Applied H.R.M. Research, 1993, Volume 4, Number 2, pages 79-93.

Emerging Strategic Human Resource Challenges in Managing Accent Discrimination and Ethnic Diversity

John F. Quinn
University of Dayton

Joseph A. Petrick
Wright State University

The authors examine accent discrimination as an emerging dimension of responsible human resource management of ethnic diversity. They address four factors: first, differential social acceptability of accents exacerbated by immigration patterns; second, a review of U.S. case law on accent discrimination; third, the Xieng case and the emerging U.S. accent discrimination policy that respects ethnic diversity; and fourth, the moral justifications and global applicability of the emerging U.S. accent discrimination policy. Their findings will help global managers recognize and overcome accent discrimination biases that adversely impact world-class competitiveness.

Introduction

The massive shifts in global population between 1975-1990 present major human resource challenges for the U.S., Europe, and Japan (Wolff, 1992). The infusion of immigrant resources, with their distinctive accents, into the mainstream of host country economic systems promises to heighten aggregate productivity while it simultaneously strains the communication tolerance levels of host nation peoples.

The issue of accent discrimination is one concrete instance of discrimination based on national origin that will become increasingly important

as global immigration patterns change. This type of prevalent discrimination is embedded in cultures and often overlooked, until recently in the U.S. legal system. Accent discrimination by U.S. managers abroad was acceptable practice (EEOC v. Aramco, 1991) before the New Civil Rights Act of 1991, which extended the discrimination policies of Title VII of the Civil Rights Act of 1964 to all employees in U.S. corporations abroad. As a result of the legislation, U.S. corporations are beginning to formulate accent discrimination policies to ensure legal compliance.

The emerging U.S. accent discrimination policy, however, and its justifications offer a useful model for other global human resource managers as they confront the challenges of managing ethnic diversity in a global economy by avoiding relativism and ethnocentricism (Bowie, 1988, 1978). After all, the United Nations Universal Declaration of Human Rights, the EOCD Guidelines for Multinational Enterprises and the International Labor Office Tripartite Declaration all give support to nondiscriminatory global employment practices (Frederick, 1991). Clearly identifying accent discrimination as a manageable component of global clashes over national origin, such as ethnic purification trends in Germany and Yugoslavia and routine workplace accent discrimination as Asian populations migrate to English-speaking countries, is a vital contribution to respecting the growing international consensus for nondiscriminatory employment practices.

The structure of this paper will fall into five sections: first, differential social acceptability of accents exacerbated by immigration patterns; second, a review of U.S. case law on accent discrimination; third, the Xieng case and the emerging U.S. accent discrimination policy that respects ethnic diversity; fourth, moral justifications and global applicability of the emerging U.S. accent discrimination policy; and fifth, a brief summary.

Differential Social Acceptability of Accents Exacerbated by Immigration Patterns

In dealing with accent discrimination, there seems to be certain differential social stereotypes that come into play. In the U.S., for example, many northerners had a hard time believing that someone with a southern Georgia accent could be competent as President. Differential accent dis crimination also occurs in the U.S. and is reflected in the fact that the EEOC has not seen any cases of discrimination on the basis of accent

involving Western European immigrants (Holmes, 1992). This fact leads one to believe that there are major differences in the way people with different accents have been treated in the U.S. It seems as though low-status accents are more likely to be interpreted as difficult to understand and indicative of incompetence, whereas high-status accents are more likely to be interpreted as easily understood and suggestive of competence (Matsuda, 1991).

Along with the different types of accents come the different classifications in which people can be placed. In the U.S. someone with a British accent is stereotypically looked upon as being well educated and upper class. On the other hand, someone with an Hispanic accent is looked upon warily as a possible illegal immigrant and as a member of a lower class. In Europe someone with a high German accent will be regarded with respect and esteem whereas someone with a low German, Slavic, or Turkish accent will be held in lower esteem. The fact that these stereotypes do exist and employers often unconsciously act upon them suggests that the stereotypes are deeply embedded in global business practice.

A major issue in applying Title VII of the U.S. Civil Rights Act to accent discrimination cases is making the distinction between accents that potentially or actually inhibit job performance and those that are just different from socially accepted norms. Only the former are legally relevant to decisions in U.S. courts. The latter provide the moral challenges for U.S. and other global managers to recognize and overcome arbitrary biases that impede workplace productivity.

