



## Discrimination in Job Application Forms of Hospitality Industry\*

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### Abstract

Main purpose of the research is to make guidance to human resources managers on the way of preparing non-discriminatory job application forms. Another purpose of this research is to examine the hypothesis of “the attributions of hotels and characteristics of human resources managers make meaningful differences on discriminatory data request from the applicants on job application forms”.

A questionnaire, designed based on literature review, was conducted on human resources managers of hotels of Turkey. Despite legal regulations, it is detected that, characteristics of managers and attributions of hotels make differences on discriminatory data requests in the forms.

**Keywords:** Hospitality Industry, Human Resources Management, Job Application Form, Discrimination.

### 1. Introduction

Employees may face discrimination both in the job application stage (Goldsmith et al., 2004) and in the working environment, specifically in performance assessment or in life within the organization, covering stages that include promotions, rewards, assignments, etc., which are often a result of performance assessment (Woods and Kavanaugh, 1994; Perry and Finkelstein 1999; Turpçu, 2004; Grossman, 2005). The employee selection process is composed of steps, including initial screening/interest

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screen/job preview, completion of the application forms, tests, interviews, reference checking and background research, a second interview, a job offer in conformity with any conditions, a health examination and drug test and job placement. In this process, the information gained from the job application form completed by the candidate employee is used in job conformity tests and interviews following the preliminary acceptance to determine whether the employee is suitable for the job (Mathis and Jackson, 2000: 285). The failure to employ the right person can lead to many problems, including a high turnover rate, poor attendance at work, lack of discipline, conflicts and low efficiency. For this reason, employing the right person has vital significance for the organization (Leopold et al., 2005: 141). One could say that the first step for successfully using the employee selection process to employ the right person is to have the content of the job application forms prepared by the organization in a manner that will obtain sufficient and correct information. When selecting the essential information requested in the job application from the candidate employees for the enterprise, it is necessary to consider national and international laws, as well as ethical rules. Any failure to obey the laws and ethical rules could result in the organizations encountering problems, including image and market loss and struggles with conflicts within the organization, in addition to potentially having to pay for indemnification.

The job application forms of the accommodation enterprises in Turkey had been assessed through content analysis by Yeşiltaş et al., (2010). In this study, a questionnaire was designed based on the findings of aforementioned study by Yeşiltaş et al., (2010) and conducted to the Human Resources (HR) managers of the accommodation enterprises in Turkey. This survey was used to reveal relationships between the characteristics of the HR managers and the accommodation enterprises and to determine whether it was necessary to request information that could be considered discriminatory in the job application forms.

## **2. The Purpose and Significance of the Research**

This research suggests the issues to be considered in the design of job application forms; these forms could be used as evidence in any discrimination lawsuit that could be brought in the national or international courts against enterprises and the state (Kohl, 1983). Main aim of the research is to make guidance to HR managers on the way of preparing non-discriminatory job application forms. At the end of the study there is enclosed non-discriminatory job application form example. In addition, this research tries to reveal facts about the following questions;

1. Do the HR managers of accommodation enterprises have enough information about the discrimination issue?
2. Do the attributions of hotels and characteristics of HR managers make meaningful differences on discriminatory data request from the applicants on job application forms?

This research is also intended to provide a foundation for new research to be conducted on discrimination and job application forms.

In general, the accommodation industry encounters increasing multi-cultural diversity in its owners, employees and customers (Weaver et al., 2003: 238). Consequently, the tourism sector provides a significant opportunity to conduct this type of study on discrimination.

The acceptance of a discrimination claim by the courts requires that discrimination be revealed through evidence and witnesses (Kohl, 1983). As job application forms can provide concrete evidence, their design and any expressions that they may contain should be selected very carefully. This research is a guide for HR departments in the tourism sector to help create an application form that can be used in employee selection and that is in conformity with the law and the company's needs.

