Before Affirmative Action goes out the Door: Is there a Need in the United States Virgin Islands

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Abstract

This study explores and analyzes the underlying factors related to a need for affirmative action policies in the U.S. Virgin Islands. One of the considered minority groups in the United States, blacks, make up about 76% of the population in the U.S. Virgin Islands. (Census 2010). Affirmative Action should not only ascribe to societies where there is a distinctive representation of typical majority (Whites) in proportion to typical minorities, such as Blacks and Women. Instead, it should also consider persons from different national origins, with legal residency or legal rights to U.S. citizenship who may not be proportionately represented at all occupational levels in the U.S. Virgin Islands. The theoretical framework explains that social mobility, culture, group relations and national origin relations in the Virgin Islands 'society and how stereotyping and typecasting can affect hiring practices in this society. This research defines affirmative action as a social policy to give persons living in the U.S. Virgin Islands from other national origins with legal status, the rights to occupational social mobility and fair representation and rights in society as one considered a native born Virgin Islander.

Keywords: Affirmative Action, National Origin, Culture, Diversity

Affirmative Action Explored

In 1964, Title VII made discrimination based on race, color, sex, national origin, or religion unlawful (Hamilton Krieger & Fiske, 2006, p.1009). This paper defines affirmative action as a social tool necessary to minimize the implicit and/or explicit treatment of social groups in the U.S. Virgin Islands. The trait based approach to national origin discrimination suggests that if an applicant is denied a job opportunity because of his accent, the denial should be grounded on a legitimate business concern rather than in prejudice against people who possess traits characteristics (Cutler, 1985, p.1168). The basis of the US Constitution is reflective on the rights of individuals, and believes the dominant American constitutional tradition is one of liberal individualism where the constitution protects the rights of individuals (Brest & Oshige, 1995, p.861). According to the office of the EEOC, national origin discrimination involves treating people (applicants or employees) unfavorably because they are from a particular country or part of the world, because of ethnicity or accent, or because they appear to be of a certain ethnic background (even if they are not).

The history of Affirmative Action has spurred itself into the policies and operations of many public and private institutions. While some researchers have alluded that this policy has benefited society, others have been opponents and instead have supported the notion of anti-affirmative action. Anti-affirmative action advocates actively ignore racialized and gendered inequalities (Wrinkler, 2003, p.37), while liberal proponents adopt instead, a forward-looking justificatory frame; these proponents rally around "diversity", praising its pedagogical and quality-of-serve benefits (Kang & Banaji, 2006, p.6). Opponents of affirmative action who prefer to rely on market mechanism to remedy the effects of discrimination argue otherwise (Caputo, 2002, p.118). According to Roskin et. al., affirmative action gave racial minorities preferential treatment in hiring, sometimes ahead of better-qualified whites (2006, p.108). Refer also to Steiner & Steiner, 2009, pp.556-557). Affirmative Action was implemented in order to advance minorities particularly Blacks/African-Americans in acquiring opportunities that they were deprived of in earlier years.

Although the Civil Rights Act of 1964 gave legal grounds on which blacks would have been treated as fair as other Americans it took an average of twenty years before businesses were able to fully make amendments to their policies related to hiring, termination and promotion in the workplace. Over the years, there has been a shift in the acceptance of affirmative action as Whites considered that it narrowed their opportunities to get fair treatment in society. This term was referred to as 'reverse discrimination' because of the frustration and anger among white males who were competing with minorities for jobs, promotions or school admissions (Katel, 2008, p.10).

