torp (2015) also noted studies provided no evidence to support

the claim that applying the COSO framework improves risk management effectiveness.

Many corporations find it difficult to agree on measurements and strategies to

address risks across varying business units. Fraser & Simkins (2016) documented eight

challenges managers encounter in implementing ERM frameworks. These are: (a)

corporate culture, (b) boards of directors' knowledge, (c) not applying a simplistic

mindset, (d) training without having risk workshops, (e) identifying too many risks, (f) no

timeframes, (g) not making ERM enjoyable or meaningful, and (h) not recognizing ERM

as change management. Fraser and Simkins recognized ERM would not work in all

corporate cultures because ERM depends on open and transparent work environments

that facilitate information exchange. Boards of directors have less than adequate

knowledge about ERM practices, and the role of boards in risk management is not well

understood. Risk managers often attempt to implement many changes at once which

over-complicates the process. Fraser and Simkins note without a proper understanding of

risks, leaders may not effectively implement employee training. Many organizations

identify too long of a list of risks to be effectively managed by risk managers. Risk management strategies must have timetables attached to risk strategies to be effective. Another challenge can be the leadership style of the team implementing the ERM change. Last, risk management implementation teams have failed to realize ERM is a major change in thought process for employees; therefore, managers must implement ERM with a change management approach.

The difficulties in implementing ERM systems have led some business leaders to falsely claim they are utilizing ERM strategies (Barton & MacArthur, 2015). Barton and MacArthur cited JPMorgan Chase as an example of these false claims. Industry experts touted JPMorgan as an example of successful ERM abiding company, but in 2012 the company experiences a loss of over $6 billion because the transactions of a single trader nicknamed the "London Whale" (Ackerman et al., 2013; Barton & MacArthur, 2015). The act of falsely claiming a robust risk management system is worse than having no system at all.

Arnold et al. (2014) stated ERM adoption is not a guarantee of successful risk management. If incorrectly implemented, ERM can be harmful to an organization. Many organizations start implementing ERM to meet a compliance requirement but stop short of embracing the principles. The business leaders who initiate ERM for calculative purposes attempts to measure everything and ultimately becomes a system of managing nothing.

Gaps in the Literature

The literature focused on human resource management is broad and far reaching, but Nolan and Garavan (2016b) stated most of this HR literature is focused on larger firms. Nolan and Garavan continued by stating human resource development researchers have not sufficiently focused on small and medium-sized enterprises (SMEs). SMEs have different characteristics and contexts from larger organizations. Nolan and Garavan (2016a) called the lack of HR literature from SMEs "fragmented, disjointed, and methodologically deficient" (p. 407). Kitching (2015) summarized the gap in human resource research dedicated to SME is difficult to justify, given the importance of SMEs to the global economy.

<div align="center">Summary and Transition</div>

The persistence of discriminatory actions in the workplace and filed discrimination lawsuits by employees revealed a need for further study. Workplace discrimination is costly to businesses because it reduces innovation (Chen, Chen, Hsu, & Podolski, 2016), increases employee disengagement (Cortina, Kabat-Farr, Leskinen, Huerta, and Magley, 2013) and increases employee turnover (Sing & Selvarajah, 2013). There are substantial legal ramifications for discriminatory behaviors in the workplace. These negative implications are just a part of the costs associated with workplace discrimination. Financial markets react negatively to even the accusation of discriminatory behaviors by employers. In this study, I focused on three issues: ERM, the EEOC, and workplace discrimination.

A new strand of research is emerging that allows business leaders to manage the risks involved with human resource practices in the same portfolio as other risks across the organization. ERM allows companies to address and mitigate risks from all segments of the organization. Solutions to sustained workplace discrimination and the associated costs may be revealed by adopting a more robust and holistic approach to managing risks, including human capital risks.

The EEOC has a role in managing claims of discrimination and the legal framework in which the Commission was created and granted litigation authority. The EEOC has been fighting for equality in the workplace since its creation in 1965 and continues to be the U.S. government's watchdog for employee mistreatment. In 2014 alone, the EEOC successfully litigated 88,778 claims of discrimination, resulting in $450,000,000 in remediation.

I also discussed strategies human resource managers can implement to reduce the financial and legal risks of workplace discrimination. Developing a robust human resource program that seeks to eliminate or mitigate risks from workplace discrimination and employment practices is critical to enhancing human capital and maintaining a sustainable competitive advantage (Nolan & Garavan, 2016a). I employed a qualitative research method, because I explored strategies from the viewpoint of human resource managers who have successfully implemented risk management strategies to mitigate workplace discrimination. ERM theorists have helped business leaders formulate strategies to address a wide variety of risks, including those stemming from workplace

discrimination claims. In the literature review, I reviewed the current literature focusing on the business costs of workplace discrimination, ERM, and the EEOC's role in mitigating discriminatory behaviors by employers. Business leaders need to address the far-reaching effects of workplace discrimination.

Section 2 will examine the role of the researcher, the participants in the study, the research method and design, and data collection. Section 3 will provide an overview of the study, the methodology, findings, and interpretation of the study.

Section 2: The Project

Section 2 includes detailed information about the project and the methodology: a qualitative, multiple-case study. This section includes a reiteration of the purpose statement with additional background data; it describes the role of the researcher, participants, method and design, data collection, along with reliability and validity.

Purpose Statement

The purpose of this qualitative multiple-case study was to explore how some human resource managers in SMEs used proactive strategies to reduce the financial and legal risk resulting from workplace discrimination. The population consisted of four human resource managers in SMEs in the Southeastern region of the United States; these managers implemented proactive strategies to manage the risk associated with workplace discrimination. The implications of positive social change are a work environment free of discrimination for all workers with potential benefits of increased health. Communities may benefit by experiencing a culturally representative work environment and lower unemployment for underrepresented populations.

Role of the Researcher

The researcher is a critical component in conducting a qualitative research study. The role of the researcher includes planning the study and gaining approval from the institutional review board (IRB) before collecting data (Lewis, 2015). The researcher is active in collecting, organizing, and analyzing the data (Lewis, 2015). In this case study

research, I collected data through individual interviews and   document analysis

(Houghton, Casey, Shaw, & Murphy, 2013; Yin 2014).

For this study, I used my professional network to identify human resource

managers from SMEs. I sent an introductory e-mail with an invitation to participate in the

study. My previous relationship with the participants was strictly professional.

The Belmont Report of 1974 provides a summary of basic ethical principles to

guide researchers when using human subjects (Brakewood & Poldrack, 2013). The

principles include respect for participants, beneficence, and justice. In conducting semi-

structured interviews, I was careful to implement these principles. I used open-ended

questions and, as I gathered, identified, and organized the data, I properly documented it.

To preserve integrity within the study, I asked appropriate questions, listened without

bias to assure my understanding of the detailed issues of the study (Yin, 2015).

Through a thorough review of recent literature, I gained a deeper understanding of

the efforts of human resource managers to reduce the financial and legal risks from

workplace discrimination. To remain impartial, I approached the study as an independent

observer and acted only to gather data, while suppressing my personal beliefs. Yin (2015)

provided interviewing protocols as a procedural guide before, during, and after the

interview to produce rich and precise data. Case study reliability includes evidence from

multiple sources of information (Yin, 2014). I used appropriate interviewing procedures

throughout the study to ensure research integrity and protect the privacy of participants

while reviewing the interview data to identify and interpret common themes that emerged from the study.

Participants

This case study included purposive sampling to select participants who are human resource managers from SMEs located in the Southeastern region of the United States. I chose a purposive method to select four SMEs that have implemented proactive strategies to manage the risk associated with workplace discrimination. Through the use purposive sampling, I identified four human resource managers that have implemented proactive risk-mitigating strategies who offered insights into the study (Palinkas, Horwitz, Green, Wisdom, Duan, & Hoagwood, 2013). Ritchie, Lewis, Nicholls, and Ormston (2013) noted purposive sampling requires access to the appropriate participants to provide quality data. Many SMEs do not have appropriate risk management strategies to reduce the financial and legal risks from workplace discrimination.

I contacted participants via telephone or e-mail to arrange the interview. I gained access to the human resource managers contact information from my professional network. To gain trust and establish a working relationship, I explained the purpose and benefits of my study and asked the participants open-ended questions to elicit responses, according to Walden University guidelines.

Research Method and Design

I selected the research method and design after I completed the problem statement as recommended by Hoare and Hoe (2012). Most scholarly researchers can choose from

three methodologies: qualitative, quantitative, or mixed method. A qualitative researcher

studies ideas and concepts from the participants' perspective. Using qualitative methods

also allows researchers to identify and explore themes based on the responses of the

participants (Smith, 2015). I used purposive sampling to identify four human resource

professionals from SMEs in the southeastern region of the United States who offered

insight into the study (Palinkas et al., 2013). Purposive sampling required classifying

participants with identified conditions based on the research problem. The sample size

was a function of available resources, time restrictions, and objectives of the study

(Oppong, 2013). The goal of this study was to gain insights into how human resource

managers have successfully integrated risk management strategies to mitigate the risk

from workplace discrimination within the organization.

Research Method

Since this study included four distinct SME organizations, a multiple-case study

design was appropriate. An investigation through a descriptive case study enables the

researcher to conduct exploratory research and ask questions to comprehend the

characteristics of real-life events (Yin, 2015). Grounded theory researchers focus on

discovering theories in the data (Walker, 2012), which was not the intent of this study.

Phenomenological researchers study the human experience from the view of those living

the phenomena (Tuohy, Cooney, Dowling, Murphy, & Sixsmith, 2013) An ethnographic

researcher focuses on an entire culture of people and gains perspectives (Yin, 2013).

However, the goal of this study was to explore strategies for making workplaces more

inclusive. I explored these risk-mitigating strategies through semi structured interviews with open-ended questions. Qualitative research is a creative endeavor and necessitates a deep and inventive approach to assessment.

Research Design

Through this study, I explored four cases within the human resource profession. As a case-study researcher, I sought to understand the motives and implementation of decision-making (Yin, 2014). I used a case study design to generate an in-depth, complex understanding of a multifaceted subject in a real-life setting (see Lewis, 2015). I collected data through semistructured interviews, nonparticipant observations, and documentary analysis (see Houghton, Casey, Shaw, & Murphy, 2013). In this study, I ensured data saturation by interviewing four human resource managers and utilizing published data until no new concepts emerged.