### **3. Employee Finding, Diversity and Discrimination**

The process of finding and recruiting employees who have qualifications that meet the job requirements should be in conformity with the legal regulations. (Clardy, 2003). It is clear that, job application form which doesn't contain discriminatory data request but collects the information necessary for the job is getting important. The completion of job application forms is usually discussed in the literature as the first step in the outsourced employee selection process (Dessler, 1994: 142; Boella, 1993: 78; Woods, 1997: 108; French, 1994: 224).

Organizations can't consider diversity separate from anti-discrimination laws and the opportunity for equal employment. Diversity covers many different characteristics, including age, disability, national origin, religion, sex, values, ethnic culture, social class, and economic status (Morrison, Lumby and Sood, 2006: 279).

The increasing rate of women's participation in the labor force is one of the elements affecting labor force diversity in worldwide (Haar and Spell, 2003: 44-45; ILO, 2009a; Burgess, 2003; Kattara, 2005) and in Turkey (Kozak, 1996; D.İ.E., 2006). Because of this growth, legal arrangements about sex discrimination and sexual harassment issues are getting importance (Mathis and Jackson, 2000: 143; Pratten and Lovatt, 2003). The existence of ethnic diversity in the labor force is another factor affecting labor force diversity. It is known that different ethnicities and believes live together with the Turks in Turkey (MRG, 2009; KONDA, 2006; Commission of the European Communities, 2007: 21). The aging of the labor force is one of the elements affecting labor force diversity in developed countries (Burke and Ng, 2006) and in Turkey (TUIK, 2009a, TUIK, 2009b). This situation will cause sectors, particularly hotel management, fast food chains and retail sales, to encounter serious employee difficulties (Mathis and Jackson, 2000: 145; Martin and Gardiner, 2007). The fourth element affecting labor force diversity is the inclusion of the disabled in the labor force (Mathis and Jackson, 2000: 145). One-seventh of the total population of Turkey is disabled (TUIK, 2009c). The fifth element affecting labor force diversity is the inclusion of people with different sexual preferences in the labor force. In 2007, the Turkey Progress Report of the Commission of The European Communities (Commission of The European Communities, 2007: 20) noted with regard to the current respectable situation of Turkey with anti-discrimination legal arrangements "there is no specific protection against age and sexual preference based discrimination".

According to article 1 of the convention of the International Labor Organization concerning discrimination in respect to employment and occupation (Convention Concerning Discrimination in Respect of Employment and Occupation C111, 1958), "discrimination includes any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation". According to article 2 of the same convention, "any

distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination” (ILO, 1958). The merit and skills required to perform a job should be taken into consideration. The qualifications that are not related to the ability to perform a job should not be taken into consideration (ILO, 2009b).

The two most significant points to consider to avoid discrimination in employee selection are as follows:

- *Business necessity and job relatedness*: It is expected that the qualifications expected by the employer of the candidate to demonstrate job related performance are genuinely related to the job.

- *Bona fide occupational qualifications*: The employers can only request that the candidates have certain characteristics including sex, religion, or ethnicity, which would normally be assessed as discrimination, if these characteristics are within the scope of “vital requirements of the job”. Requesting this information if these characteristics are not “vital requirements of the job” may be included within the scope of discrimination (French, 1994).

There is much research in the literature on the subject of age discrimination in employee selection and wages (Lee, 1980; Perry et al., 1996; Perry and Finkelstein, 1999; Grossman, 2005; Berger, 2006; Martin and Gardiner, 2007), religious discrimination (Borooah, 1999; Bouma et al., 2003), ethnic discrimination (Coates and Carr, 2005; Kalter and Kogan, 2006; Carlsson and Rooth, 2007), race-related discrimination (Slaughter et al., 2002; Din-Dzietham et al., 2004), gender-based discrimination (Glick et al., 1988; Sherry, 1994; Francois, 1998; Robinson and Monks, 1999; Pogrebin et al., 2000; Davison and Burke, 2000; Shaffer et al., 2000; Mitra, 2003; Jones and Gates, 2004; Negrin, 2004; Kattara, 2005; Graham and Smith, 2005; Korkeamaki and Kyyra, 2006; Cho, 2007; Gunkel et al., 2007), discriminations made in terms of pregnancy (Kohl and Greenlaw, 1982), sexual preference-based discrimination (Weichselbaumer, 2003) and disability-based discrimination (Gouvier et al., 2003; Gröschl, 2007). However, no research was encountered related to the examination of the application form, which is the first document in the employee selection process that collects information on the candidate.

