

## **Ex-prisoner Fitting into Working Environment: Inputs for Organizational Context**

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Although ex-prisoners face lower chances of obtaining and maintaining employment compared to many diversity groups (such as individuals with disabilities or ethnic and gender minorities), the movement to promote their re-entry into the workforce has emerged in the past two decades. Moreover, ex-prisoners contend with multiple disadvantages stemming from their past lives and experiences during their criminal careers. Most research has concentrated on preparing ex-prisoners for the labor market, while studies exploring the readiness of the organizational context for their re-entry are lacking. This work aims to examine the organizational diversity culture and climate related to the reintegration of ex-prisoners into the workplace, drawing on a literary review. Recommendations for diversity-related policies and practices concerning ex-prisoners, as well as

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broader societal implications, are discussed. The re-entry of ex-prisoners into the workforce extends beyond personal or group responsibility; it requires the engagement of the entire society.

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## **Introduction**

Corporations mostly sponsor women and minority associations and educational programs for minorities and provided corporate funding with a diversity focus. Some of the other community relations efforts included school-business partnerships, research funding related to women and minorities, internships with a diverse focus, mentor programs for minority students, and company leaders participating as members of boards of minority organizations (Wentling, & Palma-Rivas, 2007). What about ex-convicts? They are rarely recognized among diversity groups, even there are a lot of research data on their challenging position towards re-entering to the workplace (Shivy et al., 2007). A movement emerged in the late 1990s in the United States to promote prisoner workplace re-entry (Toney, 2007). Qualitative research methods were employed to analyze data from two focus groups: one consisting of male nonviolent felony offenders (n=6) and the other of female nonviolent felony offenders (n=9), all of whom were receiving services at day reporting centers that provide a nonresidential form of community corrections (Shivy et al., 2007). Participants shared their reentry experiences, leading to the identification of 11 key domains related to ex-offenders' needs, including education, training, and practical assistance; challenges in securing and maintaining employment; a limited employment skills and difficulties in transferring skills gained in prison to employment after release; limited support systems, such as personal networks and resources from the correctional system (Shivy et al., 2007; Bardry et al., 2018). The employment agency workers shared ex-prisoners' perception of challenges related to workplace re-entry (Bardry et al., 2018). The findings indicate that counseling professionals should pay attention to ex-prisoners' social networks, particularly the social dynamics within workplaces, as these networks can either provide support or pose challenges during their transition. Additionally, substance abuse, lack of stable accommodation, physical and mental health issues and pro-criminal social environments might affect negative attitudes of employers, difficulties with the processes of applying for jobs (Shivy et al., 2007; Bardry et al., 2018; Stojanović et al., 2021). The internal and external impacts of the stigma associated with

incarceration should be considered (Shivy et al., 2007). Research data shows that some strategies like finding job at previous employer where they were working at the time of arrest (Ramakers et al., 2016) or starting own business (Smith, 2021) might help in faster reintegration.

Too often, the mere presence of a diversity initiative (or the amount of money spent on an initiative) is used as a signal of its efficacy. Practitioners truly committed to the welfare of their workers, however, should be motivated to assess whether their initiatives are achieving their acquired goals, and to course-correct if not (Dover et al., 2020). The Covid-19 pandemic and the MeToo and Black Lives Matter social movements have led many leaders to reassess their relationships with their employees (Harvard Business Review, 2021). Organizations in sectors as diverse as governmental and nongovernmental sectors want their workforces to better represent the broader communities in which they operate. These organizations are making it a priority to treat all employees equitably, and to create the conditions to make everyone feel welcomed and included. Two-thirds of respondents to a recent survey of 1,115 North American organizational leaders conducted by Harvard Business Review Analytic Services say that diversity, equity, and inclusion is a high strategic priority for their organization (Harvard Business Review, 2021).

This research is aimed to explore organizational diversity context that might be of relevance to the ex-prisoner workplace re-entry. Workplace diversity culture and climate will be explored towards proper ex-prisoner reintegration in the working environment.