Other qualitative research designs such as phenomenological, narrative, and ethnographical were not appropriate for this study because analysis of theories, hypotheses, or numerical data would not yield the data needed to answer the research question (Hoare & Hoe, 2013). Researchers conduct exploratory research and ask questions to comprehend the characteristics of real-life events in descriptive case study designs (Yin, 2015). Grounded theory researchers focus on discovering theories in the data (Walker, 2012), which was not the intent of this study. Phenomenological researchers study the human experience from the view of those living the phenomena (Tuohy, Cooney, Dowling, Murphy, & Sixsmith, 2013). Phenomenological researchers

are more suited to study affective, emotional, and intense human experiences (Merriam, 2014). An ethnographic researcher focuses on an entire culture of people and gains perspectives (Yin, 2013). Ethnographic researchers use wide-ranging investigation, including the observation of participants while engrossed in the study of culture (Punch, 2013). Finally, I did not choose narrative since I did not convey the story of a person's life.

Population and Sampling

The intent of this study was to understand how business leaders can use ERM strategies to mitigate the financial and legal risks from workplace discrimination. The population included human resource managers of SMEs in the southeastern United States. My sampling method was purposive by selecting four human resource managers from four SMEs in the southeastern region of the United States. I interviewed each participant and utilized member checking to reach data saturation and utilized research public information about each organization to gain a better understanding of the organizations' practices and strategies to aid in the alignment of the interview questions.

Johnson (2015) and Yin (2014) recommended a sample size of 1–10 participants but stated 2 or 3 could prove adequate if the theory was straightforward. Case study sample size is satisfactory when further interviews yield only repeated or saturated data (Trotter, 2012). Bailey (2014) and Boesch, Schwaninger, Weber, and Scholtz (2013) posited that using purposeful sampling allows the researcher to determine the participants and select those who could make relevant contributions. I purposefully selected eligible

participants because their positions in SMEs in the Southeastern region of the United States. Each participant received an invitation (Appendix B) to participate along with detailed background information about the research. Interviews took place in a location of the participants' choice.

Ethical Research

Qualitative research can result in ethical challenges for participants and researchers (Aluwihare-Samaranayake, 2012; Miller, Birch, Mauthner, & Jessop, 2012). Hoare and Hoe (2012) said ethical issues might surface in all aspects of the research process, including subject matter, research problem, data collection, and data interpretation. To mitigate these ethical challenges, I followed the parameters established by Walden University's Institutional Review Board (IRB). Blackwood, Maio, Mrdjenovich, VandenBosch, Gordon, Shipman, and Hamilton (2015) stated the IRB is the administrative committee responsible for approving research and overseeing ethical standards in human subject research.

Before gathering any data, I submitted a consent form with my IRB application for approval. The informed consent form provided information regarding the purpose and duration of the study, nature of involvement, and how I ensured participant confidentiality and possible risks for participants. The informed consent for this study complied with IRB requirements. Walden University's IRB approval number for this study was 05-08-17-0561500. The consent form informed the participants of the potential

risks, voluntary participation, benefits of the study, and the right to decline or withdraw from the study. There was no compensation for participation in the study.

I recruited four study participants that met the eligibility criteria and sent invitations and the informed consent forms via e-mail. The invitation (Appendix B) discussed the topic, design, and purpose of the study. According to the recommendations of Pee, Kankanhalli, Tan, and Tham (2014), I discussed the elements of the consent form with the participants and obtained the participants' signatures confirming their willingness to participate and offered a summary of the findings. If a participant had wanted to withdraw from the study, they could have done so through e-mail, and I would have acknowledged the e-mail and completed the withdrawal process (Lewis, 2015).

Participants chose the location where the interviews took place to ensure confidentiality, privacy, and a comfortable environment for research. To follow MacPhail, Khoza, Abler, and Ranganathan's (2016) recommendation, I assigned codes for the participants' and organizations' names to protect the identity of the participants such as P1 and Organization 1. Qualitative research protocols require a researcher to store the research data files, signed informed consent forms, and interview recordings and transcripts in a password protected file on an external disk drive for a 5-year period (Lewis, 2015; Lohle & Terrell, 2014; Thomas, 2015).

Data Collection Instruments

Yin (2014) noted case study data comes from six primary sources: documentation, archival records, interviews, direct observations, participant observations, and physical

artifacts. As the researcher, I used semistructured interviews, internal company documents, and relevant materials from the organizations' websites to collect relevant qualitative data for my study. The semistructured interviews consisted of eight open-ended questions that guided the conversation and allowed the participant to share relevant information. Fowler (2013) noted in qualitative research, the researcher is the most prominent and crucial instrument. The researcher is the primary data collection instrument in case studies because they create the interview questions and conduct the data analysis (Marshall & Rossman, 2015).

I used an interview protocol (Appendix A) with basic questions for each participant to help guide the discussions to obtain relevant data from the research question. The participants could express their views and opinions freely. I asked a series of probing follow-up questions as necessary and audio recorded the interviews and transcribed the discussion manually and used member checking to increase the validity of the collected data (Awad, 2014; Harper & Cole, 2012; Yin, 2014). Using member checking ensured I collected and interpreted the data properly and helped remove personal bias from affecting my findings.

I also used other sources of data for this study including internal company documents and relevant materials from the organizations' websites. During the semistructured interviews, I asked the participants to share any relevant internal documentation including employee handbooks or other materials published by the human resource manager. In addition, I visited the organizations' website and gathered other

relevant information such as hiring procedures, nondiscrimination statements, and relevant news releases.

Data Collection Technique

The focus for this study was to discover what proactive strategies some human resource managers in SMEs use to reduce financial and legal risk resulting from workplace discrimination. I used semistructured interviews to obtain facts and participants' opinions and audio recorded the interviews with the participants' permission to transcribe the interviews later. I provided the participants with a copy of the transcript to ensure reliability and validity. Semistructured interviews were the primary tool of data collection for this study as interviews were effective in producing data necessary for answering the research question (Arseven, 2014).

I conducted interviews with four participants to reach data saturation and member-checking techniques. Researchers achieve data saturation when no new themes emerge from the data. Data saturation is more likely achieved through a precise research question and purposeful data collection (Houghton, Casey, Shaw, & Murphy, 2013; Palinkas et al., 2013).

Semistructured interviews constitute guided conversations that assist in facilitating prearranged questions. Using open-ended questions encourages the participants to expound on their experiences throughout the interview. Semistructured interviews provided the necessary structuring, flexibility, phasing, and placing to discover the answers to the research question while directing the questions and responses

to keep the discussion coordinated (Dana, Dawes, & Peterson, 2013). Semistructured interviews allowed the participants to discuss their experiences in their words and allowed me to ask follow-up questions (Irvine, Drew, & Sainsbury, 2013).

Face-to-face interviews with the participants helped establish report and gain trust. The interviews were conversational and I asked participants to elaborate on responses and share additional insight. Each interview lasted between 30 to 40 minutes.

Semistructured, face-to-face interviews have disadvantages as well. Sommers, Arntson, Kenney, and Epstein (2013) stated in face-to-face interviews, participants may respond what is socially desirable. The researcher must manage their ability to listen, remain engaged, suspend judgment, and enquire without becoming interrogational. Managing the researcher's bias is paramount for capturing the information effectively. The efficacy of qualitative study results depends on observational methods and researcher's skills in mitigating these challenges (Parry, Mumford, Bower, & Watts, 2014). I conducted the interviews based on the interview protocol in Appendix A.

Yin (2015) stated documents were potential, key sources of data in case study research. I was able to collect internal company documents and relevant materials from the organizations' websites to triangulate the interview data. A possible risk to using internal documents and organizations' website information is the risk that the information is outdated and may not necessarily reflect reality (Yin, 2015). Therefore, I verified corroborating interview data with documentation to identify and address potential source bias existent through direct observations.

Data Organization Technique

I transcribed and verified the interview recordings before organizing them for analysis (Wahyuni, 2012) and then imported the transcribed data to NVivo 11 software program, organized them into different categories, and saved them in the internal folders. As suggested by Vohra (2014) and Wahyuni (2012), I used the grouped data to draw future inferences. Using NVivo 11, I organized the raw data as nodes for analysis. I organized the hard copy data of transcripts and field notes into file folders categorized by themes, participants or applications in synchronization of NVivo internal folders, and stored on a password-protected external memory drive and all physical forms in a locked filing cabinet for 5 years

Data Analysis

For this study, I used data and methodological triangulation analysis to ensure validity and reliability. Data triangulation involves using multiple data sources to ensure the data consistency from different contexts and sources (Tellis, 1997). Methodological triangulation is the process of using at least two types of data to address the same research question; therefore, I used other data sources such as public information and company documents to augment in-depth, face-to-face interviews (Gale, Heath, Cameron, Rashid, & Redwood, 2013).

During the data analysis phase, qualitative researchers code, review, categorize, define, and combine common statements to identify emergent themes and conclusions (Yin, 2014). My data coding process included assigning keywords based on common

terms that emerged from the transcript review and secondary data sources. I imported

these data into NVivo11 to assist in assigning category names or descriptive words to the

segmented data. Each participant had a unique identifying code, such as P1, to identify

the source while protecting their anonymity.

Reliability and Validity

Reliability

A key means for assuring the reliability of qualitative research is collecting and

demonstrating credible and trustful data (Houghton, Casey, Shaw, & Murphy, 2013).

Verifying the quality of gathered data is a core element in establishing reliability

(Campbell, Quincy, Osserman, & Pedersen, 2013). I used member checking as my main

technique for ensuring research reliability and dependability. Member checking involves

a process where researchers restate and summarize the participants' answers and allow

them to verify accuracy. Other researchers could replicate the results of this study

because I assured dependability throughout the research process by following

documented procedures and protocols (White, Oelke, & Friesen, 2012). Yin (2014) also

suggested using multiple sources of data to assure reliability and validity. Therefore, I

used publicly available information about the companies the participants represented and

asked the participants for any archived data or publications they might share.

Triangulating data using interviews, documentation, and member checking assured

dependability (Johnson, 2015; Yin, 2014).

Validity

The validity of a study is the accuracy with which a researcher reflects on the case studied through the process of gathering and interpreting data meaningfully (Oluwatayo, 2012; Yin, 2011). Venkatesh, Brown, and Bala (2013) stated there are four aspects to the validity of a qualitative researcher study: credibility, transferability, dependability, and confirmability. As discussed under Reliability above, I addressed the issues of dependability and reliability through member checking and allowed each participant to thoroughly read and inspect their responses to confirm, enhance, or correct them if needed. Marshall and Rossman (2015) stated triangulation is also paramount in establishing validity in qualitative research. I used methodological triangulation to validate collected data from multiple types of data sources. To enable others to determine the study's transferability, I provided detailed descriptions of processes with detailed and accurate records of the research study. I also utilized peer-reviewed sources to assure the credibility of the research context and ensure confirmability and data saturation. I followed the Yin's (2014) guidelines for qualitative research by detailing procedures, establishing protocols for the study, and setting up a database for recording and analyzing data.