#### **4. International Legal Regulations on Discrimination**

Discrimination, which is the subject of this research, is a violation of human rights. Article 23 of the Universal Declaration of Human Rights (UN, 1948), which was accepted by United Nations on the 10<sup>th</sup> of December, 1948, and which Turkey voted to accept, suggests that discrimination cannot be permitted to occur in the employee selection process.

Article 14 of the European Human Rights Convention signed on the 20<sup>th</sup> of March, 1950, in Rome (European Human Rights Convention, 1950) and put into force on the 3<sup>rd</sup> of September, 1952, suggests that all types of discrimination are banned. Turkey approved the Convention on the 18<sup>th</sup> of May, 1954 (Ministry of Justice, 2010).

Turkey signed the “International Convention on Elimination of All Sorts of Race Discrimination” on the 13<sup>th</sup> of October, 1972, and the “Convention on Prevention of All Sorts of Discrimination against Women” on the 11<sup>th</sup> of June, 1985 (Prime Ministry,

Human Rights Presidency, 2010). Consequently, because Turkey is a party to many international agreements and conventions, it is expected to obey the international rules and laws on discrimination.

## **5. Legal Regulations on Discrimination in Turkey**

The Ministry of Labor and Social Security was commissioned to execute the EU Coordination Office Presidency, Anti-Discrimination Community Program (European Union, Coordination Office Presidency, 2009).

It is obvious that various provisions and regulations have been given a place in the relevant laws, particularly in the Constitution of the Republic of Turkey in the *discrimination and discrimination types*, as defined in detail in the directives numbered 2000/43/EC (EU, 2000a) and 2000/78/EC (EU, 2000b).

The basic regulation on *anti-discrimination and the principle of equal treatment* was created with article 10 of the Constitution of the Republic of Turkey (Constitution of the Republic of Turkey, 1982). Thus, it is found that in the employee selection process, it is necessary to treat everybody equally (article 10), no discrimination can be tolerated, excluding characteristics related to job requirements (article 70), and certain groups are taken under protection (article 50). Furthermore, Turkish citizens are assigned the right to address the European Court of Human Rights.

According to article 122 of the Turkish Criminal Code numbered 5237, requesting any information in a job application form other than that which is directly vital for the job may cause the employer or its representative to be penalized with imprisonment for six months to one year. There is no regulation that directly addresses discrimination against age or sexual tendencies.

In article 5 of the Labor Law, number 4857 (Labor Law, 2003), it is understood that in the employee selection process, it shall be deemed discrimination to request information in the job application forms that is unrelated to the requirements of the job.

Article 14 of the Disabled Law numbered 5378 (Disabled Law, 2005) prohibits discrimination toward the disabled.

According to article 31 of the Trade Unions Law numbered 2821, the employer cannot discriminate between the workers who are members of a trade union and those who are not. According to the regulation brought by this article, asking a question regarding “societies and organizations which he/she is a member of” in the job application forms represents discrimination and thus violates the Trade Unions Law.

The Prime Ministry Human Rights Presidency was established with the Law numbered 4643, dated 2001 (4643 numbered Law). The Provincial Boards of Human Rights organized in 81 provinces on a local basis and the District Boards of Human Rights (Regulation of Board of Human Rights, 2003) organized in 850 counties were commissioned to perform the work necessary to prevent all types of discrimination.