### **Diversity Culture: what the organizations need to do**

Changing diversity culture means taking on the ingrained norms that exist in organizations. It is difficult to attract and retain people when they don't feel welcomed and included, or when they perceive opportunities to be unfairly weighted against them. For example, in organizational context, professional services firms have long had a "work comes first" ethos. That culture can lead to inequities (e.g. opportunity for women who take time off to have children) (Harvard Business Review, 2021). Related to the population of the ex-prisoners we can say that "employers interest comes first". Study on Malaysian ex-prisoner workplace re-entry highlights the importance of active government involvement in engaging employers with ex-offenders through incentives like tax reductions, as well as organizing prison job fairs to enhance their employment opportunities (Khasni et al., 2023). Even reducing costs in hiring people with criminal records is frequently recommended (Doleac, 2016), these interventions are external

and far from a real systematic solution for this group of employees. The need for formal guidelines and practices regarding the hiring of ex-offenders within organizations to foster a positive hiring culture is recognized (Khasni et al., 2023).

It seems to be that the greatest diversity effort is having to be made in leadership and management. Based on the research at the sample of diversity initiative experts it's found that senior management commitment was a leadership and management diversity initiative identified by all study participants (Wentling, & Palma-Rivas, 2007). All of them indicated that senior management plays a crucial role in establishing workforce diversity in their corporations (communicating the importance of diversity throughout the organization through policy statements, memos, letters, speeches, company newsletters and newspapers, and reports). The study participants indicated that the best way to maintain ongoing commitment for diversity initiatives was to link them effectively with the organization's business objectives. All the interviewed experts indicated that their corporations use consultants in some way to plan, develop, implement, and evaluate diversity initiatives. Van der Brink (2020) research showed how collective learning practices took place but were insufficiently kept in a collective memory. Besides building "new" memory on diversity policies and gender inequality, organizational memory to enable diversity policies and practices to be implemented. The inability to create a community of practice stopping the positive change (Van der Brink, 2020). As the author noticed we are constantly "reinventing the wheel" (Van der Brink, 2020). More than half of the expert indicated using external consultants to conduct needs assessment, diagnosis, and cultural audits, and to help them in the planning and delivery of diversity training programs. Sometimes both external and internal consultants were used, depending on the program and needs (Wentling, & Palma-Rivas, 2007). Ex-prisoners often possess multiple diverse identities, and their reintegration experiences can vary significantly across different social groups, such as racial and ethnic minorities, women, mothers, individuals from rural areas, and those with differing sexual orientations (Goger et al., 2021; Kovacevic et al., 2024; Kovacevic, 2012). It is debatable whether employees with criminal records are primarily defined by their criminal history or by other socioeconomic disadvantages. In this context, it has been suggested that removing the question about criminal records from job applications could be beneficial (Doleac, 2016). Campaigns aimed at "banning the box", requiring that questions about criminal record are deferred to a later point when the person could address them in interview (Doleac, 2016; Heydon et al., 2018). Research results show that the openness of some employers to

engage with applicants creates opportunities for individuals with criminal records to demonstrate their commitment to rehabilitation and challenge prevailing stereotypes about offenders. When there is no opportunity or willingness for such discretionary engagement, employers are likely to adopt a risk-averse approach to hiring. This can lead to the preemptive exclusion of potentially valuable employees, further marginalizing ex-offenders and increasing their risk of deeper social exclusion (Heydon et al., 2018).

Recommended organizational diversity practices can be categorized into (Leslie, 2019, p. 542).

### Nondiscrimination practices

#### *Merit-based decision making*

Ensuring that decision making is based on qualifications and abilities, not demographics. Examples include use of tests or other objective tools in hiring, use of performance evaluations to determine pay and promotions, and name-blinding applications to conceal demographic information.

#### *Diversity training*

Educating employees about bias and disadvantages faced by targets and providing strategies for preventing bias from resulting in discrimination. Diversity training is often focused on preventing discrimination and, thus, is best categorized as a nondiscrimination practice. Training that educates managers on how to provide additional resources to targets is better categorized as a resource practice.