Summary and Transition

The goal of this study was to explore the proactive strategies some human resource managers in SMEs use to reduce financial and legal risk resulting from workplace discrimination. In Section 2, I outlined the research methodology, sampling,

data collection, organization, and analysis plans and processes. I also provided an overview of my plan to establish and demonstrate validity and reliability.

In Section 3 I will discuss the findings of the study and the importance of the results to the professional practice in which I identify and discuss the strategies to mitigate the financial and legal risks arising from workplace discrimination and outline the implications for social change. Section 3 also contains recommendations for further study, reflections, recommendations for future study, and my overall conclusions.

Section 3: Application to Professional Practice and Implications for Social Change

Introduction

The purpose of this qualitative multiple-case study was to explore what proactive strategies some human resource managers in four SMEs use to reduce financial and legal risks resulting from workplace discrimination in the southeastern region of the United States. The data came from semistructured interviews, internal company documents, and relevant materials from the organizations' websites. I used member checking and relevant company documents to triangulate and validate the results. All participants agreed that being proactive in managing risks related to human capital was vital. I identified four emergent themes: the need for education, the need for external accountability, the need for formalized policies and procedures, and barriers to proactive strategies.

Presentation of the Findings

The overarching research question for this study was as follows: What proactive strategies do some human resource managers in SMEs use to reduce financial and legal risk resulting from workplace discrimination? The candidates first received an e-mail invitation to participate in the study. Once they confirmed (via e- mail) their interest in being interviewed, I sent them the informed consent form and scheduled an interview time. Participants answered eight opened-ended questions in a 30-minute semistructured interview. After each interview, I transcribed the interview, and the participants member checked the transcription. I replaced the names of the respondents with P1, P2, P3, and

P4 to ensure confidentiality. I imported the transcriptions into Nvivo 11 for analysis and

discovered four themes, which I discuss in subsequent subsections.

According to Johnson (2015) and Yin (2014), qualitative researchers require a

sample size of 1–10 participants, but 2 or 3 could prove adequate. A case study sample

size of four human resource managers from four organizations proved satisfactory

because the fourth interview verified that I had attained data saturation. I ensured the

findings' validity and credibility by member checking and triangulating the data with

internal company documents and other relevant materials from the organizations'

websites.

For the data analysis portion, I followed Yin's (2014) recommended procedures

for qualitative case studies: (a) compiling, (b) disassembling, (c) reassembling, (d)

interpreting, and (e) concluding. I compiled the interview data through transcribed,

semistructured interviews and imported the data into NVivo 11, where I disassembled the

data and reassembled it into similar thoughts and themes. Through this process, four

overarching themes emerged:

1. The need for education

2. The need for external accountability

3. The need for formalized policies and procedures.

4. Barriers to proactive strategies

The themes revealed the strategies that some human resource managers have

implemented to successfully mitigate the financial and legal risks associated with

workplace discrimination. In analyzing the interview data, the four themes continually appeared, as evidenced in Table 1.

Table 1

Themes from the Interviews

Theme	Number of references
Need for Education	12
Need for External Accountability	13
Need for Formalized Policies and Procedures	13
Barriers to Proactive Strategies	5

Human resource managers must take a proactive stance toward mitigating the risks of workplace discrimination. P1 stated that

Proactiveness is key. You would rather handle it before it starts so to speak. These issues, the discrimination issues, have the tendency to take major time and resources away from especially a small organization and business so that more you can do up front, the less you have to do on the back end. What's the old saying, an ounce of prevention is better than a pound of maintenance? No truer saying than in this.

P1's response about being proactive aligned with Ford's statement: "the inevitability of a tolerated residuum of discrimination suggests the need for other more proactive measures to combat social inequality (2014, p. 1381)."

Theme 1: The Need for Education

All four participants in this research study mentioned education and training as the primary means for reducing the risks associated with workplace discrimination. Three of the employee handbooks I reviewed also mentioned the need for continued education to comply with rules, regulations, and company policies. I identified two subthemes related to the need for education: education and training for the human resource department and managers and training for employees. The interviewees suggested using proactive education and training should be adopted by other organizations.

The EEOC stated discrimination could be avoided if agencies and employees understand their legal rights and responsibilities (EEOC, n.d.f.). The EEOC continued by noting human resources managers should be trained on employment law and corporate policies and held accountable to these policies. The Massachusetts Bar Association stated employment policies are only helpful if managers and employees understand and enforce them (Cooney, 2016). Becton, Gilstrap, and Forysth (2017) also suggested periodic management and employee training that continually communicates an organization's stance on discriminatory and harassing behaviors. Education related to workplace discrimination is principally in two categories: training for managers and training for employees.

Training for managers. All four participants in this research study acknowledged the need for continued training for human resource managers. P1 noted their organization's partnership with the local university for continued education and

training. Through this partnership, P1 stated that "they [the local university] provide us resources to educate our workforce about discrimination both with employees and the clients we work with." While P4 stated: "We do a lot of manager training. We teach them how to prevent it [discrimination], to detect it [discrimination], and we bring in our attorney for the college once a year. They do face-to-face training with all of management over a 3-day period to basically instill in them that you are not to discriminate against someone, not just how to detect it and prevent it, but not to do it yourself." Hirsh and Cha (2017) confirmed the most popular method for managers to avoid possible discrimination is through training and education and nearly 40% of organizations surveyed by the authors reported formalized diversity training programs.

P3 and P4 cited their involvement with the local chapters of the Society for Human Resource Managers (SHRM) as an important resource for ongoing training and development related to employment legislation and best practices. P4 stated, "We as the HR department as a whole do a lot of training and professional development. We keep up our education so that we can be prepared." P3 suggested:

Use your resources. Go to conferences. Absorb as much as you can. Choose conferences that are specific to what you do. In addition to the HR conferences, I would go to the legal conferences because what happens in each state is different. The lawyers are on top of what's been happening. The HR world sends out stuff when it happens, but the lawyers are there, they're in the hearings.

Training for employees. Three of the four HR managers addressed the need for training the individual employees and not simply the managers. For example, P1 stated that "We also have quarterly training sessions to educate our workforce on changing dynamics inside and outside our organization." P4 echoed this sentiment by saying, "When a new employee starts, whether they are part time or fulltime, we require them to go through diversity training, harassment training and discrimination training online. We have an online training system. It has a lot of different modules." This is in accordance with Gronholm, Henderson, Deb, and Thornicroft's (2017) assertion that education programs have been effective in reducing discriminatory actions.

P4 acknowledged their training system was not perfect, but they were seeking to improve and expand it soon. She said she believed having this training would help mitigate the culpability of the organization in any legal actions. This position is consistent with Beardwell, Claydon, and Holden's (2015) call for human resource departments to empower their employees through extensive training because workers need training in interpersonal skills to make work environments function properly.

Theme 2: The Need for External Accountability

All four participants referenced their organizations' use of external accountability measures. The composition of these accountability programs differed, but they were all designed to benefit from outside points of view. For example, P1 referenced their board of advisors as an external monitor; according to P1, their "board of advisors are elected people who help us oversee the operations of the organization. These people come from

varying backgrounds and provide valuable insight into what we do and the decisions we make."

Both P2 and P4 mentioned having legal counsel involved in their HR policies. P2 stated, "We submit ourselves to the external audit. They review all of our procedures and practices and transactions in accordance with North Carolina and Federal law. They ask us thorough questions about why we do what we do." P2 continued by stressing the importance of this external auditor,

> It's important to have external experts come in and look at your strategies, hiring, firing, and dealing with people because you can get absorbed in the everyday life of a small business because your attention is demanded everywhere. It can be tempting to respond as needed, but you really need to take proactive measures. And the most helpful, in my experience, is going outside of the organization to get independent opinion.

P4 noted they work closely with their attorney and continued by explaining their reporting structure that includes a statewide oversight board. P3 also mentioned two oversight boards that monitor their organization for discriminatory behaviors and practices.

All HR managers in the study acknowledged their policies must be approved on multiple levels internally and externally. When asked about who was involved in the process of designing and implementing proactive strategies, all participants mentioned the process started in the HR department, but must be approved by the president or

executive director, the president's cabinet or leadership team, and the board of directors. Two of the four represented organizations added another layer of legal counsel to the approval process. SMEs do not require external accountability, but the interviewed HR managers all agreed it was a "best practice." However, none of the secondary data sources I reviewed contained any reference to using external accountability measures or reviews within the organization.

Hirsh and Cha (2017) stated discrimination mitigating policies must include organizational oversight to be effective because decision makers tend to be more equitable if they know their actions will be assessed and scrutinized by others. Hirsh and Cha continued by stating outside monitors add a layer of scrutiny that can serve as a check on discriminatory actions and ensure diversity remains prominent in human resource practices. The responses from the participants confirmed the need for external accountability.

Theme 3: The Need for Formalized Policies and Procedures

The EEOC recommends that organizations have a strong Equal Employment Opportunity policy in place and these policies can: (a) help employees understand and comply with rules, (b) prevent problems that may result in discrimination complaints, (c) limit the organization's liability (EEOC, n.d.e). A robust nondiscrimination policy should include: (a) a statement that clearly outlines discrimination based on race, color, religion, sex, national origin, disability, age, or genetic information is illegal and will not be tolerated, (b) a statement of reasonable accommodation, (c) reporting procedures, (d) a

statement of nonretaliation, (e) a statement of confidentiality, (f) the process of investigation, (g) and consequences of violations (EEOC, n.d.d).

All participants referenced a formalized employee handbook. P2 stated that their organizations' employee handbooks helped protect them from culpability in certain discrimination claims because the handbooks contained specific, clear policies. P1 went even further by stating, "We have a lengthy employee handbook that all employees are required to read. They must initial each chapter as they complete it. We make sure to update this handbook regularly." P3 stated their handbook provided a common source and standard for collaboration across functional areas and departments.

P1 discussed a policy that their organization has instituted called "Talk Time." In this 1-hour timeframe, each week the executive director is available in the conference room so that employees could stop by and discuss issues occurring in the workplace. The "Talk Time" policy was publicized to the organization's employees through internal memos. P1 stated:

> This policy has been tremendously beneficial because if there's a scenario where someone is not comfortable discussing it [issues in the workplace], this is an opportunity for them to discuss it with the right person at the right time. It can be handled in a manner that's still protective of the individual.

Similarly, P3 stated when a grievance was filed, they became a mediator and tried to handle the situation "at the lowest level possible." These policies are comparable with

the EEOC's (n.d. e) recommendation that organizations foster open communication and early dispute resolution.