## **6. Data Collection Method and Analysis**

The population of this research consists of the HR managers of the 1384 certified accommodation enterprises in Turkey whose updated web addresses, telephone and fax numbers are available at [www.hotelguide.com.tr](http://www.hotelguide.com.tr). It is the web site of a guide book of Turkey's Hotels. It was preferable that to use the hotel database of Culture and Tourism

Ministry. But, after a short investigation, it is considered that the communication information of the hotels in the list of ministry is not updated. So, the commercial and updated alternative list from [www.hotelguide.com.tr](http://www.hotelguide.com.tr) has been used. Because of being under the same legal construction, it is assumed that the results of this research may be generalized to cover all accommodation enterprises in Turkey. Moreover, this research will be helpful for hotels and other private sector enterprises confronting with similar issues. Using the formula of Yamane (2001: 116-117), 301 samples were required for statistical significance. Accordingly, the sample will represent the population if a minimum of 301 subjects are studied.

A survey was developed using a list of the information requested of candidates in job application forms from the study conducted by Yeşiltaş et al., (2010). The goal of the survey is to measure the HR managers' level of awareness regarding discrimination. In the first section of the survey, the HR managers were given a list of questions and were asked to assess whether they believe it is discrimination to ask these questions to the candidates. In the second section of the survey, on a Likert scale of 5, it is wanted from the HR managers to indicate the necessity of asking the same questions to candidates. The third section of the survey asked questions to determine the profiles of the hotels and the HR managers.

The research survey was internet based. Researchers requested the support of Association of Human Resources Managers (İnsan Kaynakları Yöneticileri Derneği, İNKAY) to get responses from the members of association. An e-mail list of the target population was also given by the association. To increase the response rate, the HR managers of the 1384 hotels were asked on the phone whether they would like to receive the survey by means of a link to be sent to their e-mail addresses or via fax. The survey was then forwarded using the requested service. The variables from the Likert scale of the first 100 responses were subjected to an alpha co-efficiency reliability test. The alpha coefficient was detected as 89,1. Consequently, it was decided that this section of the survey was reliable and that the survey would be continued. A total of 393 responses were received; 200 (50,9%) responses were received via fax, and 193 (49,1%) responses were received via e-mail.

## **7. Findings and Discussion**

### *7.1. HR Managers' Perceptions about Discrimination and Information Requests in Job Application Forms*

Information request from the candidate is total of 31 subjects. relationships of the requests with the job could be discussed, other than “name” and “surname” which are for defining the candidate on the job application forms (Yesiltaş et al., 2010). The subjects of ethnicity and religion, for which the potential for discrimination is clearer, were added to the 31 subjects based on the literature review. Furthermore, information regarding place of birth, alcohol use, memberships with societies and organizations, and references may provide strong clues about the ethnicity and religious beliefs of the candidate. Questions that provide information regarding ethnicity and religion were placed directly in the survey. A total of 33 subjects were included in the survey distributed to the HR managers, and they were asked to mark the subjects where requesting information from the candidates could be deemed illegal discrimination. The marked subjects were indicated in Table 1 with the classification of “considered” and those not marked have the classification “not considered”.

As observed in Table 1, a vast majority of the HR managers of the accommodation enterprises in Turkey believe that it would not be considered discrimination to request information regarding the other 31 subjects, excluding ethnicity and religion, in the job application forms.

Of those who answered the survey, 21.9% of the HR managers even believe that asking the candidates about their ethnicity would not be considered to be discrimination, and 25.7% of those who answered the survey believe that asking the candidates about their religion would not be considered to be discrimination.

Of those who completed the survey, the HR managers believe that it would not be considered to be illegal discrimination to request information from the candidate about “Age” (90.8%), “Sex” (83.5%), “Place of birth” (73.5%), “Disability” (89.1%), “Name of the school graduated from” (91.9%), “graduation year” (97.7%), “Photograph” (94.9%), “Military service status” (95.9%), “Tasks in the military service” (91.1%), “Marital status” (90.6%), “Alcohol use” (78%), “Smoking” (84%), “Mother’s/Father’s Names” (95.9%), “Possession of a Driver’s license” (98%), “Height” (92.4%), “Weight” (91.3%), “Shoe size” (95.7%), “Employment status of the spouse” (91.6%), “Previous criminal record” (90.8%), “Society and organization memberships” (79.6%), and “Hobbies” (95.4%).

