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Question: 1

A manager and an employee go on a lunch break together. The manager tells the employee about another coworker that received discipline. The manager discloses to the employee that the coworker was reprimanded for poor performance.

Which part of this scenario involves an ethical dilemma?

- A. The employee going on a lunch break with the manager
- B. The manager disclosing the discipline of the coworker to the employee
- C. The manager having an unofficial one-on-one conversation with the employee
- D. The employee listening to what the manager shared

Answer: B

Explanation:

Confidentiality Breach: The manager discussing the disciplinary actions taken against another employee violates the principle of confidentiality. Disciplinary actions are private matters and should only be shared with those directly involved or authorized personnel.

Professional Ethics: According to professional ethics, particularly in HR and management, sensitive information about employees should not be disclosed to others who do not have a legitimate need to know.

Trust and Morale: Such disclosures can erode trust within the team and negatively impact morale, as employees might feel their privacy is not respected.

Legal Implications: There could be potential legal implications if the disclosed information is used improperly or causes harm to the reputation of the disciplined employee.

Reference:

Society for Human Resource Management (SHRM) Code of Ethical and Professional Standards
HR Confidentiality Policies and Best Practices

Question: 2

What must an organization that incorporates an ethics and compliance program that follows the Federal Sentencing Guidelines for Organizations enable all employees to do?

- A. Give ethical advice to coworkers
- B. Discipline employees for unethical conduct
- C. Publicly accuse coworkers of ethics violations
- D. Anonymously report unethical conduct

Answer: D

Explanation:

Federal Sentencing Guidelines for Organizations: These guidelines encourage organizations to implement effective ethics and compliance programs to prevent and detect violations of law. **Anonymous Reporting:** A critical component of these programs is providing a mechanism for employees to report unethical conduct without fear of retaliation. Anonymity ensures that employees feel safe to report misconduct.

Encouraging Ethical Behavior: By enabling anonymous reporting, organizations foster an environment where ethical behavior is promoted, and issues can be addressed promptly.

Protection for Whistleblowers: This measure protects whistleblowers from potential backlash and ensures that the organization can identify and mitigate unethical practices effectively.

Reference:

Federal Sentencing Guidelines for Organizations, U.S. Sentencing Commission
Ethics and Compliance Programs: A Resource Guide by the U.S. Department of Justice and the SEC

Question: 3

What is an example of affirmative action in an organization?

- A. Removing identifying information from resumes so recruiters are unaware of applicants' backgrounds
- B. Establishing a workforce outreach program for protected groups underrepresented in the organization
- C. Enacting a policy that race or gender may not be criteria for hiring decisions
- D. Including a statement in commercials that the organization has a diverse workforce

Answer: B

Explanation:

Definition of Affirmative Action: Affirmative action involves proactive efforts to improve employment or educational opportunities for underrepresented groups.

Outreach Programs: Establishing outreach programs specifically targeted at protected groups is a clear example of affirmative action, as it aims to address and reduce disparities in workforce representation.

Legal and Ethical Mandates: Such programs are often required by law for certain employers, especially federal contractors, and demonstrate a commitment to diversity and inclusion.

Impact on Workforce Diversity: These initiatives can lead to a more diverse and inclusive workplace, which can enhance organizational culture and performance.

Reference:

Title VII of the Civil Rights Act of 1964

Executive Order 11246, which requires affirmative action programs for federal contractors

Question: 4

What is the difference between adverse impact and disparate treatment?

- A. Adverse impact provides nonneutral discriminatory effects on a protected group, whereas disparate treatment is unseen discrimination of an employment policy that produces negative consequences.
- B. Disparate treatment is when a discriminatory effect impacts a protected group but is unintentional, whereas adverse impact is blatantly discriminating against a protected class.
- C. Adverse impact provides a level of discrimination that is intentional and causes harm to protected groups, while disparate treatment relates to employer practices that seem to be nondiscriminatory but cause negative effects for protected groups.
- D. Disparate treatment is intentional discrimination based on protected characteristics, while adverse impact is where employment practices appear neutral but have a discriminatory effect.

Answer: D

Explanation:

Disparate Treatment: This involves deliberate discrimination where an individual is treated differently based on a protected characteristic (e.g., race, gender, age).

Intentionality: The key aspect of disparate treatment is the intent to discriminate.

Adverse Impact: Also known as disparate impact, this occurs when a policy or practice that appears neutral results in a disproportionate negative effect on a protected group.

Unintentional Discrimination: Adverse impact does not require intent to discriminate, only that the outcome of a practice is discriminatory.

Legal Standards: Both concepts are critical in employment law and are evaluated under different standards of proof and remediation.

Reference:

Civil Rights Act of 1964, Title VII

Uniform Guidelines on Employee Selection Procedures (1978)

Question: 5

Which legislation was established for federal contractors to take proactive steps in affirmative action within their workforces?

- A. Worker Adjustment and Retraining Notification Act
- B. Fair Labor Standards Act
- C. Civil Rights Act
- D. Executive Order 11246

Answer: D

Explanation:

Executive Order 11246: Signed by President Lyndon B. Johnson in 1965, this order requires federal contractors to take affirmative action to ensure that equal opportunity is provided in all aspects of their employment.

Affirmative Action Plans: Contractors must develop and implement affirmative action plans to promote diversity and eliminate discrimination based on race, color, religion, sex, sexual orientation, gender

identity, or national origin.

Enforcement: The Office of Federal Contract Compliance Programs (OFCCP) enforces these requirements

and conducts compliance evaluations to ensure adherence.

Impact on Federal Contractors: This legislation has significantly impacted hiring practices and policies within organizations that do business with the federal government, promoting a more diverse and equitable workforce.

Reference:

Executive Order 11246, Office of Federal Contract Compliance Programs (OFCCP)

U.S. Department of Labor, Affirmative Action Overview

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