Abstract:
Increasing empirical research on productivity supports the use of statistical or ‘rational’ discrimination in hiring. The practice is legal for features of job applicants not covered by human rights discrimination laws, such as being a smoker, residing in a particular neighbourhood or being a particular height. The practice appears largely morally innocuous under existing philosophical accounts of wrongful discrimination. This paper argues that lawful statistical discrimination treats job applicants in a way that may be considered degrading, and is likely to constrain people’s freedoms in relation to employment, thus giving us reason for moral concern.

Keywords: discrimination, ethics, employment, hiring, statistical discrimination.