In dealing with accents one must remember that it is not only the sender of the spoken word who must be taken into consideration, but the receiver as well. Communication is carried out between two or more people with a certain amount of noise involved in the communication channel. An accent may contribute to the noise in that channel, but prejudice on the part of the receiver can also interfere with transmission. The act of listening involves a tacit choice of message interpretations frequently based upon socialized acceptance of positive or negative stereotypes. On the global scale, stereotypical communication in the form of accent discrimination plays out in regional preferences accorded individuals from the Northern hemisphere over those from the Southern hemisphere and those from Western Europe over those from Eastern Europe.

Changing immigration patterns will invariably increase instances of accent discrimination based on national origin. In the U.S., for example, during the 1970's and 1980's, nine countries - Mexico, the Philippines,

South Korea, Hong Kong, China, the Dominican Republic, Haiti, India, and Jamaica - provided 51 percent of the legal immigrants to the United States (Holmes, 1992). Fewer immigrants are coming from Eastern and Western Europe than in the 1800s and early 1900s. Today, 46 percent of new immigrants come from Asia and 37 percent come from Latin America, with Mexico representing the lead in immigration population to the U.S. (Jones, 1988). These numbers are in drastic contrast with those from the turn of the century, where nearly 100 percent of the immigrants came from Europe to the United States (Hall, 1990).

An enduring global myth has been that the U.S. is the historical melting pot of the world; but today, in fact, Europe is the contemporary melting pot of the world (Wolff, 1992). In Europe the total global immigration patterns from 1975-1990 indicate massive population shifts to Germany, U.K., Austria, Italy, the Netherlands and France. Walking in Hyde Park on Sunday in London one might overhear conversations that would be typical of a Muslim gathering in Riyadh. Similarly, crowded buses in Rome will be flooded with Albanian accents. One in five Frenchmen has a foreign-born grandparent which often compounds dialect differences and contributes to xenophobic tendencies (Wolff, 1992). Germany and Austria, in particular, have entertained immigrant repatriation as a response to Neo-Nazi hysteria over ethnic purification and accent intolerance.

The question remains, however, as to who will prevail in the accent discrimination arena. If present trends are allowed to continue, escalating tension and violence from the streets will impact the workplace. Employer accent discrimination and other forms of discrimination based on national origin are becoming more commonplace in Germany and Austria. Even in the U.S., it is apparent that many U.S. employers are attempting to circumvent Title VII protections by using the defense that the ability to speak unimpeded English is a job requirement, and therefore, a person who does not meet the job requirement does not have to be considered for employment. On the other hand, the regulatory agencies and those being discriminated against are using the argument that a person cannot be discriminated against on the basis of linguistic characteristics associated with national origin.

Review of U.S. Case Law on Accent Discrimination

In U.S. case law, Title VII states that discrimination against a person

based on accent amounts to national origin discrimination. In particular, national origin discrimination includes discriminating against an individual because he shares the linguistic characteristics of a national origin group? (Employment Coordinator, 1991). The only time that an employer may claim that an employee's accent is a legitimate reason for not hiring or promoting an employee is if that accent interferes materially with job performance (Harris, 1989).

The history of U.S. case law on accent discrimination begins with the *Zell v. United States of America* (1979) and *Guertin v. Hackerman* (1981) cases. In the former case, national origin discrimination with the implication of a foreign accent was used as an attempted justification for a lack of communication skills and other qualifications for the job. The foreign born woman was not considered qualified by the court. She was thus not promoted. In the latter case, a foreign born man with a disability was not considered qualified, failed to receive tenure and was discharged from employment. Thus, initially accent discrimination plays a minor role in national origin discrimination but it gradually escalates.

In 1984, *Carino v. University of Oklahoma*, the classic pro-employee case, foreign accent was determined to be a legitimate justification for an adverse employment decision only if the accent interfered with Title VII claimant's ability to materially perform the duties of a position. In 1985, *Kumar v. University of Massachusetts*, accent did materially affect job performance in the classic pro-employer context, and the plaintiff, Dr. Kumar, lost.

In 1988, *Ipina v. State of Michigan*, another pro-employer case emerged. The court decided that the unsubstantiated, factual indictment made by a plaintiff about a human resource manager's bias against his foreign accent would not constitute adequate grounds for deciding in favor of the plaintiff. In *Gutierrez v. Municipal Court* (1988), the court dealt with a blanket rule that required only English to be spoken on the worksite. This was considered to be discriminatory and disrespectful of ethnic diversity regardless of accent. The court, therefore, decided in favor of the employee.