Consistent with EEOC recommendations, P2, P3, and P4 all mentioned hiring practices as well. These three participants referenced job postings and hiring decisions by stating the organizations were Equal Opportunity Employers (EOEs) and they collected voluntary demographic EOE data during the application process. All of these organizations included the EOE statements on their websites and job postings. P2 explained their hiring process, "No one can make a hire individually or fire individually or anything like that. So, there are checks and balances throughout. We have a lot of systems in place that will protect us against that." P4 said:

> We do have an applicant tracking system, so we start with the application. When an employee applies, and we make sure that the application process does not disclose any race, gender, or anything when we forward the application to the hiring manager. We do have a voluntary EEO form at the end, but it's kept separate from the application at the end. It's just so that we can track our data.

These strategies are consistent with the EEOC's (n.d.e) guidance that hiring decisions should be made with equitable principles in mind and that organizations should monitor themselves through self-analysis.

Theme 4: Barriers to Proactive Strategies

Throughout the interview process, the participants spoke about barriers they encountered in implementing proactive human resource policies. These implementation

barriers ranged from cost to people's resistance to change. Nonetheless, all participants encountered barriers in implementing change. P1 mentioned culture and history as hindrances to change. Both P3 and P4 discussed corporate culture and people's reluctance to change. P3 said, "I know for example that there's a person, later this year, will have 50 years in here. When you have had people that have been here that long, their resistance to change goes up." The reluctance to change as noted by the study participants underscores Bertrand and Duflo's (2016) assertion that social identity is foundational to many discriminatory practices and behaviors. This observation is consistent with Becker (1957) and Pompper (2017) who stated people tend to be less inclined to change long-held behaviors and attitudes. Becker argued the need for comfort clouds a manager's judgment and may lead to decisions that are less economically prudent for the company.

P2 was the only participant to mention cost as a prohibitive factor in implementing new HR policies. However, Gatzert and Martin (2015) stated the implementation costs of risk mitigating strategies are cost prohibitive for small enterprises. P2 also noted the added costs of oversight and training, but recognized the value added by these endeavors. Despite all the interviewed managers mentioning barriers to implementation, none of the secondary sources of data addressed any implementation obstacles, or how they can be addressed.

Comparison of Findings with the Conceptual Framework and Current Literature

I used the ERM concept as the conceptual, framework for this study. ERM researchers state risks across the organization should be managed as a whole and not in

individual silos. Organizational leaders must utilize the full resources of the organization to manage human capital risks, e.g. ERM strategies (Gherman, Brad, & Dincu, 2015). The data from the participants' interviews supported the concept of formalizing risk management strategies to capitalize on synergies across the organization as suggested by Grace, Leverty, Phillips, and Shimpi (2015). The need for formalized strategies is best evidenced in P2's response,

> [We have] an accounting audit but it also goes through some policy and procedures as it relates to that [HR policies] as well. It's expensive but it's worth the cost. It protects us from anything nefarious. It's a good measure of accountability.

Graham and Antonucci (2017) stated effective ERM demands knowledge in the organization, from the board to the front line. Human resource managers must ensure training is appropriately targeted and delivered across the organization. ERM provides means for improving an organization's talent management, competitive human resource management, and employer branding, and ensuring effective ways of educating, training, and recruiting and retaining productive employees at all levels (Yilmaz & Flouris, 2017). Eastburn and Sharland (2017) stated managers must understand how risk management is established within their organizations. The assertion of human resource managers' role of educating employees across the organization is consistent with the responses from the four managers I interviewed.

Yilmaz and Flouris (2017b) concluded that humans are both a source of risk and managers of risk. For organizations to be successful, managers must consider organizational behavior, culture, physiology, and sociology in the management of ubiquitous risks. McCorquodale, Lise, Neely, and Brooks (2017) asserted certain risks can go unmanaged if organizations continue to use a piecemeal approach to risk management. Oversight is vital in ensuring that risk management strategies are successful. In addition, Carcello, Eulrich, Masli, and Wood (2017) concluded managers who had external accountability and internal audits perceived a larger decline in overall risks than those managers who were not audited, which is consistent with the emergent theme from my interviews that accountability and oversight are imperative for successful risk mitigation.

<div align="center">**Applications to Professional Practice**</div>

The findings of this study could positively affect small to medium-size enterprises. In this study, I explored the strategies that some human resource managers use to mitigate the financial and legal risks from workplace discrimination. Applying these strategies can not only help to mitigate these risks but could help create more profitable businesses as well.

Human resources managers can use these findings to evaluate the current strategies in managing the financial and legal risks from workplace discrimination. Being proactive and not reactive is a key catalyst for a successful risk mitigation process. The

legal and social environments are continually evolving which can enhance human resource and discrimination policies and practices.

HR managers must have an external and impartial accountability structure. Ruggs, Speights, and Walker (2013) stated discrimination tends to be less overt and sometimes unconscious. Therefore, it is beneficial to have someone from outside the related organizations periodically review an organization's HR policies. As P2 stated, employing outside oversight and consultants might be costly but is well worth the cost.

If organizations can effectively mitigate the risks of workplace discrimination, the company may experience improved employee attitudes, improved employee health, increased employee engagement and motivation, lower employee turnover, increased productivity, and improved performance. Proactive risk mitigating strategies can reduce the likelihood of discrimination claims, which can save the company time, money, and reputational equity. Using risk management synergies across the enterprise, including such departments as accounting and finance, can help reduce the costs of managing human resource programs. For example, P2's organization used the same auditing firm for both their accounting and HR audits, which saved the organization time and money.

Implications for Social Change

If human resource managers adopt a more proactive strategy in mitigating the risks from workplace discrimination, there are significant implications for positive social change. These implications include the potential to enhance access to fair and equitable work environments for all workers, including those from diverse backgrounds, lifestyles,

and physical attributes. Implementing the results of this study may catalyze beneficial social change for diverse populations of workers in the business environment. A diverse workforce can promote innovation, increase organizational effectiveness, expand the pool of potential human capital, enlarge the customer base, and increase customer satisfaction (Chrobot-Mason & Aramovich, 2013). As managers focus on fostering inclusive workplace environments, businesses leaders can become advocates for social change that influence governmental, societal, and fundamental policies for benefiting communities. Communities can benefit by experiencing a more culturally representative work environment and lower unemployment rates for underrepresented populations. If managers address diversity properly, workers experience lower-levels of employee conflict and absenteeism (Guillaume, Dawson, Woods, Sacramento, & West, 2013; Shih, Young, & Bucher, 2013), which can lead to increased health, productivity, and job satisfaction with concomitant benefits accruing to employees' families and their communities.

Recommendations for Action

Based on the interviewees' responses and supporting documentation, being proactive and remaining educated are essential for successfully managing a company's human resource function. Human resource managers in small to medium sized organizations should evaluate their policies and procedures against the findings discussed in the main themes of this study. Business owners, managers, and stakeholders should review the relevance of findings from this study. If related strategies do not exist in an

organization, leaders should design, develop, adapt, and implement them to mitigate the financial and legal risks from workplace discrimination and conditions.

Organizations should have formalized and published human resource policies and discrimination-mitigating procedures for all employees and managers. Communication with, and educating the workforce about, discriminatory actions is imperative. Having an in-depth and up-to-date employee handbook is the foundation to successfully mitigating discrimination, but is not sufficient. Human resource managers should seek to create a safe space for employees who may be disproportionately affected. P1 stated the culture in their organization encouraged communication which, "opens the doors for the kind of transparency and trust that gets built when you start discussing tough topics." Earning and establishing trust are essential for catalyzing employee engagement and productivity.

The results of this study may prove invaluable for human resource managers in SMEs. I plan to disseminate this information through conference presentations and training classes. I will also pursue publishing this study in business journals.

Recommendations for Further Research

Reviewing the findings of this study suggests several areas of future research. In the research findings, I identified successful strategies that human resource managers have used in their organizations to reduce the risk from workplace discrimination. When asked about how they assess a strategy's effectiveness, three of the four respondents stated a lack of discrimination claims from within the organization validated a company's programs. I recommend research for addressing other ways of measuring the

effectiveness of human resource policies within an organization. These effectiveness assessments could involve employee satisfaction and engagement surveys, cultural awareness indicators, and other measures of an organization's cultural health.

In Section 1, I listed the geographic area as a limitation to the study. It would be relevant to the human resource field to compare the results of this study from the southeastern region of the United States with other US regions. The results of this study on a larger geographic scale may prove to be helpful for verifying my study's findings and recommendations transferability. Finally, it would be of note to study the differences and similarities between HR policies from SMEs with those of larger corporations.

Reflections

Throughout the journey of completing this doctoral study, I have been challenged and stretched beyond what I thought was possible. I am a first-generation college student on both sides of my family. Key milestones were to achieve my undergraduate degree, and master's degrees. Now, I am prepared to complete another milestone. Completing these milestones have made me realize and appreciate the rigor required for being an effective researcher. This research study topic started because of a personal connection with the subject matter, but with some coaching from my committee, I refocused the study and myself where I could impartially study the topic of discrimination. Completing this study has been an eye-opening experience and one that I will not soon forget or take for granted. My hope is through education and progress, I will value people for being people and not as object of potential hate or bigotry. Legislation can be a tool in

preventing or eliminating some of the pressure from underrepresented populations, but it is only the foundation. We as managers and leaders must ensure everyone is treated equally and fairly no matter who they are or how they identify themselves.

Conclusion

Despite substantial efforts to reduce workplace discrimination, discrimination against underrepresented populations persists (Lindsey, King, McCausland, Jones, & Dunleavey, 2013). In 2014, the EEOC litigated or mediated 89,385 claims of discrimination resulting in $450,000,000 in settlements.

This study's findings add to the literature of human resource management by outlining three important proactive strategies that HR managers from small to medium-sized enterprises can use to mitigate the risks of workplace discrimination: education, external accountability, and formalized policies and procedures. The findings provide potential means for bridging the gap between SME human resource practices and ERM strategies. My hope is the results of this study catalyze social change for diverse populations of workers in the business environment and simultaneously assist small business managers to promote innovation, increase organizational effectiveness, expand the pool of potential human capital, enlarge the customer base, and increase customer satisfaction benefiting organizations, employees, employees' families, and communities.