### Resource practices

#### *Preferential treatment*

Giving an advantage to targets in decision making.

#### *Targeted recruitment*

Increasing access to and the attractiveness of jobs and promotion opportunities among targets (target group associations).

#### *Diversity statements*

Increasing the attractiveness of an organization to targets by including a statement (e.g., in job ads, on a website, etc.).

#### *Targeted training*

Providing targets with additional training (e.g., managerial skills) to increase their likelihood of being hired or promoted.

#### *Diversity networking groups*

Increasing targets' access to and support from one another. Examples include employee affinity groups (also referred to as employee resource groups) and paying for targets to belong to professional associations designed for members of their group.

*Diversity mentoring programs*

Increasing targets' access to powerful others. Examples include formal mentoring and career sponsorship programs for targets.

Accountability practices

*Diversity plans*

Setting diversity goals (e.g., increasing representation, reducing career gaps, improving survey-based inclusion scores) and monitoring progress toward those goals. Examples include setting aspirational numbers (e.g., for target representation) an organization hopes to meet or establishing quotas that are strictly enforced.

*Diversity performance evaluations*

Evaluating managers' performance in terms of helping the organization meet diversity goals.

*Diversity positions*

Appointing a person or persons within the organization who is responsible for overseeing the organization's diversity efforts, either temporarily or permanently.

*Grievance systems*

Establishing a system through which individuals can report instances of discrimination and other events that inhibit progress toward diversity goals.

American diversity experts in 88% indicated that their companies had initiatives to recruit and promote women and minorities (Wentling, & Palma-Rivas, 2007). Considering ex-prisoners both the characteristics of the criminal offense and those of the ex-offender can shape hiring managers' perceptions of job applicants with criminal records, potentially either hindering or facilitating their chances of securing employment (Young & Powell, 2015). Additionally, it suggests that factors related to the hiring manager, the job, the organization, and government incentives can moderate the relationship between managers' perceptions of the competence of ex-prisoner applicants and their subsequent hiring decisions (Young & Powell, 2015).

General diversity management models currently receiving attention in contemporary literature are:

The *Interactional Model of Cultural Diversity* (IMCD) (Cox, 1993) suggests that a variety of phenomena related to differences in the group identities of workers combine to create potent effects on their career experiences and outcomes. Actual job performance may be related to group identities in some organizations. These individual outcomes, in turn, have an impact on a series of first-order organizational-effectiveness measures such as work quality, productivity, absenteeism, and turnover. Diversity in both the formal and informal structures of organizations will affect factors such as creativity, problem solving, and intra-organizational communication (Goyal, & Shrivastava, 2013).

*Adapted Interactional Model.* Bell (2011) adapted and broader version of Cox's Interactional Model of Diversity Climate (Cox, 1993) in which additional areas have been included in the diversity climate, individual outcomes, and organizational effectiveness. Hubbard (2012) has also adapted some elements from Cox's Diversity Climate Model and lists components of work climate that determine an organization's capacity to welcome and use workforce diversity as a resource for better performance. Key Components of Diversity Climate: *Individual-Level Measures Definition* (amount of identity-group prejudice, predisposition to dislike or have a negative attitude toward someone, amount of stereotyping, amount of ethnocentrism, etc.); *Work Group-Level Measures Definition* (level of intergroup conflict, group identity strength, quality of intergroup communication, cultural differences and similarities, etc.); *Organization-Level Measures Definition* (identity profile of workforce, mode of acculturation; content of organization culture, power distribution among groups, openness of informal networks, adaptability to change, etc.) (Hubbard, 2012).

*Attraction-Selection-Attrition (ASA) model* - In 1987 (Schneider et al., 1998), Schneider proposed a person-oriented model of organizational behavior based on the proposition that it is the collective characteristics of people who define an organization. The ASA cycle suggests that people are differentially attracted to organizations on the basis of an organization's character and the organizational structure, strategy, and culture. Selection increases homogeneity and contribute to restricting the type of applicants who enter an organization to those with the competencies, interests, and personality consistent with the goals of the organization (Schneider et al., 1998).