In *Fragante v. City and County of Honolulu* (1989), which seems to be a model of the current pro-employer opinion, Manuel Fragante, a Filipino American, took a civil service examination and scored the highest out of all of the applicants, but after a brief interview, was turned down for the position of Division of Motor Vehicles clerk. The explicit reason given was his heavy Filipino accent. At the trial, a linguist who was an expert in

this area, stated that Mr. Fragante speaks grammatically correct, standard English with the characteristic accent of someone raised in the Philippines. The linguist stated that there is a prejudice against this accent that will cause some listeners to "turn off" and not comprehend it (Matsuda, 1991). The judge in this case found that Fragante "has extensive verbal communication skill in English, but . . . has a difficult manner of pronunciation" and that some listeners may stop listening when they hear a Filipino accent (Matsuda, 1991).

Though Fragante lost this case on the grounds that his accent may inhibit him from being able to do this particular job, it seems as though the issue was not if he could be easily understood, but rather, do people have a prejudice against his accent that prevents him from being understood. It seems as though it would be very easy on the part of an employer, who is allowed to discriminate on the basis of job ability, to state that communication is part of job ability and therefore, an accent, which is part of a person's style of communication, takes away from his ability to do the job. Based on this logic, it would be very difficult for U.S. courts to enforce this type of discrimination.

In 1991, *Al-Hashimi v. Paine College*, also presented a pro-employer case in an academic setting in which "students had a difficult time understanding" Professor Al-Hashimi's lectures. Accent problems, materially relevant to professional service employment decisions, reinforced the earlier standard of unimpaired competent performance at work. The case demonstrated that without adequate overall job performance, ineffective attempts to correct accent problems would lead to adverse employment consequences. Employers, therefore, who could demonstrate that employee accents materially and adversely impact performance, had a legitimate concern with regard to all human resource activities from recruitment to restructuring. In times of intense global competition, managers who ignored materially relevant indications of incompetence, would lower the aggregate capability of an organization's human resources and strategically impair that organization's competitive viability.

The Xieng Case and the Emerging Accent Discrimination Policy That Respects Ethnic Diversity

The foregoing review of U.S. case law provides a context within which the impact of the *Xieng v. Peoples National Bank of Washington* (1991) case can be appreciated. If an organization wants to strategically address

accent discrimination and ethnic diversity issues simultaneously, this case provides illuminating guidance toward a proactive accent discrimination policy.

As the prevalence of accent differences and ethnic diversity impact domestic and global workplaces, human resource professionals will be asked to proactively create, rather than reactively avoid, a strategic accent discrimination policy. The design and implementation of a strategic accent discrimination policy will require the coordinated and integrated alignment of recruitment, selection, socialization, training, development, promotion, performance appraisal, and compensation procedures. The *Xieng* case illustrates the emerging human resource challenge in choosing a responsible accent discrimination policy that respects ethnic diversity.

The *Xieng* case of 1991, which characterizes the pro-employee opinion, resulted in a judicial opinion that paved the way for a new U.S. accent discrimination policy. The case involved Phanna Xieng, a Cambodian immigrant who came to the United States in 1972. He was very well educated, completing undergraduate and graduate studies in Cambodia, France, and the United States. He held many positions that required a strong command of the English language since beginning work in the United States in 1976. In 1979 he began working for the Peoples National Bank of Washington as a vault and payroll teller. His career progressed and in 1981 he was selected to participate in a management training program. Throughout the program Xieng received positive performance appraisals, and while it was noted that his English communication skills were an area for future improvement, it was never suggested that his Cambodian accent interfered with his job performance. Several of his supervisors even recommended him for promotion.

Xieng filled in virtually full time as a grade 11 credit authorizer but continued to be paid at the lower level of grade 9 coordinator. In spite of his positive evaluations, Xieng was denied promotion for years and he finally brought suit against the Bank.

In addition to the fact that he suffered emotional distress, the fact remains that Xieng had been successfully doing the job to which he felt he should have been promoted, and therefore, it was rather obvious that he was being discriminated against by not getting the promotion. In this case, it was clear that his accent did not "interfere materially with his job performance," as he had been already completing the tasks of the job. Xieng eventually won the case and the seeds of U.S. accent discrimination policy were laid in the U.S. courts.

