

GOOD
MORNING AND
WELCOME!!!

*Glad you are here
We'll get started soon!*

S | D | A | O

SPECIAL DISTRICTS
ASSOCIATION OF OREGON

PROMOTING DIVERSITY HELPS PREVENT DISCRIMINATION

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ACTIVITY - INTRODUCTIONS

My name is _____ and I am
from _____.

One thing you cannot tell just by
looking at me is _____.

This is important for me to tell you
because _____.



ABOUT HR ANSWERS, INC.



- Largest independently owned HR Consulting, Staffing and Training organization.
- 36 years old firm headquartered in the NW.
- We work with organizations of all sizes as well as Private Sector, Public Sector and NFP organizations.
- We offer SDAO/SDIS Members HR Support via the Advantage Plan. Unlimited email/phone support, sample language and templates and much more!!!

Affirmative Action Plans ● Compensation ● Employee Opinion Surveys ● Employee Relations ● Handbooks ● HR Hotline ● Internal Investigations ● Job Descriptions ● Labor Relations ● Mediation ● Performance Management ● Policies ● Recruitment & Staffing ● Training & Development



An alarming study conducted in 2019 found that around 38% of people faced some type of discrimination at work. Additionally, because the average person spends one third of their life in the workplace, it's essential that the working environment is healthy.

BASIC DEFINITIONS, CONT.

What is Workplace Discrimination?

- Discrimination is prejudicial treatment in the workplace, which may affect hiring, firing, promotions, salary, job assignments, training, benefits and/or layoffs, based on a person's age, gender, sexual orientation, race, religion, national origins or disabilities.
- Discrimination laws protect both current workers and prospective workers. Any employee who feels they have been discriminated against in the workplace can file a complaint with the U.S. Equal Employment Opportunity Commission and possibly file suit against the District.

BASIC DEFINITIONS

- **Bias** – Preference that inhibits impartial judgment.
- **Prejudice** – Strong feelings or beliefs about a person or subject; pre-judging others without reviewing facts or information; often based on fear. Prejudice is CONSCIOUS.
- **Stereotype** – Assumption that everyone in a group is the same.

WHAT IS UNCONSCIOUS BIAS?

- Implicit bias is “a positive or negative mental attitude towards a person, thing, or group that a person holds at an unconscious level”.
- The inclinations, attitudes or stereotypes that affect our understanding, actions, and decisions that form outside our own conscious awareness.
- Unconscious bias occurs when you make spontaneous judgments about people or situations based on your past experiences, culture, background, or exposure to media.

These hidden preferences or prejudices can affect nearly every decision you make.



CATEGORIES OF DISCRIMINATION

DIRECT DISCRIMINATION

When somebody has been treated differently or worse than another employee due to an underlying reason. These underlying reasons may be someone's age, race, religion or beliefs.

3 separate categories:

Ordinary direct discrimination.

Where somebody is treated differently because of a protected characteristic. It's the only type of direct discrimination which may be lawful, but only if it is 'objectively justifiable'.

- **Direct discrimination by association.**

• Where somebody is treated differently because of a protected characteristic possessed by someone who they are associated with. Examples are a friend who is a fellow work colleague.

- **Direct discrimination by perception.**

• People are treated differently because of a protected characteristic, other people think they possess, regardless of whether the perception is correct.

This form of discrimination can be both intentional or unintentional.

INDIRECT DISCRIMINATION

HARASSMENT

Indirect discrimination is a less obvious type of discrimination than direct discrimination and is usually unintentional.