The Case for Affirmative in the Virgin Islands

As it pertains to the U.S. Virgin Islands, examinations of several factors are analyzed. For the purpose of this research, this theory is examined on a cause-and-effect relationship spectrum. Behind this theory, Affirmative Action goes beyond the conditional matter of the color of one's skin, we observe the human behavioral patterns which exist in cultures and sub-cultures. The issue of who determines ones rights as a Virgin Islander and the prescribed theories which have addressed this matter of belonging and rights of individuals in societies. Evidently, two longstanding opposing views of social justice are the classical utilitarian and the social dominance theory. Classical utilitarian tradition of maximizing the greatest good and the liberal utilitarian tradition of maximizing good without making the most disadvantaged even worse off (Caputo, 2002, p.117). Also, the social dominance theory as a conceptual framework in which it begins with the observation that human societies are structured as group-based social hierarchies, with dominant groups enjoying a disproportionate positive amount of social value such as power and status while subordinate groups suffer from a disproportionate amount of negative social value for example poverty and stigmatization (Oskamp, 2000, p.74). The reasoning of utilitarianism is both democratic in values and systematic in thought. It holds that a public policy will be in the public's interest provided the policy increases the net balance of social satisfaction summed over all the individuals belonging to the society (Henry, 2004, p.439).

Affirmative Action, National Origin &the EEOC

Most scholars have not derived a meaning for race. Race cannot be seen simply as an objective fact, nor treated as an independent variable. The meaning of race in the United States has been and probably always will be fluid and subject to multiple determinations (Smelser et. al., 2001, p.244). Defining race is a task far more complex than can be accomplished; in fact there is little consensus on what race actually means (Blank etal., 2004,p.25). Others say civil-rights activists continue to be pessimistic about race relations to serve their own cause (Greenbalt, 2003, p.611).A national poll in early July found that Americans disagree on some — but not all — race related issues (Katel, 2008, p.579).Race is one of the most misunderstood, misused, and often dangerous concepts of the modern world; it has been used to describe people of a wide variety of human categories, including people of a particular skin color, religion and nationality (Marger, 2009, p.13-14).In this study, we observe that even within the Virgin Islands, where race is not a marginalized factor, nationality factors are issues. It is inappropriate to examine Affirmative Action in the Virgin Islands without examining factors in its macro-environment as in the United States mainland. Sociologists and biologists have construed race from a social and biological perspective respectively. From a biological perspective race has traditionally been classified chiefly on the basis of most easily observable anatomical traits (Marger, 2009, p.14). The social meaning of race is constantly subject to change through political struggle (Marger, 2009, p.17). In America, what may be considered black is not considered in other parts of the world. The meaning of race has undergone a sea change; a new concept, that of ethnicity has arisen as well (Hirchman et. al., 2000, p.381). However ethnicity may replace race. Ethnicity is now used increasingly as an inclusive term for all groups considered to share common descent (Hirchman etal., 2000, p.381). Thus, ethnic groups can include groups identified by national origin, cultural distinctiveness, religious affiliation, or racial characteristics (Marger, 2009, p.18).

Black people of Caribbean descent were asked by community's leaders to write in their nationalities on the 2010 U.S. Census. Carib ID 2010 was a New York based campaign to get a category on the Census form for Caribbean-American (East, 2010). This is said to be able to identify people as multi-racial or by national origin. We thus see a trend in the belongingness one feels in being categorized as close as possible to their heritage. With this we must be mindful that major and minor groups exist in society. Yet "Hispanics" itself is not a "race", although the tendency in U.S. political discourse, and in political science, has been to racialize all Latinos, ignoring the multiple diversifies of Latino life and defining the group in strictly racial terms (Affigne, 2000, p.526).