Because the subject of accent discrimination is basically in the "ears of the beholder", it is very difficult to define a hard and fast rule for such a subjective matter. Even though the U.S. courts and the EEOC have made a clear statement that discrimination against accents associated with foreign birth is national origin discrimination and is a violation of Title VII, plaintiffs are not regularly winning U.S. accent cases, as indicated by the review of U.S. case law. Plaintiffs are losing because many U.S. employers are allowed to use discrimination against accents as job-related (Matsuda, 1991). This is why the *Xieng* case is a significant bellwether for human resource professionals.

In summary, in the U.S., if accent materially interferes with job performance, potentially or actually, the majority of legal cases side with the employer demand for qualified employees. The legal trend does not place any expectations on human resource professionals to manage accent discrimination issues in an ethnically diverse workforce. Of the nine U.S. cases involving accent discrimination, six decisions favored employers. However, the three pro-employee decisions are pointing toward a shift in legal direction. The unilateral burden of employees with accents to tactically prove their competent performance is being bilaterally shifted from the individual to companies or their human resource professionals to interactively develop and strategically demonstrate proactive policies that manage ethnic diversity. Managing accent discrimination responsibly is becoming a communications touchstone for the broader, strategic human resource policies that address ethnic diversity in the workforce.

In order to address these serious legal and moral lapses, a proactive U.S. accent discrimination policy is emerging. Its operational contours can be described in terms of the four processes necessary for routine implementation. First, when recruiting a person for U.S. employment, evaluating that person's ability to communicate effectively in English and also evaluating the level of communication required by the position should be mandatory. Different levels of unaccented fluency are materially relevant to job performance in various positions.

Second, every job applicant, regardless of national origin, should be required to take an oral and written English test in order to assess the language proficiency of the person. If a person is able to satisfactorily pass one of the two sections of this test, and assuming that the person has all of the other abilities needed to fulfill the requirements of the job, the person will be hired with the understanding that he or she must complete certified English language courses and within one year be able to attain

the required score on the portion of the English test where deficiency was spotted. Since the level of communication required of each job varies, passing grades on the English tests should also vary.

Third, during the probationary year, the company should make reasonable accommodations; arrangements should be made to relieve the person of any duties that the person cannot effectively complete because of the inability to communicate in English at an optimal level.

Fourth, each position in a U.S. company should be evaluated on the basis of English language and host country language communication requirements. A rating will be assigned to each position using a numerical scale of 1 to 10, with a rating of one meaning that communication in English or host country language is of very little importance in completing the tasks required of the job and ten meaning that effectively being able to communicate in English is of the utmost importance in being able to perform job duties.

This simple four step process provides the operational basis for anticipating changes in U.S. case law with regard to accent discrimination and thereby safeguards the organization from litigation based on disrespect for ethnic diversity.

Moral Justifications and Global Applicability of Emerging U.S. Accent Discrimination Policy

In discriminating against a person on the basis of accent, U.S. managers are not only disregarding bellwether legal cases but also their moral and public policy responsibilities that endorse principles of utility, justice, liberty, and dignity. With regard to utility, immigrants with "understandable" accents add to the GDP, pay taxes and reduce unemployment costs. In Germany alone, it has been estimated that immigrant groups have significantly contributed to reunification efforts by adding 1.3% to GDP, $14 million in taxes and reducing unemployment by .2% (European Journal, 1992).

With regard to justice, contributory justice standards are violated because the most deserving are penalized by accent discrimination. In addition, unfair distribution of benefits and burdens forces those people with unacceptable accents to bear the burden of being unemployed more so than those people without accents.

With regard to liberty, discriminating against individuals with unacceptable accents also takes away their individual right to make a choice

about the manner in which they are employed. If persons with an accent make a choice to pursue a career in a certain field, and they are discriminated against, they have been denied their freedom as U.S. citizens to make this kind of choice. In a capitalistic society, persons may choose how they want to make a living, but by discriminating against people because of accent, economic freedom is severely impaired.

Finally, in discriminating against people because of unacceptable accents, managers are denying them the fundamental respect for human dignity that is due to everyone. Everyone should have the right to a certain amount of self-respect and self-esteem, and by denying persons employment because of their accents, individuals who are perfectly capable of doing the job may be denied the self-respect to which they are entitled. This point is illustrated in the *Xieng* case where he was obviously capable of doing the job into which he should have been promoted, and with that he was entitled to a certain amount of dignity and self-respect in knowing that he could perform the job at the next level, but he was denied this opportunity because of his accent.

The appropriate moral justifications of the U.S. accent discrimination policy are grounded, therefore, in four minimal universal principles: utility, justice, liberty, and dignity - all of which are representative of the morals of the marketplace and globally applicable.