This table may mean that a vast majority of the HR managers of the accommodation enterprises in Turkey are not aware of the fact that these types of questions on a job application form may be discriminatory.

**Table 1. Opinions of HR managers regarding the information requested from candidates in job application forms that could be deemed as discriminatory**

	Information requested in the job application forms	Opinion of the HR director (Discrimination ...)	n	%
1	Age	Considered	36	9.2
		<b>Not Considered</b>	<b>357</b>	<b>90.8</b>
		Total	393	100
2	Sex	Considered	65	16.5
		<b>Not Considered</b>	<b>328</b>	<b>83.5</b>
		Total	393	100
3	Ethnicity	Considered	307	78.1
		<b>Not Considered</b>	<b>86</b>	<b>21.9</b>
		Total	393	100
4	Place of birth	Considered	104	26.5
		<b>Not Considered</b>	<b>289</b>	<b>73.5</b>
		Total	393	100
5	Religion	Considered	292	74.3
		<b>Not Considered</b>	<b>101</b>	<b>25.7</b>
		Total	393	100
6	Disability	Considered	43	10.9
		<b>Not Considered</b>	<b>350</b>	<b>89.1</b>
		Total	393	100
7	Education Status	Considered	15	3.8
		Not Considered	378	96.2
		Total	393	100
8	Name of the school graduated from	Considered	32	8.1
		Not Considered	361	91.9
		Total	393	100
9	Year of graduation	Considered	9	2.3
		<b>Not Considered</b>	<b>384</b>	<b>97.7</b>
		Total	393	100

10	<b>Photograph</b>	Considered	20	5.1
		<b>Not Considered</b>	<b>373</b>	<b>94.9</b>
		Total	393	100
11	<b>Military service status</b>	Considered	16	4.1
		<b>Not Considered</b>	<b>377</b>	<b>95.9</b>
		Total	393	100
12	<b>Place where military service was performed</b>	Considered	51	13
		<b>Not Considered</b>	<b>342</b>	<b>87</b>
		Total	393	100
13	<b>Rank in the military service</b>	Considered	68	17.3
		<b>Not Considered</b>	<b>325</b>	<b>82.7</b>
		Total	393	100
14	<b>Tasks in the military service</b>	Considered	35	8.9
		<b>Not Considered</b>	<b>358</b>	<b>91.1</b>
		Total	393	100
15	<b>Marital status</b>	Considered	37	9.4
		<b>Not Considered</b>	<b>356</b>	<b>90.6</b>
		Total	393	100
16	<b>Experience</b>	Considered	15	3.8
		<b>Not Considered</b>	<b>378</b>	<b>96.2</b>
		Total	393	100
17	<b>Alcohol use</b>	Considered	85	21.6
		<b>Not Considered</b>	<b>308</b>	<b>78.4</b>
		Total	393	100
18	<b>Smoking</b>	Considered	62	15.8
		<b>Not Considered</b>	<b>331</b>	<b>84.2</b>
		Total	393	100
19	<b>Mother's/Father's name</b>	Considered	16	4.1
		<b>Not Considered</b>	<b>377</b>	<b>95.9</b>
		Total	393	100
20	<b>Driver's license</b>	Considered	8	2.0
		<b>Not Considered</b>	<b>385</b>	<b>98</b>
		Total	393	100
21	<b>Height</b>	Considered	30	7.6
		<b>Not Considered</b>	<b>363</b>	<b>92.4</b>
		Total	393	100
22	<b>Weight</b>	Considered	34	8.7
		<b>Not Considered</b>	<b>359</b>	<b>91.3</b>
		Total	393	100
23	<b>Shoe size</b>	Considered	17	4.3
		<b>Not Considered</b>	<b>376</b>	<b>95.7</b>
		Total	393	100
24	<b>Blood group</b>	Considered	13	3.3
		<b>Not Considered</b>	<b>380</b>	<b>96.7</b>
		Total	393	100
25	<b>Employment status of the spouse</b>	Considered	33	8.4
		<b>Not Considered</b>	<b>360</b>	<b>91.6</b>
		Total	393	100
26	<b>Number of brother(s)/sister(s)</b>	Considered	30	7.6
		<b>Not Considered</b>	<b>363</b>	<b>92.4</b>
		Total	393	100
27	<b>Number of children</b>	Considered	21	5.3
		<b>Not Considered</b>	<b>372</b>	<b>94.7</b>
		Total	393	100
28	<b>Criminal record</b>	Considered	36	9.2
		<b>Not Considered</b>	<b>357</b>	<b>90.8</b>
		Total	393	100
29	<b>Society and organization memberships</b>	Considered	80	20.4
		<b>Not Considered</b>	<b>313</b>	<b>79.6</b>
		Total	393	100
30	<b>References</b>	Considered	12	3.1