Discrimination Defined

One of the terms which have been widely used following the actions to legally ban racism was discrimination. Racism is not just an urban American problem; it is an American problem (Asante, 2009, p.268) yet as it may not be openly referred to as racism, its apparent stigma is still felt in discrimination. We are still faced with the ongoing battle of equal rights. There are laws relating to discrimination in employment (Tyson, 2006, p.146) and there is a need to emphasize the importance of legislation about discrimination on grounds of race, gender, age, religion and disability (Tyson, 2006, p.178). Perceived discrimination when seeking a good job is a fairly common experience among young labor force participants (Caputo, 2002, p.116).For too long many scholars have tended to view African Americans as a socially and culturally monolithic people. Scholarly discussion of intra-group color prejudice, especially was suppressed in the fear that pointing out intra-group discrimination would handicap efforts to combat inter-group discrimination (Goings, 1980, p.79).Many deeper features of Latino cultures, especially arising from racial, economic, religious, and political diversity, are profoundly misunderstood by the broader Anglo dominated society (Affigne, 2000, p.526). Today's climate of ethnic change and cultural tensions make it additionally important to examine self-identification and perceptions of discrimination among immigrants and their children shape the development of the efficacious and civic-minded attitudes and behaviors that national attachment can engender (Schildkraut, 2005, p.288). Discrimination exists even among groups which society will consider as monoculture for example Hispanics also known as Latinos. However, a Mexican does not want to be identified as a Puerto Rican nor does a Puerto Rican want to be identified as a Cuban. In some societies, Dominicanos are considered to be at a lower level in society compared to Puerto Ricans even though they are both considered Hispanic. Discrimination does not have to be based on skin color but on national origin even within same ethnic groups. There are many interests, and many subgroups, within Latino populations. In particular, national culture, gender, race, social class, citizenship status, ideology, and language mark cleavages among Latinos (Affigne, 2000, p.526)

The Role of the Equal Employment Opportunity Commission (EEOC)

In leading up to this discussion, it is important to consider the governmental agencies which monitor the progress of addressing Affirmative Action. The Equal Employment Opportunity Commission (EEOC) produces several reports. A strength of the EEO-1 reports is that they detail annual employment by race, ethnicity, and gender in all medium and large private sector workplaces (Kalev et. al., 2006, p.590). The determining factor is how well this report is reflecting the true condition in society as it relates to the social issue of Affirmative Action in both the U.S.A and its territories. Although for many Affirmative Action is considered a guiding light, for some it is a rod of correction which is often defied because of the stigma society has created towards this topic. Now that we have examined the fundamental concepts of the meaning of Affirmative Action, Race, Ethnicity and National Origin, it is important that the reader understands the authors perception of Affirmative Action & National Origin: It is a social perspective which determines the equal rights of legal persons in the U.S. Virgin Islands in the selection, hiring and firing process in organizations. The authors define national origin as persons who have cultural differences because of ancestry from different Caribbean islands or countries around the world. Affirmative Action should be a desirable policy tool even if racial discrimination does not exist in the U.S. Virgin Island's labor market.

Structures in Society - The Role of the Federal Government

In examining affirmative action's cause and effect and its need in the U.S. Virgin Islands, an overview of the structures that federal government have in place must be considered. With its headquarters in Washington DC, The Equal Employment Opportunity Commission (EEOC) enforces the federal prohibition against national origin discrimination in employment under Title VII of the Civil Rights Act of 1964, which covers employers with fifteen or more employees. If an individual believes that he or she has been subjected to discrimination in violation of Title VII, that person may file it at the nearest field office of the EEOC. With this in mind, the argument here is that although the U.S. territories are considered subject to the Civil Rights Act in conjunction with the local laws, there are no immediate adequate local structures in the Virgin Islands in place for persons to report to. The San Juan Local Office has jurisdiction over the Commonwealth of Puerto Rico and the U.S. Virgin Islands (EEOC).Although the federal government provided a greater share of jobs to certain demographic groups than did the private sector (Riccucci, 2009, p.374) it is therefore questioned of the probability of pursuing an employment discriminatory issue at the Puerto Rico office.

The arguing factors are distance, the cultural barriers between officials at EEOC Puerto Rico office and persons living in the Virgin Islands and the financial cost of pursuing an uncertain outcome. The federal government has an obligation beyond a legal one to pursue policies that promote equality. This can be started in the U.S. Virgin Islands by establishing a local EEOC office in the Virgin Islands. It is purported that although what is considered black and a majority in the U.S. Virgin Islands, the same must be observed from the perspective that not all blacks are considered from a homogenous national origin. With this in mind, affirmative action is a recommended tool to foster both distributive and collective fairness in the U.S.Virgin Islands. Affirmative Action also may prevent current or future discrimination against the members of minority groups by placing minority professionals in visible positions of competence and power (Brest & Oshige, 1995, p.867).This paper continues by identifying the factors which create conflict even among same ethnic groups that do not have a homogenous national origin.

