

Impacts on Workplace Diversity Following SCOTUS Ruling on Affirmative Action

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The US Supreme Court struck down affirmative action in college admissions, early Thursday, June 29, making it unlawful for colleges to take race into consideration as a factor of admissions. The ruling essentially ends decades of precedent that had allowed schools nationally to utilize race-based policies to ensure greater access to educational opportunities for underrepresented and marginalized students.

Disability Solutions is disheartened by the decision of the court in *Students for Fair Admissions, Inc. ("SFFA") v. President and Fellows of Harvard College*, and *SSFA v. University of North Carolina et al.*

We recognize the value of diversity in our educational institutions, in our companies, and in our society and encourage all companies to consider the impact and act to promote greater inclusion.

The impact of this ruling will be wide-ranging and historical evidence gives insight into the likely outcomes. Prior to the ruling nine states including California and Michigan had banned affirmative action. For example, following the 1996 ban, UCLA's Black student body fell from 7 to less than 4 percent. Congruently, Black students are down 3% at University of Michigan and Native American students are at a 90% reduction since the Michigan ban in 2006.

Justices Sonia Sotomayor wrote in her 69-page dissent; "It holds that race can no longer be used in a limited way in college admissions to achieve such critical benefits. In so holding, the Court cements a superficial rule of colorblindness as a constitutional principle in an endemically segregated society where race has always mattered and continues to matter."

While employers are governed by different statutes, the repercussions of the ruling have paved a path for litigation focused on reversing private employer affirmative action and diversity efforts. In addition, the repercussions will have long-term effects on our society, economy and ability to maintain the level of competitive advantages the US has enjoyed.

What does that mean for the future of diversity in the workplace?

In an [interview with USA Today](#), Alvin B. Tillery Jr., director of the Center for the Study of Democracy and Diversity at Northwestern University said, "Supplier diversity programs and federal contracting, [are] the big prize."

"It's really about taking away set-aside programs and racial equity programs, including at the local government level. Those are things that have a much bigger impact on society than affirmative action at colleges," Tillery said.

Challenges to be aware of:

- Confusion on impact to private sector hiring requirements. They have not changed.
- Changes or limitations to diversity or leadership programs for underrepresented groups.
- Threats to supplier diversity programs and federal contracting.

What you can do:

- Know the law and what your company values are in relation.
- Educate your team on why diverse hiring is a critical component of your company's success strategy.
- Engage.

Affirmative Action, Equal Opportunity, and Diversity Programs are legal.

Disability Solutions focuses on helping corporations tap new channels for qualified talent, manage culture change, leverage federal and state hiring incentives, respond to a changing regulatory environment, and strengthen your workforce through diversity and will be here with you to help you navigate this change to the diversity landscape.

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