



Griggs v. Duke Power Company: A Pivotal Case in Employment Discrimination Law

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Griggs v. Duke Power Company (1971) was a seminal case that significantly influenced employment discrimination law, especially concerning the treatment of racial discrimination under Title VII of the Civil Rights Act of 1964. The case centered on Duke Power Company's procedures in North Carolina, which mandated that employees fulfill specific conditions, including passing an IQ test and possessing a high school graduation, to qualify for higher-paying positions within the operations department. These qualifications, although ostensibly neutral, disproportionately impacted African American workers who, due to structural obstacles including segregation and inequitable educational access, were less likely to fulfill these criteria (Griggs v. Duke Power Co., 1971).

The primary issue in the case was not the intention of Duke Power to discriminate, but rather the harmful effect of its hiring practices on African American employees. The corporation said that these certifications were essential for assessing work performance and pertinent to the positions involved. The plaintiffs, spearheaded by Willie Griggs, said that these credentials did not accurately forecast employment success and imposed an unwarranted obstacle to equal opportunity for Black workers. The Supreme Court determined that the IQ tests and high school graduation prerequisites were discriminatory in nature, as they unfairly marginalized African American candidates from obtaining higher-paying positions. The Court's decision was the inaugural acknowledgment of disparate impact under Title VII, determining that employment practices leading to substantial racial disparities, irrespective of the employer's intent, were deemed discriminatory unless substantiated by business necessity (Griggs v. Duke Power Co., 1971).

The case's significance is in the transformation it prompted in the legal analysis of discrimination. Before Griggs, discrimination legislation predominantly concentrated on establishing discriminatory intent, indicating that it was inadequate for a plaintiff to demonstrate harmful impacts of a policy; they were required to prove that an employer's conduct was purposefully discriminatory. The Griggs verdict dismantled this approach by highlighting that employment practices may be discriminatory regardless of the presence of intentional bias. This ruling established the basis for the disparate impact theory, which asserts that practices adversely affecting protected groups, such as racial minorities, may be classified as discriminatory unless the employer demonstrates that the practice is job-related and aligned with business necessity (Sullivan, 2019). The Court's ruling was significant in promoting civil rights by advocating for fair and equal procedures in employment, advancement, and job security inside the workplace.

The Griggs judgment emphasized the necessity of assessing employment practices based on their actual effects, rather than merely considering the declared intentions of employers. The verdict was based on the recognition that methods such as standardized testing and educational prerequisites may be intrinsically biased due to historical disparities, including the legacy of racially segregated schools and unequal access to excellent education. The Court acknowledged that structural flaws disproportionately harmed African Americans, thereby requiring reforms to guarantee equal access to employment opportunities for all individuals. By emphasizing outcomes and results, Griggs significantly contributed to the deconstruction of long-ignored barriers to employment inside the legal system (Rothstein, 2017).

Moreover, the verdict has extensive ramifications for employers and legislators. Employers are required to consistently evaluate the effects of their hiring and promotion procedures to ensure they do not inadvertently sustain racial prejudice. This resulted in extensive modifications in the hiring processes of businesses and public organizations, transitioning towards more inclusive and equitable methods for evaluating job candidates, including the removal of arbitrary educational prerequisites and the introduction of alternative qualification

assessment methods (Holzer & Neumark, 2000). The Griggs ruling not only safeguarded workers from discriminatory practices but also promoted a fairer employment market by compelling firms to reassess how their policies can inadvertently affect underrepresented groups.

The Griggs case was a crucial turning point in employment law, symbolizing a wider cultural movement towards acknowledging and confronting systemic racism and the structural obstacles that sustain inequality. It underscored that legislation aimed at preventing prejudice must consider the wider historical and social context in which such discrimination transpires. The ruling is fundamental to civil rights legislation, mandating that policies and practices leading to detrimental effects on protected groups are open to examination and modification unless demonstrated to be essential for work performance (Bagenstos, 2017).

The decision in *Griggs v. Duke Power Company* (1971) established a significant legal precedent in employment law by defining the notion of disparate impact discrimination under Title VII of the Civil Rights Act of 1964. This ruling greatly broadened the scope of Title VII, which was initially intended to prevent deliberate discrimination in recruiting and employment practices based on race, color, religion, sex, or national origin. The Supreme Court's ruling in Griggs introduced a novel aspect to anti-discrimination law by examining not just actions with discriminatory purpose but also those that inadvertently produce substantial disparities among various racial groups.

