

On Workplace Discrimination

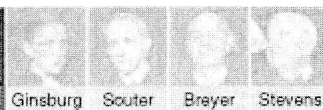
The Supreme Court ruled 5 to 4 that the city of New Haven could not throw out a test that produced racially disproportionate results.

THE MAJORITY



"The city was not entitled to disregard the tests based solely on the racial disparity in the results."
 "Fear of litigation alone cannot justify an employer's reliance on race to the detriment of individuals who passed the examinations."
 — Justice Anthony M. Kennedy

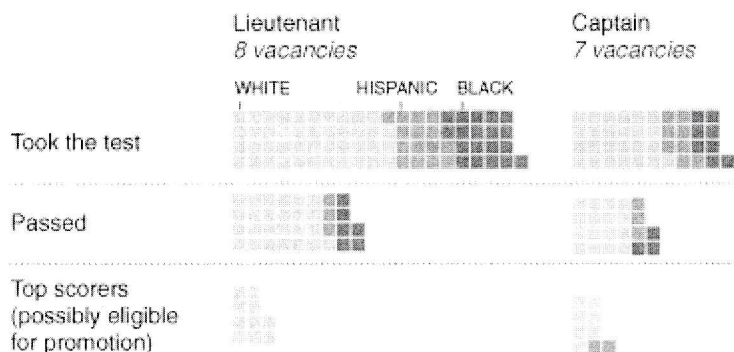
DISSENT



The majority "ignores substantial evidence of multiple flaws in the tests New Haven used. The court similarly fails to acknowledge the better tests used in other cities, which have yielded less racially skewed outcomes."
 — Justice Ruth Bader Ginsburg

BEHIND THE CASE

In 2003, firefighters in New Haven took an examination to be promoted.



Because no black firefighters were eligible for advancement, the city threw out the results. It was sued by 18 white firefighters, one of them Hispanic, who claimed race discrimination.

THE NEW YORK TIMES