		<b>Not Considered</b>	381	96.9
		Total	393	100
31	<b>Hobbies</b>	Considered	18	4.6
		<b>Not Considered</b>	<b>375</b>	<b>95.4</b>
		Total	393	100
32	<b>Courses attended</b>	Considered	8	2.0
		<b>Not Considered</b>	<b>385</b>	<b>98.0</b>
		Total	393	100
33	<b>Foreign language knowledge</b>	Considered	7	1.8
		<b>Not Considered</b>	<b>386</b>	<b>98.2</b>
		Total	393	100

### *7.2. Differences on Beliefs on Necessity of Information Request by Characteristics of the HR Managers and the Accommodation Enterprises*

Table 2 has been prepared to provide a comprehensive view of the meaningful differences in the degree to which the information requested in the job application forms is considered to be necessary by HR managers according to the demographic characteristics of the HR Managers and the characteristics of the accommodation enterprises (independent variables). In the survey distributed to the HR managers, information on the degrees to which the information requested in the job application forms is deemed to be necessary was provided on a Likert scale of 1 to 5. The average of each response for each individual participating in the survey was taken, and those averages, together with the independent variables, were subjected to T tests and ANOVA tests. The results were indicated in Table 2.

As observed in Table 2, there aren't meaningful differences in deeming the information requested in the job application forms to be necessary based on whether the HR managers determined the questions to be asked in the job application form, what they aim to achieve with the information requested in the job application form, whether they received training on diversity management and/or discrimination in their HR training and where they received HR training.

Deeming the information requested to be necessary indicates a meaningful difference according to the sex of the HR administrator, the status of the hotel as a chain, the number of personnel working in the busy season, the number of months that the hotel is open during the year, the type of hotel, the age of the HR administrator, the level of schooling achieved by the HR administrator and the title of the HR administrator.

Considering the averages, one could say that the female HR managers have more discriminatory attitudes than the male HR managers; the international chain hotels have more discriminatory attitudes than the national chain hotels; the hotels with fewer employees have more discriminatory attitudes compared to the hotels with a greater number of employees; thermal hotels have more discriminatory attitudes compared to other types of hotels; the HR managers with a bachelor's degree have more discriminatory attitudes compared to the graduates at other levels; and the HR managers with the title of personnel manager have more discriminatory attitudes than the HR managers with other titles. Based on the overall average, the HR managers deem it necessary to request information from the candidates that may be considered discriminatory, with a participation level of 3 out of 5.

**Table 2. Differences on the HR managers' belief of the necessity of discriminatory considerable data request on the job application forms.**