Utility

If the U.S. accent discrimination policy were adopted, it would benefit those people with accents because more people in society would be given the chance to show that they are capable of being employed. Since this policy would not discriminate in any way toward those people with accents, every person who would possess the job knowledge, skills, and abilities would be given a chance to prove that they are capable of being gainfully employed.

With this policy, people of various national origins would be given the chance to apply for jobs. In some cases, even those people who are not capable of effectively communicating at the time of employment application would be given a chance to improve their English skills, provided they could pass one portion of the English test. Not only would those people with accents benefit, but companies and corporations would also benefit from the implementation of this policy. By adopting this policy, a company would be taking advantage of a major resource that often would

go untapped - people of different national origins. These people have many different skills to bring to a company. They would be able to contribute in a way that no natural born American could by using the education and experience acquired by being exposed to other global challenges.

Justice

With the adoption of the accent discrimination policy, a company would be saying that all people, regardless of national origin, would be given an English test and within one year must be performing up to a certain level required of the desired position. This policy would treat all people fairly and justly. No group of people would bear more of a burden than any other group. For example, a job applicant that is a natural born citizen of the United States would be treated in the same manner as someone born in an Asian, European, African, Middle Eastern, or South American country. Both would be interviewed and both would be subject to taking the English test that the company would use to assess the English ability of the applicants. If either were deficient in their English proficiency, certified English language classes could be offered by the company or other appropriate vendors to improve commercial grade English fluency.

The use of this method of evaluation would treat all groups of people in the same manner when they applied for a particular position. The only problem that would arise is in the area of having to pass at least one part of the exam in order to be considered for a job. In this case, those people of different national origins who spoke little or no English would have a more difficult time than someone who spoke English rather fluently. However, the intent of this policy would be to make sure that groups of people with accents would be treated fairly and justly in trying to gain employment, and would not necessarily be meant to apply to those people with little or no comprehension of the English language. The intent would not be to give preferential treatment to incompetent applicants but to render an even playing field for those who are being arbitrarily victimized by accent discrimination.

Liberty

The accent discrimination policy would also enable people to make choices about their own lives in terms of employment. The policy states

that an employer would evaluate applicants on the basis of their ability to communicate effectively in English. If applicants were deficient in either the oral or written portion of the test, they would be given one year, if they were hired or promoted, to improve their English proficiency. The company should even go so far as to offer English classes and relieve the person of certain duties that may be difficult to complete at the present time. This policy would obviously give persons the choice of how they want to conduct their future career.

First of all, if aplicants were tested and found deficient in English, they could decide that they do not wish to take the job, and, therefore, seek employment elsewhere. In another case, if applicants were tested and found deficient, they might wish to pursue the English classes offered by the company in hopes of completing the course and attaining the required score on the English test. In either of these cases, the person with an accent would be able to choose with more options available. Assuming that applicants had all of the other required job skills, and would be offered a position, it would be their decision whether or not to accept employment with the company. This policy would protect the rights of individuals with accents attempting to gain employment for any position, provided they would be able to eventually communicate at the required level of English proficiency.

Dignity

By adopting the accent discrimination policy the company would be granting a person with an accent the chance to be interviewed, evaluated and possibly hired. By allowing persons with an accent this opportunity, instead of turning them away before they got a foot in the door or immediately after uttering their first word of broken English, the company would be showing respect for persons and demonstrating that employment is universally based on meeting reasonable fluency standards.

If applicants with accents passed both parts of the English test, they would have achieved something that would contribute to their sense of self-respect. In this case, passing the English test as well as getting the job could be two major accomplishments that persons with an accent would not have the opportunity to have achieved without the implementation of the new accent discrimination policy.

Even if a person with an accent only passed one portion of the test initially, but then went on to pass the English course, there would be a

certain amount of self-esteem that went along with this accomplishment. In any case, this policy would promote looking at people as individuals, and in doing so, it would be contributing to the betterment of an individual by not letting that individual be discriminated against because of an accent.

In the case of a U.S. company with operations overseas, it is inevitable that the issue of discrimination on the basis of accent would be an issue. Without a policy on accent discrimination, a U.S. company overseas that hires people from a host country would encounter major problems. If, for example, a U.S. manager was sent to a foreign country to work in a U.S. subsidiary and this manager was known to discriminate against people with accents, depending on the country to which they were sent, they would be faced with a virtual nightmare of inability to attract or retain competent human resources. If the manager could not overcome the bias against accents, they would be faced with disciplinary action. It is assumed that if host country nationals spoke English there would be an extremely high chance that any native of that country seeking employment would speak with some sort of accent. In that case, the company should be very conscious of what type of people they would send overseas to work in an international environment (Petrick & Russell-Robles, 1992).