References

29 C.F.R. § 1601.21 (2013)

42 U.S.C. § 2000e-2(a)(1) (2012)

42 U.S.C. § 1981(a)(1)

Aiken, J., Salmon, D., & Hanges, P. J. (2013). The origins and legacy of the Civil Rights Act of 1964. *Journal of Business and Psychology*, *28*, 383–399. https://doi.org/10.1007/s10869-013-9291-z

Aluwihare-Samaranayake, D. (2012). Ethics in qualitative research: A view of the participants and researchers world from a critical standpoint. *International Journal of Qualitative Methods*, *11*, 64–82. Retrieved from https://ejournals.library.ualberta.ca/

Anaraki-Ardakani, D., & Ganjali, A. (2014). Human resource risk management. *Applied Mathematics in Engineering, Management and Technology, 2*, 129-142. Retrieved from http:// www.amiemt-journal.com

Arnesen, D. W., & Foster, T. N. (2016). Planning for the known, unknown and impossible - responsible risk management to maximize organizational performance. *Journal of Business & Behavioral Sciences*, *28*, 40–48. https://doi.org/10.1016/b978-0-12-801925-2.00001-1

Arseven, I. (2014). A study design using qualitative methods for program evaluation. *International Journal of Academic Research, 6,* 417-422. https://doi.org/10.7813/2075-4124.2014/6-1/b.56

Awad, G. (2014). Motivation, persistence, and crosscultural awareness: A study of college students learning foreign languages. *Academy of Educational Leadership Journal, 18*, 97-116. Retrieved from http://www.alliedacademies.org

Bailey, L. F. (2014). The origin and success of qualitative research. *International Journal of Market Research, 56*, 167-184. https://doi.org/10.2501/ijmr-2014-013

Barreto, M., & Ellemers, N. (2013). Sexism in contemporary societies: How it is expressed, perceived, confirmed, and resisted. In M. Ryan & N Branscombe (Eds.), *The SAGE handbook of gender and psychology (pp. 288-305).* http://doi.org/10.4135/9781446269930.n18

Barreto, M., & Ellemers, N. (2015). Detecting and experiencing prejudice: New answers to old questions. *Advances in Experimental Social Psychology*, *52*, 139-219. http://dx.doi.org/10.1016/bs.aesp.2015.02.001

Baxter, R., Bedard, J. C., Hoitash, R., & Yezegel, A. (2013). Enterprise Risk Management program quality: Determinants, value relevance, and the financial crisis. *Contemporary Accounting Research*, *30*, 1264–1295. https://doi.org/10.1111/j.1911-3846.2012.01194.x

Beardwell, I., Claydon, T, Holden, L. (2015*). Human resource management: A contemporary approach*. Upper Saddle River, New Jersey: Prentice Hall.

Beck, M., & Schenker-Wicki, A. (2014). Cooperating with external partners: the importance of diversity for innovation performance. *European Journal of International Management*, *8*, 548-569. https://doi.org/10.1504/ejim.2014.064604

Becker, G. S. (1957). *The economics of discrimination*. Chicago: The University of

Chicago Press.

Becker, K., & Smidt, M. (2015). Workforce-related risks in projects with a contingent

workforce. *International Journal of Project Management*, *33*, 889–900.

https://doi.org/10.1016/j.ijproman.2014.10.014

Becton, J. B., Gilstrap, J. B., & Forsyth, M. (2017). Preventing and correcting workplace

harassment: Guidelines for employers. *Business Horizons, 60*, 101–111.

https://doi.org/10.1016/j.bushor.2016.09.005

Blackwood, R. A., Maio, R. F., Mrdjenovich, A. J., VandenBosch, T. M., Gordon, P. S.,

Shipman, E. L., & Hamilton, T. A. (2015). Analysis of the nature of IRB

contingencies required for informed consent document approval. *Accountability

in Research*, *22*, 237–245. https://doi.org/10.1080/08989621.2014.956866

Boesch, I., Schwaninger, M., Weber, M., & Scholz, R. (2013). Enhancing validity and

reliability through feedback-driven exploration: A study in the context of conjoint

analysis. *Systemic Practice & Action Research*, *26*, 217-238.

https://doi.org/10.1007/s11213-012-9248-6

Bornstein, S. (2015). Rights in recession: Toward administrative antidiscrimination

Law. *Yale Law & Policy Review*, *33*, 154-172. Retrieved from

http://digitalcommons.law.yale.edu/

Brakewood, B., & Poldrack, R. A. (2013). The ethics of secondary data analysis:

Considering the application of Belmont principles to the sharing of neuroimaging

data. *Neuroimage*, *82*, 671-676. https://doi.org/10.1016/j.neuroimage.2013.02.040

Braun, V., & Clarke, V. (2013). *Successful qualitative research: A practical guide for beginners*. Thousand Oaks, CA: Sage.

Brimhall, K. C., Lizano, E. L., & Mor Barak, M. E. (2014). The mediating role of inclusion: A longitudinal study of the effects of leader–member exchange and diversity climate on job satisfaction and intention to leave among child welfare workers. *Children and Youth Services Review*, *40*, 79–88. https://doi.org/10.1016/j.childyouth.2014.03.003

Bromiley, P., McShane, M., Nair, A., & Rustambekov, E. (2015). Enterprise risk management: Review, critique, and research directions. *Long Range Planning*, *48*, 265-276. http://dx.doi.org/10.1016/j.lrp.2014.07.005

Brustbauer, J. (2016). Enterprise risk management in SMEs: Towards a structural model. *International Small Business Journal*, *34*, 70–85. https://doi.org/10.1177/0266242614542853

Campbell, E. A., & Marcum, T. M. (2016). The search for equality through the rule of law, *University of Detroit Mercy Law Review*, *93*, 1-28. Retrieved from http:// http://www.udetmercylrev.com/

Campbell, J. L., Quincy, C., Osserman, J., & Pedersen, O. K. (2013). Coding in-depth semistructured interviews: Problems of unitization and intercoder reliability and agreement. *Sociological Methods & Research, 42*, 294-320. https://doi.org/10.1177/0049124113500475

Carcello, J. V., Eulerich, M., Masli, A., & Wood, D. A. (2017). Are internal audits associated with reductions in operating, financial reporting, and compliance risk? *SSRN Electronic Journal*. https://doi.org/10.2139/ssrn.2970045

Chen, C., Chen, Y., Hsu, P.-H., & Podolski, E. J. (2016). Be nice to your innovators: Employee treatment and corporate innovation performance. *Journal of Corporate Finance*, *39*(1), 78–98. http://10.1016/j.jcorpfin.2016.06.001

Chen, J., Leung, W. S., & Evans, K. P. (2015). Are employee-friendly workplaces conducive to innovation? *Journal of Corporate Finance,* 40, 61-79. http://dx.doi.org/10.2139/ssrn.2662260

Choi, Y., Ye, X., Zhao, L. and Luo, A.C. (2015). Optimizing enterprise risk management: a literature review and critical analysis of the work of Wu and Olson. *Annals of Operations Research*, *237*, 281-300. https://doi.org/10.1007/s10479-015-1789-5

Chrobot-Mason, D., & Aramovich, N. P. (2013). The psychological benefits of creating an affirming climate for workplace diversity. *Group & Organization Management*, *38*, 659-689. https://doi.org/10.1177/1059601113509835

Chua, R. Y. J. (2013). The costs of ambient cultural disharmony: Indirect intercultural conflicts in social environment undermine creativity. *Academy of Management Journal*, *56*, 1545–1577. https://doi.org/10.5465/amj.2011.0971

Civil Rights Act of 1964, Pub.L. 88-352, 78 Stat. 241 (1964).

Cooney, L. (2003). Understanding and preventing workplace retaliation. *Massachusetts Law Review*, *88*. Retrieved from https://www.massbar.org/publications/

massachusetts-law-review

Crowe, S., Cresswell, K., Robertson, A., Huby, G., Avery, A., & Sheik, A. (2011). The case study approach. *BMC Medical Research Methodology, 11*(100), 1-9. https://doi.org/10.1186/1471-2288-11-100

Cunningham, G. B. (2011). The LGBT advantage: Examining the relationship among sexual orientation diversity, diversity strategy, and performance. *Sport Management Review*, *14*, 453-461. http://dx.doi.org.ezp.waldenulibrary.org/10.1016/j.smr.2010.11.003

Dana, J., Dawes, R., & Peterson, N. (2013). Belief in the unstructured interview: The persistence of an illusion. *Judgment and Decision Making, 8*, 512-520. Retrieved from http://journal.sjdm.org

De Beer, F., & Du Toit, D. H. (2015). Human resources managers as custodians of the King III code. *South African Journal of Economic and Management Sciences*, *18*, 206-217. https://doi.org/10.17159/2222-3436/2015/v18n2a5

Delery, J. E., & Roumpi, D. (2017). Strategic human resource management, human capital and competitive advantage: is the field going in circles? *Human Resource Management Journal*, *27*, 1-21. https://doi.org/10.1111/1748-8583.12137

Dietz, J., Joshi, C., Esses, V. M., Hamilton, L. K., & Gabarrot, F. (2015). The skill paradox: Explaining and reducing employment discrimination against skilled immigrants. *The International Journal of Human Resource Management*, *26*, 1318–1334. https://doi.org/10.1080/09585192.2014.990398

Dionne, G. (2013). Risk management: History, definition, and critique. *Risk Management and Insurance Review*, *16*(2), 147–166. https://doi.org/10.1111/rmir.12016

Dipboye, R. L. (2016). *Risky business: Psychological, physical and financial costs of high risk behavior in organizations.* Farnham, UK; Gower.

DiTomaso, N. (2013). Kevin Stainback and Donald Tomaskovic-Devey. Documenting desegregation: Racial and gender segregation in private-sector employment since the Civil Rights Act. *Administrative Science Quarterly*, 59, 378. https://doi.org/10.1177/0001839213518024

Eastburn, R. W. & Sharland, A. (2017). Risk management and managerial mindset, *The Journal of Risk Finance*, *18*(1), 21-47. https://doi.org/10.1108/JRF-09-2016-0114

Eckles, D. L., Hoyt, R. E., & Miller, S. M. (2014). The impact of enterprise risk management on the marginal cost of reducing risk: Evidence from the insurance industry. *Journal of Banking & Finance*, *43*, 247–261. https://doi.org/10.1016/j.jbankfin.2014.02.007

EEOC. (2012). *EEOC Enforcement Guidance*. Retrieved from https://www.eeoc.gov/laws/guidance/arrest_conviction.cfm

EEOC. (n.d.*a*) Executive Order 8802. Retrieved from https://www.eeoc.gov/eeoc/history/50th/thelaw/eo-8802.cfm

EEOC. (n.d.*b*.). Strategic plan for fiscal years 2012–2016, available at http://www.eeoc. gov/eeoc/plan/upload/strategic_plan_12to16.pdf

EEOC. (n.d.c.) What you can expect after a charge is filed. Retrieved from

https://www.eeoc.gov/employers/process.cfm

EEOC. (n.d.d.) General non-discrimination policy tips. Retrieved from:

https://www.eeoc.gov/employers/smallbusiness/checklists/general_non-

discrimination_policy.cfm

EEOC. (n.d. e) Best practices for employers and human resource /EEO professionals.