Independent Variables	Answer	n	$\bar{X}$	s.d.	t/f p
Having a role in determining the questions to be asked in the job application form	Has	260	3.14	0.678	0.25
	Does not have	133	3.22	0.577	
Purpose of the information requested in job application forms	Identifying the candidates to be invited for job interviews	319	3.19	0.664	1.35
	To employ the candidate directly according to the information in the job application form	74	3.06	0.551	
Sex of HR director	Female	173	3.32	0.676	0.00*
	Male	220	3.04	0.594	
Training on diversity management and/or discrimination	Received	47	3.16	0.613	0.96
	Did not receive	346	3.17	0.651	
Age of the HR manager	<25	21	2.73	1.032	0.00*
	25-30	126	3.35	0.579	
	31-35	95	3.03	0.555	
	36-40	56	3.32	0.642	
	41-45	49	3.17	0.620	
	46-50	23	3.26	0.574	
	>50	18	2.78	0.511	
Level of schooling of the HR manager	Tourism high school	5	2.55	1.073	0.00*
	Tourism associate degree	28	2.96	0.717	
	Tourism bachelor's degree	43	3.26	0.467	
	Tourism master degree	8	3.40	0.832	
	Non-tourism high school	63	2.97	0.769	
	Non-tourism associate degree	38	3.09	0.474	
	Non-tourism bachelor's degree	183	3.26	0.576	
Non-tourism master degree	25	3.23	0.860		
Source of HR management training	School	103	3.15	0.623	0.36
	Course	93	3.13	0.796	
	In-service training	92	3.27	0.610	
	No HRM training	105	3.12	0.540	
Title of the HR director in the business place	Personnel chief	101	3.05	0.781	0.01*
	Personnel manager	107	3.31	0.484	
	Human resources manager	138	3.19	0.610	
	General manager	47	3.28	0.683	
Chain status of the hotel	International chain	46	3.23	0.712	0.00*
	National chain	98	2.93	0.671	
	Independent	249	3.25	0.600	
Number of personnel working in the busy season	<50	39	3.12	0.644	0.00*
	50-100	25	3.43	0.457	
	101-150	63	3.38	0.655	
	151-200	42	3.45	0.451	
	201-250	25	2.71	0.882	
	> 250	199	3.07	0.612	
Number of months that the hotel is open during the year	4	3	2.96	0.578	0.00*
	5	4	2.71	0.522	
	6	32	3.60	0.557	
	7	60	3.10	0.599	
	8	43	3.14	0.664	
	9	19	3.10	0.847	
	10	3	3.15	0.228	
	11	4	3.30	0.000	
	12	217	3.15	0.627	
Type of hotel	City hotel	98	3.16	0.695	0.01*
	Holiday hotel	259	3.15	0.623	
	Thermal hotel	18	3.67	0.653	
	Health facilities (spa. etc.)	18	3.04	0.530	
General Average			3.15		

## 8. Conclusion and Suggestions

Overall, the HR managers highly assessed the request for information regarding “ethnicity” and “religion” as being discriminatory. In addition, no information request for “ethnicity” and “religion” has been detected in the job application forms. However, potentially discriminatory information requests do frequently appear in job application forms, as the information gained in these requests can provide clues on discriminatory subjects, not directly excluding such situations where the question itself contains discrimination, including “age” and “sex”. For instance, questions such as “place of birth” can create powerful convictions regarding the applicant’s ethnicity, religion, sect and political views that, in turn, have the potential to result in discrimination regarding race, ethnicity, religion and political views. Most of the HR managers believe that it is not discriminatory to ask questions on subjects that contain potential discriminatory information, including place of birth. Indeed, this type of question could be considered to be an attempt to conceal discrimination, to discriminate indirectly, or to discriminate secretly (camouflaged). Although it is found that most of the HR managers of the accommodation enterprises in Turkey (86%) were not provided with training on HR management diversity management and/or discrimination (Table 5), there is no meaningful difference between the managers with or without training in terms of believing that it is appropriate to request information on subjects that may contain discrimination (Table 22). This finding may be explained by the fact that they have no updated knowledge on the legal regulations on discrimination. Most of the HR managers (65,9%) do not take a role in determining the questions asked in the job application forms (Table 5). It should be considered that the HR managers select employees by imitating what others do rather than creating their own employee selection processes (Guion, 1999).