Group Affiliation: A Theoretical Perspective

Societies based on individualism consider rights to be initiated on an individual level. It is noted that individuals who belong to a social group marked by negative stereotypes about intellectual performance underperform when cues remind them of their group identity (Kang & Banaji, 2006, p.1087). For example, 'Dominicanos' in the Virgin Islands are stereotyped as being 'prostitutes'. Although this does not ascribe to 'Dominicanos' it is the negative sentiment of many Virgin Islands women. Events such as the Prostitution raid that led to the arrest and deportation of five Dominican women in the country illegally adds to the sentiments of locals (Shea, 2010).In some theories, groups are considered bearers of rights whereas, in some, this right is generated from an individual basis. In nationalism, right of groups is greater than that of the individual member which can be observed in religious and cultural groups. By contrast, liberal political theory treats individuals as the bearers of rights (Brest & Oshige, 1995, p.861). Groups in the U.S. Virgin Islands connect themselves to each other in achieving and securing power for each other. Prejudice and stereotypes can be reduced through individual-level interdependence, which refers to having contact in a context in which participants from opposing groups have to cooperate (Salinas, 2003, p.44). There is a tension between groups as vehicles both for social control and social change (Harrington & Fine, 2000, p.314) even within monolithic social constructions (Affigne, 2000, p.526).

This argument for reasons that contribute to societal conditions that shows a need for affirmative action in the Virgin Islands can be examined from a Utilitarian perspective. Utilitarianism is embedded in the beliefs that the greatest good for the greatest number. Utilitarian ethics require calculations about the overall benefit of society, as opposed to the costs, of affirmative action (Steiner & Steiner, 2009, p.556). A related problem of Utilitarianism is that because decisions are to be made for the greatest good of all, utilitarian thinking has led to decisions that permit the abridgement of individual or minority group rights (Steiner & Steiner, 2009, p.239). The question is who determines the 'greatest good'? And this is what makes this theory a subjective rather than objective one. The Utilitarian principle holds that if a public policy makes everybody slightly better off, even if some individuals are left slightly worse off in other ways as a result of that policy, then the policy is just and the public interest is served (Henry, 2004, p.439).It is liberal utilitarianism that supports affirmative action in that it maximizes good without making the most disadvantaged even worse off (Caputo, 2002, p.117).Rawls' justice-as-fairness philosophy extends to the rights of individuals in society as opposed to the greatest number of society according to Utilitarianism. In the U.S. Virgin Islands, individuals from different national origins are extended the rights of fairness determined by society's perception of a condition.

For example, that Virgin Islanders should have more rights than persons from other countries is a debatable issue. For this reason the justice-as-fairness contends that "social and economic inequalities are to be arranged so that they are both a) reasonably expected to be to everyone's advantage, and b) attached to positions and offices open to all" (Henry, 2004, p.438). In order to better advocate the rights of underrepresented groups, we have to objectively look at affirmative action (Salinas, 2003, p.42). This is represented in the neoclassical model of human capital. People's group identities – whether voluntary assumed or imposed by others-may create more tangible harms and benefits as well. Employers' negative stereotypes of members of a group may result in their disproportionate unemployment or underemployment (Brest & Oshige, 1995, p.860). Group affiliations also may create networks of support which may give rise to intra group economic interdependence (Brest & Oshige, 1995, p.860). There is a large marginal difference in persons who hold managerial positions in the Virgin Islands compared to persons who are from the Virgin Islands and persons from other national origins. According to the 2005 census report 26% of managers' place of birth is from Other Caribbean islands. Most employers are naturally inclined to hire applicants who are like them over those who are not (Cutler, 1985, p.1166).