Retrieved from https://www.eeoc.gov/eeoc/initiatives/e-race/bestpractices-

employers.cfm

EEOC, (n.d.f.) Federal training and outreach. Retrieved from

https://www.eeoc.gov/federal/training/

EEOC. (2015b). *The Law.* Retrieved from

http://www.eeoc.gov/eeoc/history/50th/thelaw.cfm

Ellemers, N., & Barreto, M. (2015a). Detecting and experiencing prejudice: New answers

to old questions. *Advances in experimental social psychology*, *52*, 139-219.

https://doi.org/10.1016/bs.aesp.2015.02.001

Ellemers, N., & Barreto, M. (2015b). Modern discrimination: How perpetrators and

targets interactively perpetuate social disadvantage. *Current Opinion in*

Behavioral Sciences, *3*, 142-146. https://doi.org/10.1016/j.cobeha.2015.04.001

Engstrom, D. F. (2014). The Civil Rights Act at fifty: Past, present, future. *Stanford Law*

Review, 66, 1195-1204. Retrieved from http://law.stanford.edu

Ebersberger, B., & Herstad, S. J. (2013). The relationship between international

innovation collaboration, intramural R&D and SMEs' innovation performance: a

quantile regression approach. *Applied Economics Letters*, 2*0*, 626-630. https://doi.org/10.1080/13504851.2012.724158

Executive Order No. 9981, 3 C.F.R., (1948).

Ford, R. T. (2014). Bias in the Air: Rethinking Employment Discrimination Law. *Stanford Law Review*, *66*, 1381-1422. Retrieved from http://law.stanford.edu

Fowler, F. J. (2013). *Survey research methods*. Thousand Oaks, CA: Sage Publications.

Fraser, J. R. S., & Simkins, B. J. (2016). The challenges of and solutions for implementing enterprise risk management. *Business Horizons*, *59*, 689–698. https://doi.org/10.1016/j.bushor.2016.06.007

Gale, N. K., Heath, G., Cameron, E., Rashid, S., & Redwood, S. (2013). Using the framework method for the analysis of qualitative data in multi-disciplinary health research. *BMC Medical Research Methodology*, *13*, 117-126. https://doi.org/10.1186/1471-2288-13-117

Gates, T. G., & Saunders, M. C. (2016). Executive orders for human rights: The case of Obama's LGBT nondiscrimination order. *International Journal of Discrimination and the Law*, *16*, 24-36. https://doi.org/10.1177/1358229115627726

Gatzert, N., & Martin, M. (2015). Determinants and value of enterprise risk management: Empirical evidence from the literature. *Risk Management and Insurance Review*, *18*, 29–53. https://doi.org/10.1111/rmir.12028

Gavalas, D., & Syriopoulos, T. (2014). Bank credit risk management and rating migration analysis on the business cycle. *International Journal of Financial Studies*, *2*, 122-

143. https://doi.org/10.3390/ijfs2010122

Gentry, R. J., Robinson, R. K., Dibrell, C. C., & Franklin, G. M. (2013). Too small to sue? Employee growth and its consequences for small businesses in a Post-Arbaugh regulatory environment. *Journal of Business and Entrepreneurship*, *25*(1), 43-61. Retrieved from www.usfsp.edu

Gherman, R., Brad, I., & Dincu, A.-M. (2015) Risk management in training and activity in human resources. *Lucrări Ştiinţifice Management Agricol*, *17*(2), 60-63. Retrieved from http://lsma.ro

Giuliani, M. (2015). Rome wasn't built in a day… Reflecting on time, intellectual capital and intellectual liabilities. *Journal of Intellectual Capital*, *16*, 2-19. http://dx.doi.org/10.1108/jic-02-2014-0018

Grace, M.F., Leverty, J.T., Phillips, R.D. and Shimpi, P. (2015). The value of investing in enterprise risk management, *Journal of Risk and Insurance*, *82*, 289-316. https://doi.org/10.1111/jori.12022

Graham, J., & Antonucci, D. (2017). People risk management in the Digital Age. In Antonucci, D. (Ed.), *The cyber risk handbook: Creating and measuring effective cybersecurity capabilities* (pp. 347-358). Hoboken, NJ: Wiley https://doi.org/10.1002/9781119309741.ch24

Greene, D. N., Schmidt, R. L., Kamer, S. M., Grenache, D. G., Hoke, C., & Lorey, T. S. (2013). Limitations in qualitative point of care hCG tests for detecting early pregnancy. *Clinica Chimica Acta, 415*, 317-321.

https://doi.org/10.1016/j.cca.2012.10.053

Greenwald, A. G., Poehlman, T. A., Uhlmann, E. L., & Banaji, M. R. (2009). Understanding and using the implicit association test: III. Meta-analysis of predictive validity. *Journal of Personality and Social Psychology*, *97*, 17-41. https://doi.org/10.1037/e633982013-155

Gronholm, P., Henderson, C., Deb, T., Thornicroft, G. (2017). Interventions to reduce discrimination and stigma: The state of the art. *Social Psychiatry and Psychiatric Epidemiology, 52,* 249-258. https://doi.org/10.1007/s00127-017-1341-9

Guillaume, Y. R., Dawson, J. F., Woods, S. A., Sacramento, C. A., & West, M. A. (2013). Getting diversity at work to work: What we know and what we still don't know. *Journal of Occupational and Organizational Psychology*, *86*, 123-141. http://dx.doi.org/10.1111/joop.12009

Hagelskamp, C., & Hughes, D. L. (2014). Workplace discrimination predicting racial/ethnic socialization across African American, Latino, and Chinese families. *Cultural Diversity and Ethnic Minority Psychology*, *20*, 550–560. https://doi.org/10.1037/a0035321

Hardwick, J., Anderson, A. R., & Cruickshank, D. (2013). Trust formation processes in innovative collaborations: networking as knowledge building practices. *European Journal of Innovation Management*, *16*, 4-21. https://doi.org/10.1108/14601061311292832

Harper, M., & Cole, P. (2012). Member checking: Can benefits be gained similar to

group therapy? *Qualitative Report, 17*, 510-517. Retrieved from
http://www.nova.edu

Harpur, P. D. (2014). Combating prejudice in the workplace with contact theory: The
lived experiences of professionals with disabilities. *Disability Studies
Quarterly*, *34*. https://doi.org/10.18061/dsq.v34i1.4011

Hatfield, E., Carpenter, M., & Rapson, R. L. (2014). Emotional contagion as a precursor
to collective emotions. *Collective Emotions*, 108-122.
https://doi.org/10.1093/acprof:oso/9780199659180.003.0008

Harvey, M. G., & Lusch, R. F. (1999). Balancing the intellectual capital books:
Intangible liabilities. *European Management Journal*, *17*, 85-92.
http://dx.doi.org/10.1016/s0263-2373(98)00065-6

Hatry, H., Wishner, J., & Howell, B. (2016). An exploratory evaluation of EEOC's
litigation activities. Retrieved from
https://oig.eeoc.gov/sites/default/files/audits/EEOC%20Litigation%20Final%20R
eport%20-%20Final.pdf

Hewlett, S. A., Marshall, M., & Sherbin, L. (2013). How diversity can drive innovation.
Harvard Business Review, *91*(12), 30. Retrieved from http://inclusive.nku.edu/

Hirsh, C. E., & Cha, Y. (2015). Employment discrimination lawsuits and corporate stock
prices. *Social Currents*, *2*, 40–57. https://doi.org/10.1177/2329496514558626

Hirsh, E., & Cha, Y. (2017). Mandating change: The impact of court-ordered policy
changes on managerial diversity. *ILR Review*, *1,* 42-72.

https://doi.org/10.1177/0019793916668880

Hoare, Z., & Hoe, J. (2012). Understanding quantitative research: Part 1. *Nursing Standard*, *27*, 52-57. http://dx.doi.org/10.7748/ns2012.12.27.15.52.c9485

Holton G. (1996). Enterprise risk management. *Contingency Analysis*. Retrieved from http://www.exinfm.com/pdffiles/erm.pdf

Houghton, C., Casey, D., Shaw, D., & Murphy, K. (2013). Rigour in qualitative case-study research. *Nurse Researcher*, *20*(4), 12–17. https://doi.org/10.7748/nr2013.03.20.4.12.e326.

Ibik, M., & Obi, M. (2014). Risk management in private and public enterprises. *International Journal of Management and Computing Sciences*, *4*, 42-46. Retrieved from http://ijmcs.org

Irvine, A., Drew, P., & Sainsbury, R. (2013). 'Am I not answering your questions properly?' Clarification, adequacy and responsiveness in semi structured telephone and face-to-face interviews. *Qualitative Research*, *13*, 87-106. https://doi.org/10.1177/1468794112439086

Jacobs, R., Murphy, K., & Silva, J. (2013). Unintended consequences of EEO enforcement policies: Being big is worse than being bad. *Journal of Business and Psychology*, *28*, 467-471. https://doi.org/10.1007/s10869-012-9268-3

Jetten, J., Iyer, A., Branscombe, N. R., & Zhang, A. (2013). How the disadvantaged appraise group-based exclusion: The path from legitimacy to illegitimacy. *European Review of Social Psychology*, *24*, 194-224.

https://doi.org/10.1080/10463283.2013.840977

Jill, M. D., & Houmes, R. (2014). COSO's updated internal control and enterprise risk management frameworks. *The CPA Journal*, *84*, 54-59. Retrieved from http://search.proquest.com/

Jones, K. P., Peddie, C. I., Gilrane, V. L., King, E. B., & Gray, A. L. (2013). Not so subtle a meta-analytic investigation of the correlates of subtle and overt discrimination. *Journal of Management*, *42*, 1588-1613. https://doi.org/10.1177/0149206313506466 .