## **Diversity Climate: need to feel valued at the workplace**

Like other diverse groups in the workplace, ex-prisoners need to feel valued and accepted. Discrimination in the workplace can effectively turn any sentence into a lifelong consequence (“any sentence as life sentence”, Flake, 2015), severely impacting their reintegration and overall well-being. The less that we need involved with diversity initiatives is that they reproduce inequalities. The presence of organizational diversity initiatives may lead to a presumption of fairness for underrepresented groups, but at the other side making discrimination harder to identify and litigate (Dover et al., 2020). Unintended consequences might be happening through the communication of fairness, inclusion (see included, but feel excluded), and questionable competence. They can additionally imply that underrepresented groups need help to succeed and are thus less competent than their advantaged counterparts (Dover et al., 2020). The authors suggest that organization must find way for balancing homogeneity and diversity (Hanges et al., 2006). An individual's criminal history should not be disqualifying unless there is a direct connection between a past offense and the job in question, such that hiring the individual would pose an unreasonable risk to property or the safety of specific individuals or the public (as it is regulated within NY Correct Law, as cited in Flake, 2015). Even when there is a job-related aspect to a criminal history, its significance is contingent upon whether it creates an unreasonable risk. For instance, a theft conviction might be relevant for a hotel front desk clerk position; however, if the hotel has security measures like cameras monitoring the front desk and a policy requiring two clerks to always be present, these safeguards will reduce the risk of theft. In such cases, the relevance of the past offense diminishes. Employers should consider eight factors when evaluating the relevance of an individual's criminal background: the state's public policy aimed at encouraging the licensure and employment of ex-offenders; the specific duties and responsibilities associated with the position or license; the potential impact of the individual's criminal record on their ability to fulfill those duties and responsibilities; the amount of time that has elapsed since the crime was committed; the age of the individual at the time of the offense; the severity of the offense; evidence of rehabilitation or good conduct since the offense; the employer's legitimate interest in safeguarding both property and the safety and welfare of specific individuals or the general public (NY Correct Law, as cited in Flake, 2015).

The organizations must be responsive to environment. Employees diversity, fairness, harassment are issues that every healthy organization



must take in consideration. Policies, practices, and procedures must be consistent, and the connection with environment is found to be very important (empowering/updating employees' competences is very important). Healthy organization have climate for diversity, climate for fairness and climate for continual learning (Hanges et al., 2006). Researchers and practitioners should note the potential unintended signaling consequences of diversity initiatives, and build-in accountability and social psychological knowledge when designing policies aimed at creating inclusive, diverse, and fair workplaces (Dover et al., 2020). People with criminal history have less chance to find and keep job then people with disability or chronic illness (Graffam, & Hardcastle, 2007). The author developed a typology of diversity initiative unintended consequences (Leslie, 2019). The four unintended consequences are defined and differentiated by crossing two dimensions: the direction of the effect (i.e., desirable versus undesirable) and the outcome affected (i.e., intended versus unintended) (Leslie, 2019). As an illustration may serve a rigorous evaluation of a diversity training program that focused on tolerance and did not increase participants' personal comfort with members of other groups (Paluck, 2006). What does the expert say about diversity initiatives at the workplace? Baized at in-depth, open-ended interviews barriers that have inhibited the employment, development, retention, and promotion of diverse groups in the workplace have identified. It's revealed that the primary reasons for managing diversity are to improve productivity and remain competitive, to form better work relationships among employees, to enhance social responsibility, and to address legal concerns (Wentling, & Palma-Rivas, 2007). Benevolent discrimination as a subtle and structural form of discrimination that is difficult to see for those performing it, because it frames their action as positive, in solidarity with the (inferior) other who is helped, and within a hierarchical order that is taken for granted (Romani et al., 2019). Main three dimensions of benevolent discrimination are: (1) a well-intended effort to address discrimination within (2) a social relationship that constructs the others as inferior and in need of help, which is granted with (3) the expectation that they will accommodate into the existing hierarchical order (Romani et al., 2019). The concept of benevolent discrimination is proved on an in-depth qualitative case study of a Swedish organisation that is believed to be exemplary in its engagement in diversity management initiatives. Authors argue that human resources professionals frame their actions as acts of benevolence that they cannot see how they take part in organizational discrimination, offering colonial narrative (Dover et al., 2020).