What constitutes Disparate Impact?

Disparate impact denotes policies or procedures that, although ostensibly neutral, disproportionately harm members of a specific group (such as racial minorities) in a manner that cannot be sufficiently explained by the employer. In contrast to disparate treatment, which necessitates proof of deliberate discrimination, disparate impact emphasizes the results or effects of employment policies, irrespective of purpose. A policy may face legal scrutiny under disparate impact theory if it disproportionately affects a protected group, and the employer fails to prove that the policy is essential for the job and job performance (Bagenstos, 2017).

A hiring practice mandating that all candidates pass a standardized intelligence test may appear impartial; however, if the test disproportionately disqualifies African American candidates—who may lack equitable access to education or resources—it could be deemed disparate impact discrimination. In such instances, the employer must demonstrate that the exam is not only pertinent to the position but also indispensable for the role's obligations and responsibilities. Should the employer fail to establish a legitimate business necessity, the policy is likely to be deemed unlawful (Holzer & Neumark, 2000).

Legal precedents such as *Washington v. Davis* (1976) and *McDonnell Douglas Corp. v. Green* (1973) substantiate the decision in Griggs. In *Washington v. Davis*, the Supreme Court explained that an employer could rationalize recruiting or promotion practices that led to a disparate impact if such practices were pertinent to the work and essential for its execution (*Washington v. Davis*, 1976). The McDonnell Douglas framework established a foundation for comprehending how employment practices that adversely affect a protected group might contravene Title VII, even without purpose (*McDonnell Douglas Corp. v. Green*, 1973). These cases collectively underscore that discriminatory effects—whether deliberate or inadvertent—are illegal under Title VII if they lack justification by a legitimate business necessity (Bagenstos, 2017).

Broadening Title VII

The Griggs case signifies a pivotal moment in employment law as it acknowledged that Title VII encompasses not only the eradication of intentional discrimination but also the rectification of systemic obstacles that disproportionately affect minority groups, regardless of whether the employer's practices were explicitly discriminatory in intent. In Griggs, Duke Power Company mandated a high school graduation and a satisfactory score on an intelligence assessment for employees pursuing higher-paying positions inside its operations department. Despite the ostensibly neutral nature of these requirements, they disproportionately disadvantaged African American workers, who were less likely to have completed high school or excelled on standardized tests, owing to historical and systemic racial disparities in education (*Griggs v. Duke Power Co.*, 1971).

The Supreme Court determined that these practices contravened Title VII due to their unequal impact on Black employees and the absence of evidence supporting their legitimacy as a business requirement. Duke Power contended that a high school diploma and cognitive assessments were essential for identifying candidates likely to excel in advanced roles. Nonetheless, the Court determined that these criteria were inadequately connected to work performance. The Court concluded that the high school diploma criterion failed to assess genuine job competencies and that intelligence assessments, although indicative of cognitive capacity, did not accurately represent a candidate's capability to execute particular duties within the organization (Rothstein, 2017). Consequently, these practices were deemed unjustifiable under the business necessity criterion, and the Court determined that they contravened Title VII's objective of fostering equal opportunity in the workplace.

The Court's Extension of Title VII

The Griggs case considerably broadened interpretation of Title VII also established that even seemingly benign employment practices that disproportionately harm racial minorities may be deemed discriminatory, as long as such practices are not essential for the position in question. This case signified a transformation in the judicial analysis of employment discrimination, transitioning from a focus solely on intent to an examination of the impact of the practices. It mandated that companies proactively ensure their recruiting and promotion processes are not just equitable but also clearly relevant to job requirements and essential.

By emphasizing the effects of practices rather than their intentions, the Court harmonized its ruling with the overarching objective of Title VII, which aims to establish a more just and equal workplace for all employees, regardless of race or origin (Sullivan, 2019). This verdict indicated that businesses may no longer depend on arbitrary requirements, such as high school diplomas or intelligence tests as seen in Griggs, if they disproportionately excluded minority workers without adequate justification.