Johnson, J. S. (2015). Broadening the application of mixed methods in sales research. *Journal of Personal Selling & Sales Management*, *35*, 334-345. https://doi.org/10.1080/08853134.2015.1016953

Kalev, A., Dobbin, F., & Kelly, E. (2006). Best practices or best guesses? Assessing the efficacy of corporate affirmative action and diversity policies. *American Sociological Review*, *71*, 589-617. https://doi.org/10.1177/000312240607100404

Kanhai, C., & Ganesh, L. (2014). Factors influencing the adoption of enterprise risk management (ERM) practices by banks in Zimbabwe. *International Journal of Business and Commerce*, *3*(6), 1-17. Retrieved from http://ijbcnet.com

Khan, M. J., Hussain, D., & Mehmood, W. (2016). Why do firms adopt enterprise risk management (ERM)? Empirical evidence from France. *Management Decision*, *54*, 1886–1907. https://doi.org/10.1108/MD-09-2015-0400

Kim, P. T. (2015). Addressing systemic discrimination: Public enforcement and the role

of the EEOC. *Boston University Law Review*, *95*, 1133-1154. Retrieved from http://papers.ssrn.com

King, E. B., Avery, D. R., & Sackett, P. (2013). Editorial: Three perspectives of employment discrimination 50 years after the Civil Rights Act—A promise fulfilled?. *Journal of Business and Psychology*, *28*, 375-382. https://doi.org/10.1007/s10869-013-9323-8

Kitching, J. (2015). Between vulnerable compliance and confident ignorance: Small employers, regulatory discovery practices and external support networks. *International Small Business Journal*, *34,* 601-617. https://doi.org/10.1177/0266242615569325

Kitching, J. (2016). The ubiquitous influence of regulation on entrepreneurial action: how relations with accountants mediate small company adaptation to financial reporting legislation. *International Journal of Entrepreneurial Behavior & Research*, *22*, 215-233. https://doi.org/10.1108/ijebr-07-2015-0144

Kmec, J. A., Hirsh, C. E., & Skaggs, S. (2016). Workplace regulation of sexual harassment and federal and state-level legal environments. *Research in the Sociology of Work*, *29,* 215-240. Retrieved from http:// http://www.emeraldinsight.com

Koch, S. C., Konigorski, S., & Sieverding, M. (2014). Sexist behavior undermines women's performance in a job application situation. *Sex Roles*, *70*, 79-87. https://doi.org/10.1007/s11199-014-0342-3

Lajili, K. (2015). Embedding human capital into governance design: a conceptual

framework. *Journal of Management & Governance*, *19*, 741–762.

https://doi.org/10.1007/s10997-014-9295-8

Latreille, P., & Saundry, R. (2016). Transforming the culture of conflict management:

Lessons from in-house mediation. In R. Saundry, P. Latrielle, & I. Ashman (Eds.),

In reframing resolution (pp. 315-338). Palgrave, UK: Macmillan.

doi:10.1057/978-1-137-51560-5_15

Lee, L., & Green, E. (2015). Systems thinking and its implications in enterprise risk

management. *Journal of Information Systems*, *29*, 195–210.

https://doi.org/10.2308/isys-51047

Lewis, S. (2015). Qualitative inquiry and research design: Choosing among five

approaches. *Health Promotion Practice*, *16*, 473–475.

https://doi.org/10.1177/1524839915580941

Lindsey, A., King, E., McCausland, T., Jones, K., & Dunleavy, E. (2013). What we know

and don't: Eradicating employment discrimination 50 years after the Civil Rights

Act: Discrimination eradication. *Industrial and Organizational Psychology*, *6*,

391–413. http://doi.org/10.1111/iops.12075

Lohle, M. F., & Terrell, S. R. (2014). Real projects, virtual worlds: Coworkers, their

avatars, and the trust conundrum. *The Qualitative Report*, *19*(8), 1–35. Retrieved

from http://www.nova.edu/ssss/QR/

Lotito, M., Fitzgerald, B. J., & LoVerde, D. (2016). Recent developments in employment

law and litigation. *Tort Trial & Insurance Practice Law Journal*, *51*, 375-407.

Retrieved from http://americanbar.org

Lopez, A. B. (2015). The road to, and through, Heart of Atlanta Motel. *Savannah Law Review*, *2*, 59-70. Retrieved from http://heinonline.com

Lundqvist, S. A. (2014). An exploratory study of enterprise risk management: Pillars of ERM. *Journal of Accounting, Auditing & Finance*, *29*, 393–429. https://doi.org/10.1177/0148558X14535780

MacPhail, C., Khoza, N., Abler, L., & Ranganathan, M. (2016). Process guidelines for establishing intercoder reliability in qualitative studies. *Qualitative Research*, *16*, 198-212. https://doi.org/10.1177/1468794115577012

Mäenpää, I., & Voutilainen, R. (2012). Insurances for human capital risk management in SMEs. *VINE*, *42*, 52-66. http://dx.doi.org/10.1108/03055721211207761

Marcus, J. (2013). Eradicating employment discrimination: Toward a cultural values perspective. *Industrial and Organizational Psychology*, *6*, 489-493. https://doi.org/10.1111/iops.12091

Markoulli, M., Lee, C. I. S. G., Byington, E., & Felps, W. A. (2016). Mapping human resource management: Reviewing the field and charting future directions. *Human Resource Management Review*. https://doi.org/10.1016/j.hrmr.2016.10.001

Marshall, C., & Rossman, G. (2015). *Designing qualitative research* (6th ed.). Thousand Oaks, CA: Sage Publications, Inc.

McCorquodale, R., Lise, S. M., Neely, S., & Brooks, R. (2017). Human rights due

diligence in law and practice: Good practices and challenges for business

enterprises. *Business and Human Rights Journal*, *1*, 1-30.

https://doi.org/10.1017/bhj.2017.2

Mehrzi A. & Singh, S.K., (2016). Competing through employee engagement: a proposed

framework. *International Journal of Productivity and Performance Management*,

65, 831-843. https://doi.org/10.1108/ijppm-02-2016-0037

Merriam, S. B. (2014). Qualitative research: A guide to design and implementation. New

York, NY: John Wiley & Sons.

Meyer, M., Roodt, G., & Robbins, M. (2011). Human resources risk management:

Governing people risks for improved performance. *SA Journal of Human

Resource Management*, *9,* 1-12. doi: https://doi.org/10.4102/sajhrm.v9i1.366

Mikes, A., & Kaplan, R. S. (2014). Towards a contingency theory of enterprise risk

management. *American Accounting Association*.

https://doi.org/10.2139/ssrn.2311293

Miller, T., Birch, M., Mauthner, M., & Jessop, J. (Eds.). (2012). *Ethics in qualitative

research*. Thousand Oaks, CA: Sage

Mishra, B., & Mishra, J. (2015). Discrimination in the workplace. *Journal of Higher

Education Theory and Practice*, *15*(4), 64-72. Retrieved from http://na-

businesspress.com

Morrison, A. D. (2013). Duke-ing out pattern or practice after Wal-Mart: The EEOC as

fist. *American University Law Review*, *63*, 87-155. Retrieved from http://ssrn.com

Morrison, A. D. (2014). Misconstruing notice in EEOC administrative processing & conciliation. *Nevada Law Journal*, *14*, 785−805. Retrieved from http://ssrn.com

Moss-Racusin, C. A., van der Toorn, J., Dovidio, J. F., Brescoll, V. L., Graham, M. J., & Handelsman, J. (2014). Scientific diversity interventions. *Science*, *343*(6171), 615-616. Retrieved from http://ctl.yale.edu/

Muller, M., Geyer, W., Soule, T., Daniels, S., & Cheng, L. T. (2013). Crowdfunding inside the enterprise: Employee-initiatives for innovation and collaboration. *Proceedings of the SIGCHI Conference on Human Factors in Computing Systems*, Chicago. 503-512. https://doi.org/10.1145/2470654.2470727

Myers, M. D. (2013). *Qualitative research in business and management*. Thousand Oaks,CA: Sage.

Nair, A., Rustambekov, E., McShane, M., & Fainshmidt, S. (2014). Enterprise risk management as a dynamic capability: A test of its effectiveness during a crisis. *Managerial and Decision Economics*, *35*, 555-566. https://doi.org/10.1002/mde.2641

Needham, W. T., & Watt, J. C. (1979). The effect of the age discrimination in employment act employee benefit plan exception on small businesses. *UC Davis Law Review*, *13*, 969. Retrieved from https://lawreview.law.ucdavis.edu/

Nolan, C. T., & Garavan, T. N. (2016a). Human resource development in SMEs: A systematic review of the literature: Human resource development in SMEs. *International Journal of Management Reviews*, *18*(1), 85−107.

https://doi.org/10.1111/ijmr.12062

Nolan, C. T., & Garavan, T. N. (2016b). Problematizing HRD in SMEs: A "critical"

exploration of context, informality, and empirical realities. *Human Resource*

Development Quarterly, *27*, 407–442. https://doi.org/10.1002/hrdq.21261

Okechukwu, C. A., Souza, K., Davis, K. D., & de Castro, A. B. (2014). Discrimination,

harassment, abuse, and bullying in the workplace: Contribution of workplace

injustice to occupational health disparities. *American Journal of Industrial*

Medicine, *57*, 573-586. http://dx.doi.org/10.1002/ajim.22221

Oliveira, H. M. C. (2014). The balanced scorecard operating as a risk management

tool. *Review of Economic Studies and Research*, *7*, 43-65. Retrieved from

http://www.ceeol.com

Onkelinx, J., Manolova, T. S., & Edelman, L. F. (2015). Human capital and SME

internationalization Empirical evidence from Belgium. *International Small*

Business Journal, *34*, 818-837. https://doi.org/10.1177/0266242615591856

Oppong, S. H. (2013). The problem of sampling in qualitative research. *Asian Journal of*

Management Sciences and Education, *2*, 202-210. Retrieved from

http://www.ajmse.leena-luna.co.jp/

Palinkas, L. A., Horwitz, S. M., Green, C. A., Wisdom, J. P., Duan, N., & Hoagwood, K.

(2013). Purposeful sampling for qualitative data collection and analysis in mixed

method implementation research. *Administration and Policy in Mental Health and*

Mental Health Services Research, *42*, 533-544. https://doi.org/10.1007/s10488-

013-0528-y

Parry, K., Mumford, M. D., Bower, I., & Watts, L. L. (2014). Qualitative and
historiometric methods in leadership research: A review of the first 25 years of
the leadership quarterly. *Leadership Quarterly, 25*, 132-151.
https://doi.org/10.1016/j.leaqua.2013.11.006

Pee, L. G., Kankanhalli, A., Tan, G. W., & Tham, G. Z. (2014). Mitigating the impact of
member turnover in information systems development projects. *IEEE
Transactions on Engineering Management*, *61*, 702–716.
https://doi.org/10.1109/tem.2014.2332339

Pompper, D. (2017). Discrimination and discriminatory practices. *The International
Encyclopedia of Organizational Communication*, *1*, 1–13.
doi:10.1002/9781118955567.wbieoc062

Punch, K. F. (2013). *Introduction to social research: Quantitative and qualitative
approaches*. Thousand Oaks, CA: Sage.