According to the Constitution in Turkey and the law, including the Turkish Criminal Code and Labor Law, no person should suffer from discrimination for any reason, including language, race, sex, political thought, philosophical belief, religion and sect, etc. The information requested in the job application forms of the accommodation enterprises in Turkey can be considered to collect discriminatory information, both directly or indirectly (Table 3). The following suggestions should be taken into consideration to avoid perpetuating discrimination based on job application forms and to be protected against accusations of discrimination:

- Firstly, employers, HR managers and society in general should be trained on the subject of discrimination, and programs should be prepared with media support.
- Two methods can be followed in preparing job application forms. 1) The forms can be designed according to the positions to be applied for (separate application forms for director positions, dining hall staff, kitchen staff, reception staff, etc.). This method will be hardly manageable and expensive way. 2) The job application form can be general, with specific information requested depending on the position. The person who applies for each position would give the information as requested in the explanatory parenthesis next to the information request in the form. Thus, there is an application form that could be used for all positions within the

organization and the necessary information could be requested specifically for the position of interest. (Example: APPENDIX 1)

- Each employer should prepare his/her own job application form for his/her own organization. There is significant risk associated with the use of any job application form with content that is not specifically determined by the employer or the HR director.

This research discusses the subject of discrimination in job application forms, which represent the first step in the employee selection process. This research attempts to understand the opinions of the HR managers in this regard. It is deemed necessary to request information within the scope of discrimination in job application forms, and future research is necessary to detect the reason for this attitude, identify differences between sectors, and identify discrimination in the other steps of the employee selection process (interview, test, reference inquiry, health examination, etc.).

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## APPENDIX 1

## Job application Form

\*We are an Equal Opportunity Employer. We do not discriminate on the basis of race, religion, color, gender, age, national origin or disability.

## PERSONAL INFORMATION

Surname	Name			
Address	District	City	Post code	Phone number
What position are you applying for?	Date available for employment?			
Are you willing to relocate? Yes <input type="checkbox"/> No <input type="checkbox"/> Are you willing to if required? Yes <input type="checkbox"/> No <input type="checkbox"/>	Any restrictions on hours, weekends, or overtime? If yes, please explain.			
Have you ever been employed by this company or any of its subsidiaries before? Yes <input type="checkbox"/> No <input type="checkbox"/>	Indicate locations and dates?			
Can you, after employment, submit verification of your legal right to work in Türkiye ? Yes <input type="checkbox"/> No <input type="checkbox"/>	Have you ever been convicted of a felony? Yes <input type="checkbox"/> No <input type="checkbox"/> (A conviction may not disqualify you, but a false statement will. The seriousness of the crime and date of conviction will be considered. To benefit from ex-convict quota you should inform.)			

## PERFORMANCE OF JOB FUNCTIONS

Are you able to perform all the functions of the job for which you are applying, with or without accommodation? <input type="checkbox"/> Yes without accommodation <input type="checkbox"/> Yes, with accommodation <input type="checkbox"/> No
If you indicated you can perform all the functions with an accommodation, please explain how you would perform the tasks and with what accommodation.?

## EDUCATION

This section is to be completed only by the applicants who are applying for management posts.

School	Department	Years	Did you graduate?	Course of study
Undergraduate School				
Graduate School				

## PERSONAL DRIVING RECORD

This section is to be completed only if the operation of a motor vehicle will be required in the course of applicant's employment.		
Driver's license number	Issuing date	
?		
Within the past five years have you had a vehicle accident? Yes <input type="checkbox"/> No <input type="checkbox"/>	Been convicted of reckless or drunken driving? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, give dates:	Been cited for moving violations? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, give dates:
Has your driver's license ever been revoked or suspended? If yes, explain: <input type="checkbox"/> Yes <input type="checkbox"/> No		

## FOREIGN LANGUAGE KNOWLEDGE

This section is to be completed only by the applicants who are applying for management posts or front line posts at which the workers have face to face relationship with customer/guest (receptionists, waiters etc.)			
English	Low <input type="checkbox"/>	Mid <input type="checkbox"/>	Advanced <input type="checkbox"/>
German	Low <input type="checkbox"/>	Mid <input type="checkbox"/>	Advanced <input type="checkbox"/>
Russian	Low <input type="checkbox"/>	Mid <input type="checkbox"/>	Advanced <input type="checkbox"/>
Other (.....)	Low <input type="checkbox"/>	Mid <input type="checkbox"/>	Advanced <input type="checkbox"/>