The above four minimal universal principles constitutive of the morals of the marketplace justify the new U.S. accent discrimination policy and are applicable globally. Current global managers facing cases of accent discrimination can look to the U.S. legal cases and their moral justification as indicators of more effective ways to manage ethnic diversity and accent differences.

Summary

The entire issue of discrimination on the basis of national origin and more specifically, accent discrimination, is and will become increasingly important as global immigration patterns continue. The ability to overcome the social stereotypes associated with certain accents will be a major test that many world-class managers will have to face in order to remain internationally competitive. The U.S. courts will continue to render verdicts regarding the material interference of accent on job performance, but organizations that avoid accent discrimination through proactive human resource management can strategically contribute to their firm's competitive position. The operational contour of a new U.S. accent dis-

crimination policy is becoming clear and its justifications based on universal moral principles of utility, justice, liberty and dignity present domestic and global human resource managers with new challenges in handling ethnic diversity responsibly and effectively.

References

Al-Hashimi v. Paine College, 60 Fair Empl. Prac. Cas. (BNA) 1401 (1991).

Bassiry, G.R., (1990, Autumn) Business Ethics and the United Nations: A Code of Conduct, *SAM Advanced Management Journal*, 38-41.

Bellace, J., (1991). The International Dimension of Title VII. *Cornell International Law Journal, 24*, 1-24.

Bowie, N. (1988). The Moral Obligations of Multinational Corporations, in Luper-Fay, Editor *Problems of International Justice*, Westview Press, New York, pp. 97-113.

Bowie, N. (1978). A Taxonomy for Discussing the Conflicting Responsibilities of a Multinational Corporation. in *Responsibilities of Multinational Corporations to Society*. Arlington, VA: Council of Better Business Bureau, pp. 21-43.

Carino v. The University of Oklahoma, 750 F. 2d 815 (1984).

Employment Coordinator (December 1991), EP 11,601-EP11,615, pp. 71,601-71,604.

Fragante v. City and County of Honolulu, 888 F. 2d (9th Cir. 1989), pp. 591-595.

Frederick, W. (1991). The Moral Authority of Transnational Corporate Codes. *Journal of Business Ethics, 10*, 165-177.

Frierson, James G., (1987, December) National Origin Discrimination: The Next Wave of Lawsuits, *Personnel Journal*, 97-108.

Guertin v. Norman Hackerman. (1981). 25 Empl. Prac. Dec. (CCH) P31,604

Guiterrez v. Municipal Court, 838 F. 2d 1031 (1988).

Hall, Alice J. (1990, September) Immigration Today: For New York's Newest, the Dream Still Lives. *National Geographic*. 102-106.

Harris, S. (1989). Trends in the Law: A Civil Tongue. *ABA Journal*, p. 106.

Holmes, S. A., (1992, January 18) U.S. Sues Over Dismissal for Accent. *New York Times National*, p. 19.

Ipina v. State of Michigan, 48 Fair Empl. Prac. Cas. (BNA) 1323 (1988).

Jones, P. (1988, May 6) The U.S. Immigration Story: Today and Yesterday. *Scholastic Update*, pp. 2-4.

Kovalesky v. West Publishing Company, 674 F. Supp. 1379, 45 CCH EDP (1987, DC Minn), p. 37.

Kumar v. University of Massachusetts, 38 Empl. Prac. Dec. (CCH) P35, 533 (1985).

Matsuda, M. J. (1991, March). Voices of America: Accent, Antidiscrimination Law, and a Jurisprudence for the Last Reconstruction. *Yale Law Journal*, pp. 1329-1407.

Petrick, J. and Russell-Robles, L. (1992). The Challenges in Developing Successful U.S. International Managers. *The International Executive, 47*(3), 95-108.

Simon, H. and Brown, F., International Enforcement of Title VII: A Small World After All? *Employee Relations Law Journal*, *16*(3), 281-300.

Wolff, J. (1992). *Where We Stand*. New York: MacMillan.

Xieng v. Peoples National Bank of Washington, 821 Pacific Reporter, 2d Series (December 1991), pp. 520-528.

Zell v. United States of America, 21 Empl. Prac. Dec. (CCH) P30,469 (1979).