U.S. Virgin Islands & Demographics

One may allude that most persons who reside in the U.S. Virgin Islands are predominantly black. To this end, we have identified why even among all black communities there can be different levels of relationships or hierarchy. Recent years have witnesseda resurgence in the study of small states (Abulof, 2009, p. 227).In the 2005 survey, the percentage of persons holding managerial and professional specialty jobs whose place of birth was Other Caribbean-22% (Antigua & Barbuda-6.25%, British Virgin Islands-4.30%, Dominica-0.93%, Dominican Republic-0.55%, St. Kitts & Nevis-8.7%, St. Lucia-0%,) Elsewhere-4.4%, Puerto Rico-3.2%, United States-14.7% and the U.S. Virgin Islands-51%. This is gap can be attributed to an unseen glass ceiling that exists among these intergroup with the dominant group having group power in dominating this level of employment, still too few are at the upper echelons of management (Ott & Russell, 2001, p. 470); refer to figure 1 for a comparative graph of percentage of persons in managerial positions and their place of birth. This can be compared against the figures showing that the number of persons born in the U.S. Virgin Islands as 57,202 and persons born outside of the Virgin Islands as 54,268 (Community Census, 2005, p. 10) which is not reflected in the job market. An analysis of persons living in the U.S. Virgin Islands by place of birth is: U.S. Virgin Islands 51%, United States 8.8%, Other Caribbean 31.8%, and Elsewhere 1.8%. Each national culture has a unique effect on organizations operating in that culture and this effect ultimately will constitute the primary pathology of the organizations (Henry, 2004, p.122).

Hiring Practices in the U.S. Virgin Islands

This research focuses on reasons why affirmative action may be needed in the U.S. Virgin Islands is associated with the type of behavior that occurs in small groups of people, who may be similar in some context but different in the other. Hiring practices in the U.S. Virgin Islands is heavily correlated with the size of the population. The U.S. Virgin Islands consists of three-(3) main islands which are St. Croix, St. Thomas and St. John. According to the 2005 Community Census, the population of St. Croix was 54,635 persons; the population of St. Thomas was 52,528 and St. John4, 307 persons. We therefore will examine the hiring practices in the U.S. Virgin Islands from a group perspective. The differentiating factor among *similar yet different* groups of people is derived from one of the fundamental means of human classification; that of national origin. In the U.S. Virgin Islands, some of the informal methods used in hiring practices are networks, in-group dynamics and 'we could also ask how demography and culture interact…and thus build bridges among subfields' (Harrington & Fine, 2000, p.313). There has been an increase of persons migrating from St. Kitts & Nevis, Antigua & Barbuda, St. Lucia and Dominica among other islands into the Virgin Islands. This growth in Caribbean migration flows and the relative success of the ethnic communities that they spawned (Portes & Grosfoguel, 1994, p.48)is reflected in the U.S. Virgin Islands.

Small groups are the locus of both social control and social change, where networks are formed, culture is created, and status order is made concrete (Harrington & Fine, 2000, p.312). The population on each island is relatively small and one of the features of small island states is the methods used in hiring practices. Many researchers use groups to study the effects of demographic composition, or the process of culture creation (Harrington & Fine, 2000, p.313).Harrington & Fine (2000) explain the nature of small groups and small group processes which can be ascribed to small communities. For the purpose of this paper, the information becomes relevant as it is expanded as the nature of small communities. Their explained group processes in small groups are as follows:
Small Groups & Control – A means by which collective power is made real and consequential for individuals. Socialization is the primary source of control. (p.314)Small Groups as Agents of Social Change – Groups are mechanisms of contestation & change. The smaller, more exclusive, and more tightly knit the group, the greater the ease in coordinating the behavior. In other words, social change starts with talk. (pp. 315-316)Small Groups as network organizations – Small groups are the "microstructure" that underpins institutions and other macro level activity. Once information, power, or resources are transferred from group to group, those properties spread readily within the group itself, creating a powerful subculture that transcends the boundaries of the individual group and provides a basis for concerted action and shared identification (P. 316).Small Groups and representations – Small groups also serve as the mechanism through which culture is created and enacted. Small groups help us understand not only how culture reaches the institutional level as the micro structural bridge (p. 317).In small communities, a network of persons is formed and a few are able to hold power. This theoretical perspective is evident in the social context of hiring practices in the Virgin Islands where there are many instances where persons contend that others have received or been denied a job based on whom they are affiliated with.