Ex-prisoners inclusion in working environment is recommended to be based at principles of personalism, solidarity, subsidiarity, openness, social justice, and social partnership (Fel, & Wódka, 2016). For example, principle of personalism builds on the dignity of the person. The person must not be treated instrumentally in any social, economic, or political frameworks. The application of the personalism principle requires solutions that will contribute to human growth, not humiliation or degradation. Treating each other with dignity may be more effective for personal development than initiatives focused solely on preventing negative outcomes (such as prejudice and discrimination), similar to the Human Dignity Curriculum implemented in schools (Kovačević Lepojević, 2024). In respect of rights, the dignity of the person requires equal treatment for everyone. The principle of solidarity is founded on the multiple interconnections among all members of society and the various responsibilities that arise from these relationships. Social groups, with their diverse interactions, engage with one another in meaningful ways. Solidarity is expressed through an awareness of belonging to communities that are linked not only emotionally but also through shared interests. This sense of connection creates an obligation to care for one another, and excluding any individual or group contradicts the essence of solidarity. The principle of solidarity is intrinsically connected to the principle of subsidiarity, which aims to promote the common good and human development through effective collaboration among public bodies, NGOs, and individual members of society. The principle of openness regarding the inclusion of young ex-prisoners, particularly in terms of collaboration between public and social partners, should be understood in a broader and more complex context. In its narrower sense, openness is particularly relevant during the administrative processes within public bodies that function as employment agencies. It is recommended to enhance employers' awareness of the benefits they can gain from hiring young ex-prisoners. These advantages can arise from emerging trends in corporate management, such as corporate social responsibility. One effective way to implement the principle of openness in social life is through a large-scale educational campaign aimed at informing the public about current social issues, particularly those closely tied to the economy. Applying this principle to the relevant area should involve a social outreach campaign that presents the issue objectively. A successful campaign would aim to change the stereotypical perceptions of young ex-prisoners among the general public and foster a sense of social responsibility toward addressing this issue. The goal of social justice is to give each person what they deserve as humans, based on their inalienable dignity. Public-social partnerships should be central to

developing mechanisms for including young ex-prisoners. These partnerships are supported by legal regulations that facilitate collaboration between public bodies and NGOs. The variety and diversity of social aid and integration institutions, along with NGOs that assist ex-prisoners in the labor market, play a crucial role in this process (Fel, & Wódka, 2016). A notable example from Serbia is the recent case of five ex-prisoners being employed by the NGO "Posle kiše" (After Rain) at the Kragujevac Medical Center. This initiative was a recognition of their contributions during the COVID-19 crisis (Danas, 2024, September 13).

### **Fostering positive contact instead of benevolent discrimination**

In the social psychological literature, one of the most well-established strategies for reducing prejudice and fostering positive intergroup relations involves no training and no discussion of prejudice (Dover et al., 2020). Organizations might encourage activities in which diverse employees can work together on projects and in an equal-status (same power) context where cooperativity, as well as friendships might develop.

Harvard Business Review Analytic Services survey uncovered many practices for increasing diversity, equity and inclusion (Harvard Business Review, 2021):

Provide a hotline for reporting Diversity, Equality & Inclusion (DEI) incidents Leaders have to provide mechanisms for employees to report DEI incidents without fear of reprisal (63% versus 27%).

Add a warmline for advice and coaching Warmlines provide early intervention and support for non-crisis situations. The warmline helps the company spot problems that might need to be addressed on a larger scale.

Make full use of employee resource groups (ERGs) or networks.

