

Agency's Law and Ethics of Hiring a Diverse Workforce

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### **Introduction**

This paper is designed to look at the laws and ethics of agency of hiring a diverse workforce in the government agency. Working as a consultant, it is significant to know about the important laws, factors, and projection of ethical and lawful approaches of the agency. This paper selects 'Food and Drug Administration' of the U.S for exploring the practices of their human resource department. The FDA is a part of the U.S. Department of Health and Human Services, which looks after the issues of protection and progression of the public health. It is one of the prime research and scientific agencies which controls safety of the food consumed in the US. Its area of governance also includes drugs, pharmaceuticals and medical devices. Its headquarter is in Montgomery County, Maryland. FDA focuses on recruiting and selecting the best possible resources which are not only qualified and highly skilled, but also keen in bringing a change within their scope of job. FDA has 10,000 employees which are considered as the strong workforce and the most priced asset of the U.S ([www.fda.gov](http://www.fda.gov)).

### **Laws Affecting the Agency**

FDA commits to follow legal rules of the U.S and to ensure that they provide equal opportunities to its employees and maintain the effective diversity in their organization. This agency has its personnel management and thus reflect laws in their management implications. It implies Hatch Act that forbids to continue harmful political activities during employment. History dates back to 1939 when Congress paved way to limit the political activities of Federal employees through different laws and regulation specially the Hatch Act. It was enforced in the District of Columbia along with some other states and local governmental offices. In 1993, the Hatch Act underwent numerous amendments which permitted the employees working the federal government to take active participation related to the overall partisan based political and management campaigns ([www.fda.gov](http://www.fda.gov)). Although the federal employees are still not allowed to seek public office in partisan elections, but most of them are permitted to work for the candidates of their choice during the elections.

Moreover, FDA also implies the US Code, Title 182, which governs the overall criminal conflict of interest statutes that are applicable to federal employed ([www.fda.gov](http://www.fda.gov)). The law enforces rules to prohibit employees from taking bribes, cheating or acting against any agent or attorney. It also disallows the participation for any matter that results in undue financial gain like receiving of money, extra salary or compensation.

### **Personnel Recruitment and Hiring Practices**

FDA puts all its efforts and energies in ensuring equal employment opportunity (EEO) for all its employees. It also values workplace diversity towards the development of a strong

positive corporate culture, which is conducive for high performing teams. The Food and Drug Administration also supports all the Federal Employee Equal Opportunity laws along with the different executive orders so that the employees are able to perform at their peak with safety, motivation and with integrity (Jackson, Schuler & Werner, 2011). However, the agency needs to look at three factors that shall go into the support of addressing LGTB community, and three factors that shall not address the hiring of LGTB community.

**Factors should address**

- The initial agenda of offering equal employment opportunity certainly propel the agency to address LGTB community in their hiring process.
- LGTB community should be given opportunity, otherwise they can show revolutionary attitude towards government organizations or agencies (Bell, 2011).
- FDA has not categorized its jobs for particularly gender or ethnic, so they can hire LGTB community for helping in this social cause.

**Factor should not address**

- LGTB may show irresponsibility towards their job, or they might cannot understand the sensitivity of it.
- They can further enhance their community by motivating victims to follow their influences and join their community.
- It can put a bad global image on the agency that the US government department has hired such people which are not acceptable for the whole world.

### **Ethics and Diversity Training**

FDA works on its strategic action plan that ensure high diversity, quality and encouraged workforce. They conduct various training for achieving the critical mission of FDA and modifying the health of America. In the 21st century, it is very difficult for government agency to maintain ethics and diversity among its employess and root it in their primary principles. The best training FDA conducts is OEEEO “Office of Equal Employment Opportunity” that covers organizational and departmental values, their significance towards employees and their work. This program promotes inclusiveness, and boost the value of culture and its diversity in the workforce. However, this training is very effective and beneficial for the new joiners, but existing employees lose their concentration or might have lost the charm of training.

### **Recommendations for Recruiting and Training a Diversified Workforce**

Large segment of the society believes that the overall hiring process at FD is slow and lengthy. One top FDA official commented that why the agency loses some of the brightest talents: “government has a timeline that is not reasonable for people in the real world.” Over the years the FDA officials have done a great job by reducing the overall recruitment and selection process to 80 days as compared to 159. In spite of these efforts, officials at FDA believe that more efforts are required to bring reduction in the recruitment process.

On the basis of these findings, the following recommendations are made which will surely help FDA in reaching its goals.

- The FDA first need to create, design and implement targeted recruitment campaigns for its agency so that the right people with the tight skills and attitudes can be hired.  
Recruitment from the outside brings in innovation, expert advices and meaningful human capital. Proper job analysis, performance management systems along with career planning and counseling must be tailored according to the needs of the employees.  
Different leadership programs must also be developed so that new talent can be promoted to take future leadership roles.
- Development of mission, vision and golas are extremely important. The FDA needs to update and follow the Strategic Human Capital Plan and Workforce Analysis Plan so that the desired targets are achieved.
- Recruitment of skilled resource is the first step and implementation of strategic plans is the second step towards the achievement of goals. All efforts put in by the employees, management and the stakeholders needs to be measure through different matrices and HR systems. This will help in generating a data which will help the HR department and top management to take the hiring and recruitment decisions accordingly.

### References

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