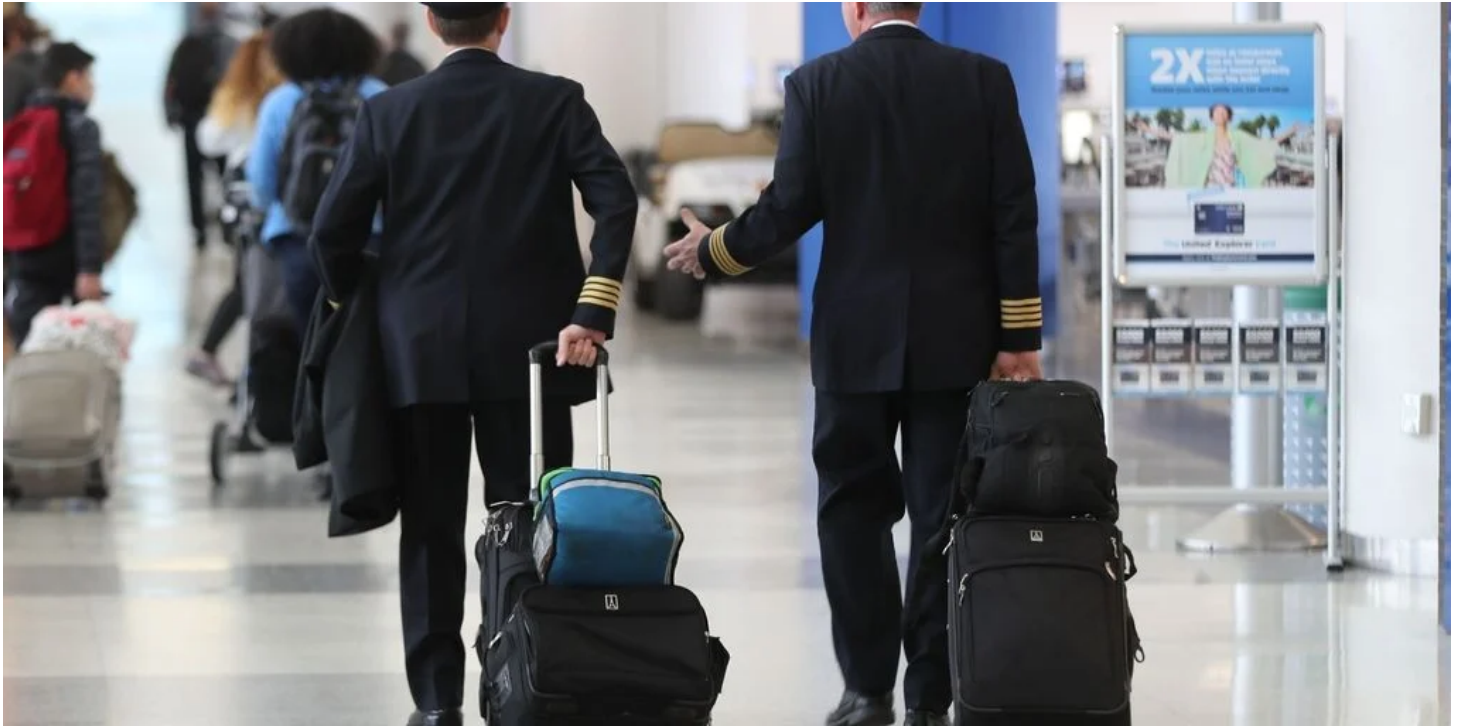


Airlines & Airports

For airlines, the DEI wars are just beginning

By John Pletz



Credit: Alamy

Airlines, particularly United, find themselves at the center of an intensifying social-media backlash over DEI policies that's only likely to get louder as the presidential election campaign heats up.

[Reprints](#) [Share](#)

February 14, 2024 05:31 AM | 3 HOURS AGO

Crain's Daily Gist | EP1014

02/14/24: White-coat union driv...



00:00

17:32

1X

[PRIVACY](#) [SHARE](#) [SUBSCRIBE](#)

The three big airlines that employ tens of thousands of workers in Chicago — United, American and Southwest — are being dragged into the culture wars.

America First Legal, a group started by former Trump adviser Stephen Miller, has taken aim at the airlines in its broader fight against diversity, equity and inclusion.