With a relative small population, it is easy to determine and assess when a potential employee is not considered a 'local'. This island smallness often gives rise to preferences in hiring methods used by managers at institutions. National culture has a large impact on not only how organizations behave, but on how managers manage (Henry, 2004, p.123). In the U.S. Virgin Islands, female Dominicans are stereotyped as prostitutes. Stereotyping is a natural cognitive mechanism…It is inevitable and managers prefer to hire their own for reasons of communication and trust (Kalev et al, 2006, p.593). Contrary to common stereotypes, immigrants from the island nations of the region are not solely unskilled workers but comprise of a diversified lot that includes entrepreneurs, professionals, technicians, and skilled workers as well (Portes & Grosfoguel, 1994, p.49). Some existing employees are also considered to feel as though persons from other national origins, although with legal status, have migrated to the U.S. Virgin islands to 'take their jobs'. Thus, this creates an even higher level of resistance by some locals against non-locals or whose ancestral line is linked back to other Caribbean islands or elsewhere.

The startling reality is that most Virgin Islanders against immigrants in some way have parents or fore-parents born who were themselves immigrants. Attitude towards immigrants is sometimes non-receptive even though it is because of political repression and hard economic conditions forced (Portes & Grosfoguel, 1994, p.49) migration reasons; the largest reason why persons migrate to the U.S. Virgin Islands is because of employment (Community Census, 2005).Migration of persons from different nations to the United States has followed a trend. One model describing migration is the economic/behavioral models premised on utility maximization by migrants seeking better economic opportunities elsewhere; eco demographic "push" models that identify population pressure and diminishing returns to labor as the primary cause of migration (Gidwani & Sivaramakrishnan, 2003, p.188). With increasing U.S. hegemony over the region, Caribbean labor recruitment became almost exclusively the province of North American corporations especially those in the sugar industry (Portes & Grosfoguel, 1994, p.51). Migration patterns to U.S. territories & the mainland continued to follow this trend even after the sugar industry and other booming industries of that time declined. That, in socio-economic terms, the Caribbean migrants and their children stood out conspicuously in their surroundings is beyond question. The subsequent operation of social networks determined both the origins and size of each movement (Portes & Grosfoguel, 1994, p.60). There has even been movement of persons such as Edward Wilmot Blyden (1832-1912) from the Virgin Islands, a major contributor to the stream of Black Nationalist thought in America and abroad (James, 2002, p.219). It is thus argued that these persons were able to travel abroad and make successful contribution to their migrated society, so should Caribbean people from other national origin that migrate to the U.S. Virgin Islands.

The Road from Affirmative Action & Diversity towards Cultural Competence

During the last part of the twentieth century, we have relied heavily on affirmative action principles in our efforts to (Ott& Russell, 2001, p.470) give managers a chance to correct an imbalance, an injustice, a mistake (Thomas, 1990, p.108). The term Affirmative Action has been created as a policy which can incorporate and influence a wide variety of activities by employers (Holzer & Neumark, 2000, p.241). Since its inception, the term anti-affirmative action has evolved in reproach of this social policy. We can say that anti-affirmative action is 'a progressive approach' (Katel, 2008, p.15) and though the attention to this policy has considerably reduced, Corry contends that it will progressively take time for this policy to become one of the past. The Civil Rights Act of 1964 was modeled after the growing need to eliminate the concern and action of discrimination of minorities particularly Blacks in society. This policy was meant to help establish best practices in giving minorities a platform on which they could be represented at different levels in society. However advocates of fairness contend that any diversity or affirmative action policy is likely to reflect the local history of a particular institution and is bound to be somewhat arbitrary with respect to the groups it includes (Brest & Oshige, 1995, p. 856). Certainly American society, and its workplace, has benefited greatly from the implementation of affirmative action strategies in the public and private sectors (Ott & Russell, 2001, p.470).Although the term Affirmative Action may have been considered outdated in its purpose in the United States of America, it is still important to place more structures and institution in place in the U.S. Virgin Islands in order to redress the psychological pattern of accepting or rejecting persons in society from another national origin. In fact, all federal laws instituted by the U.S. government are mandatory for compliance in the U.S territories. This action will help to create the conditions for persons to embrace diversity and lead towards the development of cultural competency in small communities that are made up of persons from different national origin. This social development does not eliminate the resistance that can be exhibited by members in the system.