Ritchie, J., Lewis, J., Nicholls, C. M., & Ormston, R. (Eds.). (2013). *Qualitative research
practice: A guide for social science students and researchers*. Thousand Oaks,
CA: Sage.

Roslan, A., & Dahan, H. M. (2013). Mediating effect of enterprise risk management on
internal audit and organizational performance: A conceptual
framework. *International Journal of Commerce, Business and Management*, *2*(4),
212-215. Retrieved from http://www.iracst.org/

Ruggs, E. N., Speights, S., & Walker, S. S. (2013). Are you in or out? Employment discrimination in online and offline networks. *Industrial and Organizational Psychology*, *6*, 457-462. Retrieved from http://iracst.org

Samavati, H., & Dilts, D. A. (2016). Managing risks in human resources: Employment arbitration. *The Journal of Applied Business and Economics*, *18*, 84-89. Retrieved from http://www.na-businesspress.com

Saratun, M. (2016). Performance management to enhance employee engagement for corporate sustainability. *Asia-Pacific Journal of Business Administration, 8,* 84-102. https://doi.org/10.1108/apjba-07-2015-0064

Sax, J. and Torp, S. (2015), Speak up! Enhancing risk performance with enterprise risk management, leadership style and employee voice. *Management Decision*, *53*, 1452-1468. https://doi.org/10.1108/md-10-2014-0625

Schlanger, M., & Kim, P. (2014). The Equal Employment Opportunity Commission and structural reform of the American workplace. *Washington University Law Review*, *91*, 1519-1663. https://doi.org/10.2139/ssrn.2309514

Schmitt, M. T., Branscombe, N. R., Postmes, T., & Garcia, A. (2014). The consequences of perceived discrimination for psychological well-being: a meta-analytic review. *Psychological Bulletin*, *140*, 921-923. https://doi.org/10.1037/e646742007-001

Shih, M., Young, M. J., & Bucher, A. (2013). Working to reduce the effects of discrimination: Identity management strategies in organizations. *American Psychologist, 68*, 145-157. http://0-dx.doi.org.wncln.wncln.org/10.1037/a0032250

Smith, J. A. (2015). *Qualitative psychology: A practical guide to research methods*.

    Thousand Oaks, CA:Sage.

Soltanizadeh, S., Abdul Rasid, S. Z., Mottaghi Golshan, N., & Wan Ismail, W. K. (2016).

    Business strategy, enterprise risk management and organizational performance.

    Management Research Review, *39*, 1016–1033. https://doi.org/10.1108/MRR-05-

    2015-0107

Sommers, B. D., Arntson, E., Kenney, G. M., & Epstein, A. M. (2013). Lessons from

    early Medicaid expansions under health reform: Interviews with Medicaid

    officials. *Medicare & Medicaid Research Review, 3*(4), E1-E19.

    https://doi.org/10.5600/mmrr.003.04.a02

Stam, C. D. (2009). Intellectual liabilities: Lessons from the decline and fall of the

    Roman Empire. *VINE*, *39*(1), 92-104.

    http://dx.doi.org/10.1108/03055720910962470

Tellis, W. M. (1997). Application of a case study methodology. *The Qualitative Report*,

    3(3), 1-19. Retrieved from http://nsuworks.nova.edu

Thompson, J., & Morris, S. B. (2013). What factors influence judges' rulings about the

    legality of affirmative action plans? *Journal of Business and Psychology*, *28*,

    411–424. https://doi.org/10.1007/s10869-013-9292-y

Trotter II, R. T. (2012). Qualitative research sample design and sample size: Resolving

    and unresolved issues and inferential imperatives. *Preventive Medicine, 55*, 398-

    400. https://doi.org/10.1016/j.ypmed.2012.07.003

Tuohy, D., Cooney, A., Dowling, M., Murphy, K., & Sixsmith, J. (2013). An overview of interpretive phenomenology as a research methodology. *Nurse Researcher*, *20*, 17-20. http://dx.doi.org/10.7748/nr2013.07.20.6.17.e315

U.S. Geological Service (n.d.). Regions. Retrieved from http://usgs.gov

U.S. Small Business Administration (2016). *Table of small business size standards*. Retrieved from http://sba.gov

Van Laar, C., Derks, B., & Ellemers, N. (2013). Motivation for education and work in young Muslim women: The importance of value for ingroup domains. *Basic and Applied Social Psychology*, *35*, 64-74. https://doi.org/10.1080/01973533.2012.746609

Van Nunspeet, F., Derks, B., Ellemers, N., & Nieuwenhuis, S. (2015). Moral impression management: Evaluation by an in-group member during a moral IAT affects perceptual attention and conflict and response monitoring. *Social Psychological and Personality Science, 6(2),* 183–192. https://doi.org/10.1177/1948550614548076

Van Nunspeet, F., Ellemers, N., Derks, B., & Nieuwenhuis, S. (2014). Moral concerns increase attention and response monitoring during IAT performance: ERP evidence. *Social Cognitive and Affective Neuroscience*, *9*(2), 141–149. https://doi.org/10.1093/scan/nss118

Venkatesh, V., Brown, S. A., & Bala, H. (2013). Bridging the qualitative-quantitative divide: Guidelines for conducting mixed methods research in information

systems. *MIS Quarterly*, *37*(1), 21-54. Retrieved from http://aisel.aisnet.org

Vohra, V. (2014). Using the multiple case study design to decipher contextual leadership behaviors in Indian organizations. *Electronic Journal of Business Research Methods, 12*(1), 54-65. Retrieved from www.ejbrm.com

Von Scheve, C., & Ismer, S. (2013). Towards a theory of collective emotions. *Emotion Review*, *5*, 406-413. https://doi.org/10.1177/1754073913484170

Wahyuni, D. (2012). The research design maze: Understanding paradigms, cases, methods and methodologies. *Journal of Applied Management Accounting Research, 10*(1), 69-80. Retrieved from http://maaw.info/JAMAR.htm

Walker, J. L. (2012). Research column: The use of saturation in qualitative research. *Canadian Journal of Cardiovascular Nursing*, *22*, 37-41. Retrieved from http://www.cccn.ca

Wang, P., Rode, J. C., Shi, K., Luo, Z., & Chen, W. (2013). A workgroup climate perspective on the relationships among transformational leadership, workgroup diversity, and employee creativity. *Group & Organization Management*, *38*, 334–360. https://doi.org/10.1177/1059601113488163

White, D. E., Oelke, N. D., & Friesen, S. (2012). Management of a large qualitative data set: Establishing trustworthiness of the data. *International Journal of Qualitative Methods, 11*, 244-258. Retrieved from http://ejournals.library.ualberta.ca/

Williams, K., Schaffer, M. M., & Ellis, L. E. (2013). Legal risk in selection: An analysis of processes and tools. *Journal of Business and Psychology*, *28*, 401–410.

https://doi.org/10.1037/e518392013-445

Wu, D. D., Chen, S.-H., & Olson, D. L. (2014). Business intelligence in risk management: Some recent progresses. *Information Sciences*, *256*, 1–7. https://doi.org/10.1016/j.ins.2013.10.008

Yang, J. R., P. Lopez, N. Inzeo. (2015). Systemic program [Memorandum]. Washington DC: Equal Employment Opportunity Commission. Retrieved from https://www.eeoc.gov/eeoc/newsroom/release/3-3-15.cfm

Yilmaz, A. K., & Flouris, T. (2017). Linkages between risk and human resources management in aviation: An empirical investigation and the way forward in selection of ideal airport manager. In A. Yilmaz & T. Flouris (Eds.), *Corporate risk management for international business* (pp. 141-151)**.** Singapore: Springer.

Yilmaz, A. K., & Flouris, T. (2017b). Enterprise risk management in terms of organizational culture and its leadership and strategic management. In A. Yilmaz & T. Flouris (Eds.), *Corporate risk management for international business (*pp. 65-112). Singapore: Springer.

Yin, R. K. (2014). *Case study research: Design and methods* (5th ed.). Thousand Oaks, CA: Sage.

Yin, R. K. (2015). *Qualitative research from start to finish* (2nd ed.). New York, NY: Guilford.

Zakharova, O., & Kratt, O. (2014). Economic study and risk estime of the investment in the human capital. *Economics & Sociology*, *7*(2), 94–108.

Appendix A: Interview Protocol

The purpose of the interview is to explore how some human resource managers in small to medium enterprises use proactive strategies to reduce financial and legal risk resulting from workplace discrimination. A minimum of three human resource managers from small to medium-sized enterprises will be interviewed and each participant will be asked the same questions in the protocol below:

1. I will introduce myself to the participant as a doctoral student at Walden University and explain the purpose and time of the interview.

2. I will give a copy of the consent form to the participant to read and sign prior to the interview process. Once signed, participant will retain a copy.

3. I will remind the participant the interview will audio-recorded. The interview will start with the following background information:

a. Education background

b. When did you start your position?

c. How many employees do you have?

The research questions will follow.

1. How do you identify possible risks associated with workplace discrimination in your organization?

2. How do you monitor your organization for possible discriminatory behaviors?

3. What proactive strategies do you have in place to mitigate the risk of financial loss or legal action associated with workplace discrimination?

4. Who is involved in the process of identifying and implementing proactive strategies to mitigate discrimination?

5. What barriers were encountered to implementing the strategies?

6. How were the implementation barriers addressed?

7. How do you assess the strategies' effectiveness?

8. What other ideas would you like to add to this discussion?

The interview should last between 30 and 45 minutes.

4. I will thank the interviewee for participating, stop the audio recording, and conclude the interview.

Appendix B: Invitation

Hello (insert name),

My name is, Shannon Creighton, a Doctoral Student at Walden University, and I am conducting a study of human resource managers of small to medium-sized enterprises in the Southeast. I would like to invite you to participate in my doctoral research study, *Reducing the Risk from Workplace Discrimination*. Your participation collectively represents a broad range of individuals critical to small business success. I am asking that human resource managers participate in a face-to-face interview.

The interview will consist of eight open-ended questions and will take approximately 30-45 minutes. I will conduct interviews at an alternate site of your choosing to provide individual privacy. I ask that you openly answer the questions to assist in providing future benefits to small business owners and their employees. If you would like to participate you may send me a confirmation of your willingness to my e-mail (Shannon.creighton@waldenu.edu) and I will send you a consent form and schedule a time and place for the interview. I look forward to providing you and others with an opportunity to improve working conditions and small business success.

Sincerely

Shannon Creighton

Doctoral Student Walden University