How the recruiting process hinders corporate board diversity

This is both a symptom and a cause of the Black wealth gap

It started last fall with a complaint filed with the Equal Employment Opportunity Commission, claiming the airlines' diversity policies are discriminatory. The group followed up in January with a letter to the U.S. Department of Labor's Office of Federal Contract Compliance Programs, asserting that the airlines, which receive federal contracts, are violating discrimination provisions.

The airlines, particularly United, find themselves at the center of an intensifying social media backlash and political debate over DEI policies that's only likely to get louder as the presidential election campaign heats up. A key issue will be whether affirmative action programs that were struck down in academia last year by the U.S. Supreme Court will be outlawed in the workplace as well.

Setting goals

For United, the challenges started about two years ago during the depths of the COVID-19 pandemic, [after it bought a flight school](#) as part of its effort to deal with an industrywide pilot shortage. The airline set a goal that 50% of the flight school candidates would be women or people of color.

That goal sparked [a brush fire on social media](#), with critiques often lobbed by people who mistook the goal as 50% of its new-pilot hires would have to be women or people of color.

Accepting pilots to flight school and hiring them are two different things, however. All commercial airline pilots must meet minimum requirements set by the Federal Aviation Administration. Instead, what United has aimed to do is broaden the pool of candidates coming into the program for training.

Stay on top of the headlines that should be on your radar. Sign up for our Don't Miss email alerts.

[Subscribe](#)

"United is proud to maintain the highest standards in our pilot hiring, training, and safety practices. Every aviator who joins our ranks must meet them. No exceptions," the company said in a written statement to Crain's.

American Airlines highlighted a similar recruiting and training program for new pilots called Cadet Academy, noting that 51% of its participants were women or people of color.

Diversity efforts extend beyond the cockpit, with United, American and Southwest setting goals to diversify management ranks as well.

In 2020, Southwest set a goal of "doubling the percentage of racial diversity and increasing gender diversity" of its senior executive committee by 2025, America First's complaint said. American said in 2022 it "increased Black representation at the director and above level by 50%" from 2020. United said in 2022, "almost half of all promotions at the senior professional and senior leader level were of those belonging to underrepresented racial and ethnic groups."

The first EEOC complaint against the airlines came in November. To sue a company for discrimination, a plaintiff must request an investigation by the EEOC. The agency can either file its own lawsuit or allow the plaintiff to sue.

"The timing is not happenstance: It's coming after *Students for Fair Admissions v. Harvard*," notes William Corbett, a law professor at Louisiana State University who teaches and writes primarily in the area of labor and employment law. "A big question on many people's minds is they'd like to see *Students for Fair Admissions* extended to employment and say you can't do affirmative action in employment just as in education."

He adds: "Airlines are high-profile, and they've come out with some concrete statements about what they want to do, and I think it makes them an attractive target."

Dallas-based Southwest says it's not backing down. "Southwest prides itself on having an open and inclusive work environment that consistently ranks among the world's best places to work," the company said in a written statement. "For 52 years, we have put people first, and we will not waver from this path. Our goal is to identify, hire and retain the best talent for Southwest, while fostering a workplace where individual perspectives and ideas are valued, and all feel a sense of equity and belonging."

A political minefield

America First Legal, which Trump adviser Miller bills as "the long-awaited answer" to the American Civil Liberties Union, filed an EEOC complaint Feb. 6 involving the NFL. The group contends the league's "Rooney Rule," which requires that minority coaches be considered for head coaching and other top jobs, is discriminatory.

Miller's group also filed an EEOC complaint regarding Sanofi, a French pharmaceutical company.

DEI is proving to be a political minefield.

"Two years ago, we wrote about the pressure from the left (to do more on DEI), and corporates were having to respond to employees and customers or risk getting canceled," says Cliff Kupchan, chairman of Eurasia Group, a political consultancy that ranked the culture wars in the top 10 of its [annual report on geopolitical risks](#). "A lot of boardrooms were responsive. So what we're writing about this year is whiplash. There's a real sense that this is a maze that's very difficult to get out of."

The DEI conversation will only intensify as the presidential election draws closer.

"The megaphone that Donald Trump already has is going to be 10 times louder and further embolden those who are seeking to challenge DEI policies," Kupchan says. "My guess is we haven't seen anything yet."



By John Pletz

John Pletz is a senior reporter covering technology, aviation and cannabis for Crain's Chicago Business. He joined Crain's in 2007 and previously covered technology for the American-Statesman in Austin, Texas.

News, Politics, Diversity and Inclusion, Airlines & Airports, United Airlines, Labor and Workforce

More in Airlines & Airports →