Resistance to change also may stem from legalistic mechanisms and systems that exacerbate power disparities, bias decision making, or impede innovation (Barry & Bateman, 1996, p.769).One of the 'debiasing' methods discussed earlier referred to persons learning to adapt to what is expected of them by the introduction of the necessary laws and the penalties which persons will have to incur if they do not comply with its requirements. The primary incentives to develop and implement affirmative action plans are threefold: compliance with federal laws, fear of adverse court rulings in response to non-compliant practices, and concern over potential political consequences within the outside community or the larger organizational structure (Ott & Russell, 2001, pp.470-471). Through Affirmative Action, diversity can become more embraced. This is what we now call managing diversity. Not appreciating or leveraging diversity, not even necessarily understanding it. Just managing diversity in such a way as to get from a heterogeneous work force the same productivity, commitment, quality, and profit that we got from the old homogeneous work force (Thomas, 1990, p.108). The acceptance of diversity which has also been the focal point of some of our most perplexing challenges over the past two centuries (Ott & Russell, 2001, p.469). Diversity ultimately means recognition of distinctiveness and can easily convert the hope of commonality into a feeling of unease among many people within the mainstream (Ott & Russell, 2001, p.469). Some programs are designed to establish organizational responsibility for diversity; others to moderate managerial bias through training and feedback (Kalev et. al, 2006, p.589). A wide array of employment strategies ranging from patronage practices to equal employment opportunity policies, designed with the dual hope of opening further the doors of opportunity to members of additional, underutilized groups while ensuring the right of every individual, regardless of group identification (Ott & Russell, 2001, p.470). Managing for diversity (Wise & Tschirhart, 2000, p.386) and to do it without artificial programs, standards or barriers (Thomas, 1990, p.112)unless improvements in an organization's diversity climate will be made according to the extent that decision structures more closely resemble the alternative model (Barry & Bateman, 1996, p.770) on diversity management.

The most popular program that is not federally mandated is diversity training (Kalev et. al, 2006, p.591). Certainly the solution of the dilemma of enhancing workplace diversity does not lie in dismantling affirmative action results; it may not even lie in the dismantling of affirmative action programs (Ott & Russell, 2001, p.472). Recent history has proven that diversity can be achieved without using quotas (Greenblatt, 2003, p.614). The realization of a representative bureaucracy, that the concept of affirmative action becomes the antecedent to the concept of full spectrum diversity. The objective of full spectrum diversity ensures that contributions of members of all groups, however they define themselves, are viewed as having important value in the human resource equation (Ott& Russell, 2001, p.472). Managing diversity does not mean controlling or containing diversity, it means enabling every member of your work force to perform to his or her potential. It means getting from employees, first, everything we have a right to expect, and second—if we do it well—everything they have to give (Thomas, 1990, p.113). Three common approaches can be used to establish responsibility for diversity, the overall responsibility of a staff who have the authority, resources, support of and access to top management, some organizations appoint full-time staff members or create departments to monitor diversity, appoint diversity committees and task forces comprising people from different departments, professional backgrounds, and managerial levels (Kalev et al, 2006, p.593). A shift in organizational paradigm is required to accomplish the transition from affirmative action to full spectrum diversity (Ott & Russell, 2001, p.472).

From Diversity to Cultural Competence

The ability to manage diversity is the ability to manage your company without unnatural advantage or disadvantage for any member of your diverse workforce. The fact remains that first you must have a work force that is diverse at every level, and if you don't, you're going to need affirmative action to get from here to there (Thomas, 1990, p.117).Three approaches to increasing managerial diversity are by the creation of specialized position, training and feedback and programs that target the isolation of women and minorities as a way to improve their prospects (Kalev et al, 2006, p.591). Diversified workplaces have persons from unique backgrounds and intangible insights which are quintessential to addressing organizational needs and solving public problems (Ott & Russell, 2001, p.473). And that is precisely why we have to learn to manage diversity— to move beyond affirmative action, not to repudiate it (Thomas, 1990, p.108).Pursuing such a strategy actually accomplishes the goals of current federal affirmative action regulations (Ott & Russell, 2001, p.473).