Commercial Imperative and the Onus of Evidence

A significant element of the Griggs ruling is the establishment of the "business necessity" criterion. The Court asserted that if an employer's behavior disproportionately impacts a protected group, it must establish that the practice is pertinent to the work and indispensable for the business. This transferred the burden of proof on the employer to demonstrate that the employment practices in dispute were essential and closely related to the role's needs. Duke Power did not fulfill its obligation in the Griggs case. The high school diploma and IQ assessments were not demonstrated to be valid indicators of success in the positions for which they were utilized for screening. The activities were classified as discriminatory under Title VII (Rothstein, 2017).

This principle has maintained lasting importance in employment law. It established a definitive threshold for assessing potentially discriminatory practices: Employers must guarantee that their hiring and promotion criteria are both job-related and the least restrictive ways of attaining business objectives. If a less discriminatory alternative may yield the same business outcome, the employer may be obligated to implement it. This has resulted in increased examination of laws governing employee eligibility and heightened focus on identifying methods to assess candidates that do not inadvertently marginalize protected groups (Bagenstos, 2017).

The legacy of Griggs v. Duke Power Company

The Griggs judgment was pivotal as it transformed the perception of employment discrimination, mandating that employers be responsible not just for their intentions but also for the repercussions of their conduct. The notion of disparate impact has become fundamental in Title VII litigation, serving as a mechanism to contest employment practices that sustain inequities, regardless of any intent to discriminate. The Court's decision underscored that equitable hiring and promotion transcends mere goodwill, necessitating that companies rigorously assess the impact of their actions on all employees, particularly those from historically underrepresented groups.

The Griggs case is a seminal ruling in civil rights law, promoting the idea of equal opportunity in employment and emphasizing the necessity for businesses to implement equitable, pertinent, and non-discriminatory hiring processes (Holzer & Neumark, 2000). Consequently, it remains an essential reference for comprehending and tackling employment discrimination in both commercial and governmental sectors.

Was the Right Decision Made?

In my evaluation, the Supreme Court rendered a correct judgment in *Griggs v. Duke Power Company*. The ruling was based on the notion that discrimination encompasses not only intent but also the outcomes of an employer's behavior. Duke Power's implementation of educational prerequisites and intelligence assessments disproportionately affected African American employees, who were less likely to possess the requisite qualifications due to historical educational inequities. By deciding in favor of Griggs, the Court confirmed that the objective of Title VII was to eradicate both intentional discrimination and the systematic and structural obstacles that sustain workplace inequity (Rothstein, 2017). This ruling was crucial in expanding the comprehension of discrimination, guaranteeing that employment practices are just and equitable for all persons, irrespective of race or background (Sullivan, 2019). Moreover, the Griggs decision aligned with the ethos of the Civil Rights Act, which aimed to eradicate discriminatory practices across all dimensions of public life, including employment (Rothstein, 2017).

The ruling in Griggs aligned with previous significant legal cases that acknowledged the necessity of alleviating discriminatory impacts on employment. In *Washington v. Davis* (1976), the Court determined that although an employer may use a neutral hiring technique, such as a test, it must demonstrate the practice's relevance to job performance to prevent infringing under Title VII. This case, similar to Griggs, underscored that the effects of employment practices on racial minorities may outweigh the intentions behind them, consistent with the Griggs Court's focus on the consequences of employment choices rather than the underlying objectives (*Washington v. Davis*, 1976). The *McDonnell Douglas* judgment further reinforced Griggs by establishing a framework for assessing claims of discrimination based on disparate impact. The Court determined that discriminatory intent need not be established for employment practices to be deemed discriminatory if they disproportionately affect specific groups (*McDonnell Douglas Corp. v. Green*, 1973). These cases have solidified the notion that anti-discrimination law should concentrate on the tangible impacts of employment regulations, ensuring they do not sustain inequality (Sullivan, 2019).

Biblical Perspective on Decision-Making: Statesmanship, Justice, and Addressing Injustices

The *Griggs v. Duke Power Company* ruling can be interpreted through biblical ideas advocating for justice, equity, and fairness in human interactions, particularly with employment practices. In this pivotal decision, the Supreme Court examined a significant issue of systematic workplace discrimination, as Duke Power's procedures unfairly marginalized African American employees through non-job-related restrictions. This verdict, which established the notion of disparate effect discrimination, corresponds with biblical principles that highlight justice for the marginalized and the necessity of challenging unjust systems.

