

## Affirmative Action in Hiring Believed Good for the Nation, According to Miller Canfield, ELA Poll

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### Americans Divided on Whether Affirmative Action Should Continue

July 11, 2003

More than 6 out of 10 Americans believe that giving women and minorities preferences in hiring has been good for the nation, but there is significantly less support for continuing affirmative action programs in the workplace. These are among the major findings contained in the most recent Americans are as divided in their views over the landmark Supreme Court ruling on college affirmative action admissions programs as the court itself, according to the results of a comprehensive national survey commissioned by the Employment Law Alliance (ELA), the world's largest network of employment and labor lawyers, to which Miller, Canfield, Paddock and Stone, P.L.C. serves as the state representative. The poll comes conducted on the heels of the 5-4 decision in the wake of the U.S. Supreme Court's decisions upholding the use of race-based preferences in college admissions.

The recent Supreme Court decisions also favorably cited past Court decisions on affirmative action in employment and on minority contractor set aside programs, and the prior law in those arenas did not change. "Many employers make it a standard practice to continually evaluate their procedures to reach diversity within the workplace, regardless of affirmative action requirements," said Thomas P. Hustoles, labor and employment attorney with Miller Canfield. "A thoughtful policy that is designed to achieve diversity can benefit an organization and its employees."

In this two-part series of ELA's "America At Work" national poll, 1,000 adults were asked several questions about their opinion on the rulings as well as their views personal views on affirmative action, including its impact on the American workplace and American society. Of those surveyed, 36% approved of the rulings, 44% were opposed, and 20% either had no opinion or did not express an opinion. However, 57% of those sampled said they believed that giving preference to minorities in college admissions was good for society. When specifically asked about affirmative action in the context of the American workplace and their own careers, here is how they responded:

- 62% said affirmative action involving hiring practices for women and minorities has been good for society
- 20% said affirmative action hiring practices for women and minorities has not been good for society
- The other 18% either had no opinion one way or another or did not express an opinion
- 42% said affirmative action was still necessary to achieve diversity in the American workplace
- 39% said affirmative action was no longer necessary to achieve diversity in the American workplace
- 19% said they had personally benefited from affirmative action in their career. These people tended to be non-white, 18-24 year olds, low to middle income and without post-high school education
- 18% said they had been personally disadvantaged by affirmative action in their career. These people tended to be white, 55-64 year olds, with household incomes over \$75,000, and post high school educated

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In the first of a two-part analysis of the poll findings, ELA today reported:

- 36% believe the court's decision was a good one
- 45% disapprove of the ruling
- 20% either had no opinion one way or the other or did not express an opinion
- Support for the ruling was strongest among persons in higher income brackets; college graduates; those with advanced college degrees; and residents of the Northeast, Midwest and Western states
- Support was weakest among persons in lower income brackets; retirees; those with a high school education or less and those living in Southern states.
- 58% believe affirmative action involving college admission for minorities and women has been good for society
- 23% believe affirmative action involving college admissions has not been good for society
- 20% had no opinion one way or the other or did not express an opinion on whether affirmative action preferences for minorities and women was good for society

Stephen J. Hirschfeld, Esq., CEO of ELA, and a partner in the California-based law firm of Curiale, Dellaverson, Hirschfeld, Kraemer & Sloan, LLP, said the poll findings reflect the tension that exists in the American workplace over the issues of affirmative action and diversity. The poll results are revealing on several different levels. "On the one hand we see a very strong belief that the practice of employers granting hiring preferences to women and minorities has been good for our society, but from some many of those of these same supporters we hear a strong sentiment that enough is enough, feeling that the playing field has now been leveled."

While we see a nation deeply divided on the court ruling that dealt only with race-based preference, the majority of Americans generally favor the notion that college affirmative action programs benefiting women and minorities have been good for society," said Hirschfeld.

"The poll results clearly demonstrate that Americans are significantly more comfortable with affirmative action programs on college campuses than with the court decree," added Hirschfeld. "College administrators should feel positive about the overall attitude toward affirmative action but also recognize that they must continually focus on communicating to all their constituents – including students, applicants, faculty and alumni -- the benefits of a diverse student body."

Thomas W. Fenner, Deputy General Counsel of Stanford University, agreed. "Our admissions process is designed to achieve the broadly-defined diversity endorsed by the Court," Fenner said. "But our task doesn't end there. Once the students arrive on campus, we need to facilitate the kinds of interactions among people from diverse backgrounds that yield the sought-after educational benefits."

The survey was conducted by Reed, Haldy, McIntosh & Associates of Pennsylvania, also looked at the attitudes of Americans toward affirmative action in the American workplace. Besides being asked their opinion of whether hiring preferences have been good for society, those polled were questioned about their personal experiences with affirmative action in the workplace. Those results and analysis will be released before the end of July..

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The Employment Law Alliance is the world's largest integrated, global practice network comprised of premier, independent law firms distinguished for their practice in employment and labor law. Miller Canfield is the ELA representative for the state of Michigan. For further information, including access to the survey charts and graphs, visit [www.employmentlawalliance.com](http://www.employmentlawalliance.com).

The 300-attorney law firm of Miller, Canfield, Paddock and Stone, P.L.C. was established in Detroit in 1852 and has offices in Ann Arbor, Detroit, Grand Rapids, Howell, Kalamazoo, Lansing, Monroe, and Troy, Michigan. Other offices are located in New York City, Pensacola, Florida, Washington, D.C., Windsor, Ontario, and in Gdynia, Katowice, and Warsaw, Poland. Visit [www.millercanfield.com](http://www.millercanfield.com).

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### **Editor's Note:**

**Graphs detailing poll results are available at [www.millercanfield.com/newsroom/press.asp](http://www.millercanfield.com/newsroom/press.asp). Click on the July 11, 2003 release title.**

The Employment Law Alliance is the world's largest integrated, global practice network comprised of premier, independent law firms distinguished for their practice in employment and labor law. There are member firms in every jurisdiction in the United States and major commercial centers throughout the world. For further information, including access to the survey charts and graphs, visit [www.employmentlawalliance.com](http://www.employmentlawalliance.com)