Diversity programs such as diversity training and diversity evaluations, or networking and mentoring programs may be more effective when implemented in organizations with responsibility structures (Kalev et al, 2006, p.595).Cultural competence has moved from the individual attention of persons from different backgrounds being accepted to the realization of the global reduction of cross-national borders. The development of trading blocs and unions such as NAFTA, European Union and WTO has increased the need for cross-cultural competence. Cross-Cultural competence is the ability of individuals to function effectively in another culture (Johnson et al, 2006, p.526). Practices in the domestic market that guaranteed organizational success may not necessarily be guaranteed with cultural differences. On an organizational level, cultural competence is having the knowledge, ability and skill necessary to identify and address the issues facing organizations and staff that have cultural implications, and the ability to operationalize this knowledge into the routine functioning of an agency (Child Welfare League of America, 2010).In cultural competence it is not enough to be aware of how race and culture affect self-functioning; individuals also must be open to learning about the effect of race and culture on others…cultural competence is not a specific end product that happens after a two-hour workshop. It is an active process of learning and practicing over time (Vonk, 2001, p.247).

Cultural competence is a set of congruent behaviors, attitudes and policies that come together in a system or agency or among professionals and enable the system, agency, or professionals to work effectively in cross-cultural situations (NASW, 2001, p.11). In a company's consideration of improving the cultural acceptance and climate in an organization, the company should consider addressing it in its strategic planning, items for discussion on the agenda at general meetings and at inter-department gathering. Cultural Competence is an organization wide effort and not just a government mandate to management or an organization's effort to meet quotas as in affirmative action. However in order to reach an acceptable level of cultural competence, it starts with placing policies and structures in place and that is where Affirmative Action is the Virgin Islands is needed. Agencies must strive for the incorporation of cultural knowledge into policymaking and daily practice in order for cultural competence to develop. Thus, developing cultural competence is perceived as an ongoing process that requires continuous learning and strong institutional support (Johnson et al., 2006, p.529)

An Outlook: The Future of Affirmative Action in the Virgin Islands

This paper identified the factors that may lead to determining whether affirmative action is needed in the U.S. Virgin Islands. The theoretical framework was able to examine the national origin of persons and their representation in the work places in the Virgin Islands society. As a United States territory, the policy of Affirmative Action has equivalent opportunity for examination just as the need for all federal and local employers to display the 'Justice for All' posters in public areas so that employees as well as customers are knowledgeable of the fair practices that governs U.S. institutions. If in fact affirmative action is needed in the Virgin Islands this will have political influences on current legislations and policies of the government of the Virgin Islands. However, this must be done in an attempt to provide migrants with benefits and the hope of social mobility (MacDonald, 2001, p.412). The unity of the people of the Virgin Islands to create a constitution to be approved by Congress is still outstanding. In fact social, cultural as well as economic conditions within a society are correlated with the country's political and legal environment. Education on this subject at the institutions of learning will also create the environment that will embrace this social policy. As much as this policy can improve the inter-group relations of persons from different national origin, political leaders must see the benefits so that change occurs.If Affirmative Action defines the right of individuals, then it goes beyond the color of one's skin but more so a social issue that defines the basic rights of individuals in the society they reside. In the Caribbean, Blacks are not considered minorities (based on population), yet in U.S. territories as the U.S. Virgin Islands migration of persons from other Caribbean islands constitute an average of 35 percent of the population. Even within cultures, there are sub-cultures that are defined by their own norms and values. Providing scientific evidence was beyond the scope of this research paper and can be considered a subject for future research. Having a prescribed method of proving the theory of Affirmative Action in the U.S. Virgin Islands is encouraged for future research because it helps to improve the social lives of individuals in society.

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