The Bible delineates a paradigm of statesmanship that prioritizes leadership rooted in knowledge, justice, and a commitment to the welfare of all individuals, particularly the marginalized. Proverbs 31:8-9 (NIV) specifically address this leadership obligation, challenging those in authority to champion the cause of the downtrodden.

Advocate for those unable to advocate for themselves, championing the rights of all who are impoverished. Articulate your thoughts and render impartial judgments; advocate for the rights of the impoverished and vulnerable.

This text corresponds with the concept of statesmanship, wherein a leader's responsibility is to offer protection and advocate for individuals who cannot defend or articulate their own interests. This biblical principle emphasizes the necessity of establishing mechanisms within human resource management that promote fairness, equity, and equal opportunity, especially for historically oppressed individuals. Effective HR

leadership must encompass not only resource management but also the cultivation of employee abilities and potential, guaranteeing inclusivity free from systemic prejudices or arbitrary criteria (Wolterstorff, 2009). In the Griggs decision, the Court exemplified contemporary statesmanship by championing persons adversely affected by ostensibly neutral yet ultimately detrimental actions. The decision tackled not only specific instances of discrimination but also a wider concern of inequitable access to opportunity, resonating with the biblical exhortation to "speak up for those who cannot speak for themselves" (Proverbs 31:8). The Court's decision that Duke Power's employment practices unjustly marginalized African American workers demonstrated a commitment to dismantling inequitable systems, in accordance with biblical tenets of justice and fairness.

Advocacy for the Disenfranchised and Challenging Unjust Systems

The Bible continually emphasizes the necessity of justice, especially for the underprivileged and oppressed. In Isaiah 1:17, God instructs the people of Israel to "learn to do right; seek justice." Advocate for the marginalized. Advocate for the fatherless; champion the plight of the widow. This necessitates not only personal acts of justice but also the deconstruction of inequitable systems that sustain inequality and injustice. The Griggs case exemplifies the biblical imperative to challenge inequitable systems, particularly those that marginalize or penalize specific racial groups.

In the realm of employment, the discriminatory practices contested in Griggs exemplify unjust systems that perpetuate racial disparity. The high school diploma and IQ assessments, although ostensibly impartial, disproportionately affected African American workers owing to past racial disparities in schooling. Consequently, these practices served as structural impediments that obstructed underprivileged individuals from attaining equitable work prospects. By confronting these practices, the Supreme Court sought to eliminate a significant obstacle, guaranteeing that employment chances were determined by actual credentials for the position, rather than capricious criteria that perpetuated systemic inequality.

This biblical perspective on justice advocates for the identification and elimination of systems that sustain disadvantage, alongside the establishment of frameworks that foster inclusion, equity, and opportunity for everyone. The Griggs judgment clearly corresponds with this objective, as it aimed to equalize possibilities for African American workers who had previously faced exclusion owing to educational inequities (Sullivan, 2019). The Court was not merely enforcing legal criteria; it was also confronting and rectifying the inequitable systems that had sustained racial inequity in the workplace.

Management, Equity, and Justice in Employment Practices

Stewardship, as defined in biblical terms, is a fundamental value that entails the responsible management of resources and the provision of opportunities for all individuals to prosper. In Human Resources, this is establishing frameworks that foster equity and ensure equitable opportunities for all employees, irrespective of their ethnicity, gender, or background. Proverbs 16:11 (NIV) states, "The Lord is the proprietor of honest scales and balances; all weights in the bag are crafted by Him." The notion of equity in the judicial system can be directly applied to human resources practices, where policies and hiring decisions must be grounded in precise and equitable criteria pertinent to job performance, devoid of influence from extraneous elements such as race or socio-economic status.

The Griggs ruling directly exemplifies this biblical perspective on stewardship. Employers must utilize equitable and pertinent criteria in the recruiting and promotion processes, guaranteeing that no individual is unjustly marginalized from possibilities. This corresponds with the biblical imperative for leaders to use their authority equitably and to establish institutions that enable all individuals to thrive according to their capabilities, rather than arbitrary criteria that may advantage one group over another (Wolterstorff, 2009).