ERGs have evolved into powerful groups that provide a voice for employees and help leaders understand the challenges people face. Most successful ERGs have executive sponsors who participate in meetings, help with resources, and advocate on employees' behalf.

Change up recruiting.

DEI leaders go beyond the usual sources as LinkedIn, which is not especially diverse.

Employ diverse hiring panels.

Provide just-in-time nudges about bias.

In addition to training about unconscious bias, it should be send a reminder to hiring managers before interviews about biases that can creep in, and the company provides leaders with a bias primer as they are calibration ranking their talent and doing promotions.

Encourage advancement and provide clear development pathways.  
Offer DEI-inclusive mentorship and sponsorship programs.  
Leaders are for example encouraged to “mentor someone who doesn’t look like you.”. Mentorship helps with things like getting to know hiring managers, knowing how to jump to another position, having someone who can coach them, and connecting with people who might be on their career path.  
Create a DEI steering committee.  
Share practices with DEI peers.

Diversity networks as good diversity management practice serve to support the needs of employees with different social identities, such as women, ethnic minorities, LGBTs, disabled and young people (Dennissen et al., 2019).

### **Recommendation for future of diversity initiatives**

The authors suggested that lack of evidence-based practices may be partially responsible for lackluster progress in preventing employment discrimination (Dover et al., 2020). Researchers and academics must continue designing and testing diversity interventions and sharing their results with practitioners and policymakers. Practitioners and policymakers themselves, however, can also collect data about how their initiatives affect hiring outcomes, prejudice, perceptions of inclusion, and concerns about discrimination. Author noticed that organizations try to achieve a lot with their diversity initiatives and that is possible that by attempting to accomplish so many goals, a diversity initiative will become unfocused, and less effective at achieving the most important goals. Identifying measurable goals—greater feelings of inclusion, increased diversity of the applicant pool, greater knowledge about how to detect and report discrimination, decreased experiences with discrimination will lead to more effective interventions (Dover et al., 2020). Measuring diversity performance seems to be very important by the diversity expert perspective (Wentling, & Palma-Rivas, 2007; Trajković et al., in print). More than half (63 percent) corporations had initiatives dealing with management accountability related to diversity performance. Managers were held accountable for developing diversity action plans to meet their business unit and corporate goals and objectives. Diversity performance at the business unit level as well as at the individual level was then linked to compensation by emphasizing both qualitative and quantitative aspects of achievement and by rewarding behavior that promotes diversity (Wentling, & Palma-Rivas, 2007). Along with the maxim “what gets measured gets managed” Harvard Business Review (2021) stated that who want to improve

Diversity Equity Inclusion (DEI) use data and analytics in the following ways: Establish a baseline and set goals for the future; Measure progress on a regular basis (Forty-seven percent of respondents to the Harvard Business Review Analytic Services survey measure progress toward their diversity and equity goals at least twice a year); Communicate progress widely; Go beyond high-level metrics to identify areas for intervention; and Hold the organization accountable Harvard Business Review (2021) (Wentling, & Palma-Rivas, 2007). Interview with James Timpson, the Chief Executive of Timpson retailers published within a research paper by Pandeli et al., (2020) "Risky Business? The Value of Employing Offenders and Ex-Offenders: An Interview With James Timpson, Chief Executive of Timpson", is great example of organizational culture where ex-prisoners feel welcomed and valued. James's approach focuses on a holistic perspective in recruitment, viewing each potential employee as a complete individual whose strengths, weaknesses, and future potential lead to long-term benefits for personal, society and organizational growth and profitability are substantial.

## **Conclusion**

Attempts to redress disadvantage by paying attention to single areas of disadvantage have limited impact and there is a need for an integrated, holistic support system towards breaking a circle of reoffending. The path to successful workplace reentry of ex-prisoners requires both individual and society wide efforts. Parallel processes - taking personal responsibility of for their actions, confronting with their past, gaining new skills and behaviors which starts along with rehabilitation process at the one side, and more systematic context level efforts within the whole society at the other side need to be done towards providing workplace reentry of ex-prisoners from various stakeholders.

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