By advocating for the principle of disparate effect, Griggs prompted firms to reassess their hiring practices and assure genuine equity. The verdict underscores that stewardship in HR encompasses not only talent management but also the imperative of treating all individuals with dignity and enabling them to realize

their full potential. This constitutes an essential element of biblical justice, advocating for the elimination of obstacles to opportunity and the establishment of a society characterized by fairness and equality.

The Court's decision not only tackled the discriminatory practices at Duke Power but also established a comprehensive framework for promoting equity in employment nationwide. This biblical perspective on human resources and governance advocates for the destruction of structures that sustain injustice and the establishment of new systems that guarantee justice, equity, and opportunity for all. By connecting employment policies with biblical values of equity and justice, firms can foster settings where all individuals are treated with respect and afforded the opportunity to thrive.

Alternative Solutions

The Court's ruling in *Griggs v. Duke Power Company* was a significant advancement in combating disparate impact discrimination; yet obstacles persist in completely eradicating workplace disparities. One domain requiring reform is the methodology employed by companies in evaluating candidates. Conventional employment practices, frequently dependent on standardized assessments or formal educational prerequisites, may still be affected by socio-economic and racial inequities, hindering the success of historically underrepresented populations. Employers can implement more inclusive and comprehensive hiring policies to address this issue. By emphasizing a wider array of criteria, including work experience, skills assessments, and job simulations, employers can more accurately assess a candidate's true abilities instead of depending on factors such as academic background, which may be unduly influenced by historical inequities. Holzer and Neumark (2000) assert that work experience and practical abilities frequently serve as more dependable indicators of employment performance than conventional academic qualifications. This method can dismantle obstacles that have historically marginalized minority candidates, promoting a more inclusive and equal employment landscape.

Alongside the revision of recruiting methods, mitigating unconscious prejudice is essential for diminishing the disproportionate impact. A considerable difficulty in numerous businesses is the unconscious prejudices that recruiting managers may possess, which can influence their decision-making processes. These prejudices frequently stem from cultural assumptions related to race, gender, or socio-economic position, resulting in the inadvertent exclusion of qualified applicants from marginalized communities. Workplace diversity training and bias-reduction programs are crucial to address this issue. Fitzpatrick (2020) observes that diversity training programs can enhance awareness of unconscious bias and provide hiring managers with the resources to make more objective and equitable judgments. These measures can assist companies in fostering a more inclusive workplace culture, wherein hiring decisions are predicated on merit and genuine job qualifications rather than entrenched biases. Moreover, providing mentorship and career development initiatives to underrepresented groups can enhance the support necessary for employees to thrive and progress in their professions, irrespective of their backgrounds.

Moreover, tackling the fundamental reasons of unequal effect necessitates sustained efforts to mitigate socio-economic inequalities, especially in schooling. Pager (2007) emphasizes that access to decent education significantly impacts employment outcomes. Historically marginalized populations frequently encounter substantial obstacles to obtaining adequate education, which subsequently impacts their performance on standardized assessments and their capacity to fulfill conventional employment criteria. To rectify this, both public and private sectors must allocate resources towards educational reforms and community-based initiatives that offer assistance and resources to disadvantaged communities. Programs like after-school initiatives, vocational training, and scholarships can mitigate disparities in educational possibilities, enabling individuals from underprivileged backgrounds to compete more equitably in the labor market. Enhancing educational options in marginalized communities can diminish dependence on exclusionary hiring practices, resulting in a more fair workforce that mirrors societal diversity. These solutions not only mitigate the symptoms of disparate impact but also confront its root causes, establishing a basis for enduring transformation in the workplace.

In conclusion, the ruling in *Griggs v. Duke Power Company* was a significant advancement in combating discriminatory employment practices. By acknowledging disparate impact discrimination, the Court

advanced fairness and equality in hiring procedures, consistent with both legal and religious tenets of justice and equity. Although alternative approaches like skills-based hiring and anti-bias training can further promote workplace fairness, the Griggs verdict remains an important legal benchmark in guaranteeing equal opportunities for all employees, irrespective of their race or origin.

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