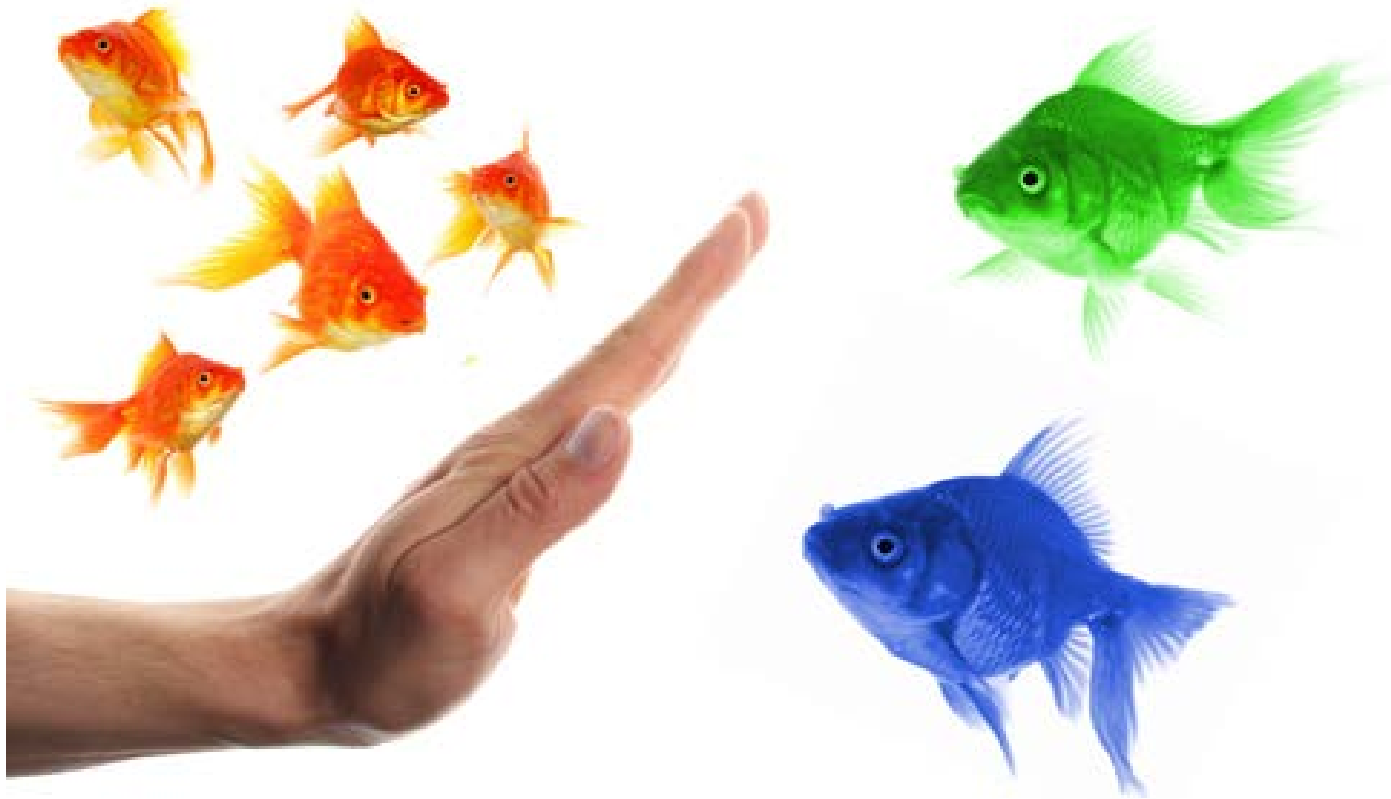
Indirect discrimination occurs when a plan or rule is put in place, which isn't discriminatory but puts people with specific characteristics at a disadvantage.

Any conduct at work that a reasonable person in the individual's circumstances would consider unwelcome, intimidating, hostile, threatening, violent, abusive, or offensive. It also prohibits employment actions, including hiring, promotion, termination, and compensation decisions, to be taken based on a protected characteristic. Individual did not solicit or incite conduct, and the individual regarded the conduct as undesirable or offensive.

Legal Definition: Must be both Protected Group and Repeated Behavior....

VICTIMIZATION

- Somebody becomes a victim of harmful behavior because they have done (or because it's suspected that they have done or may do) one of the following things in good faith:
 - Made an allegation of discrimination
 - Supported a complaint of discrimination
 - Gave evidence relating to a complaint about discrimination
 - Raised a grievance concerning equality or discrimination



TYPES OF DISCRIMINATION



DIFFERENT TYPES OF WORKPLACE DISCRIMINATION

Workplace discrimination occurs when an individual is discriminated against due to any number of factors. Employees and job applicants can also be discriminated against because of their relationship to another person.

- Age
- Gender
- Race
- Religion
- Ethnicity
- Skin Color
- National Origin
- Mental or Physical Disability
- Genetic Information
- Relationship to someone who may be discriminated against
- Pregnancy or Parenthood
- Sexual Orientation
- Equal Pay
- Harassment

EXAMPLES OF EMPLOYMENT DISCRIMINATION

Employment discrimination could occur in any number of situations, including:

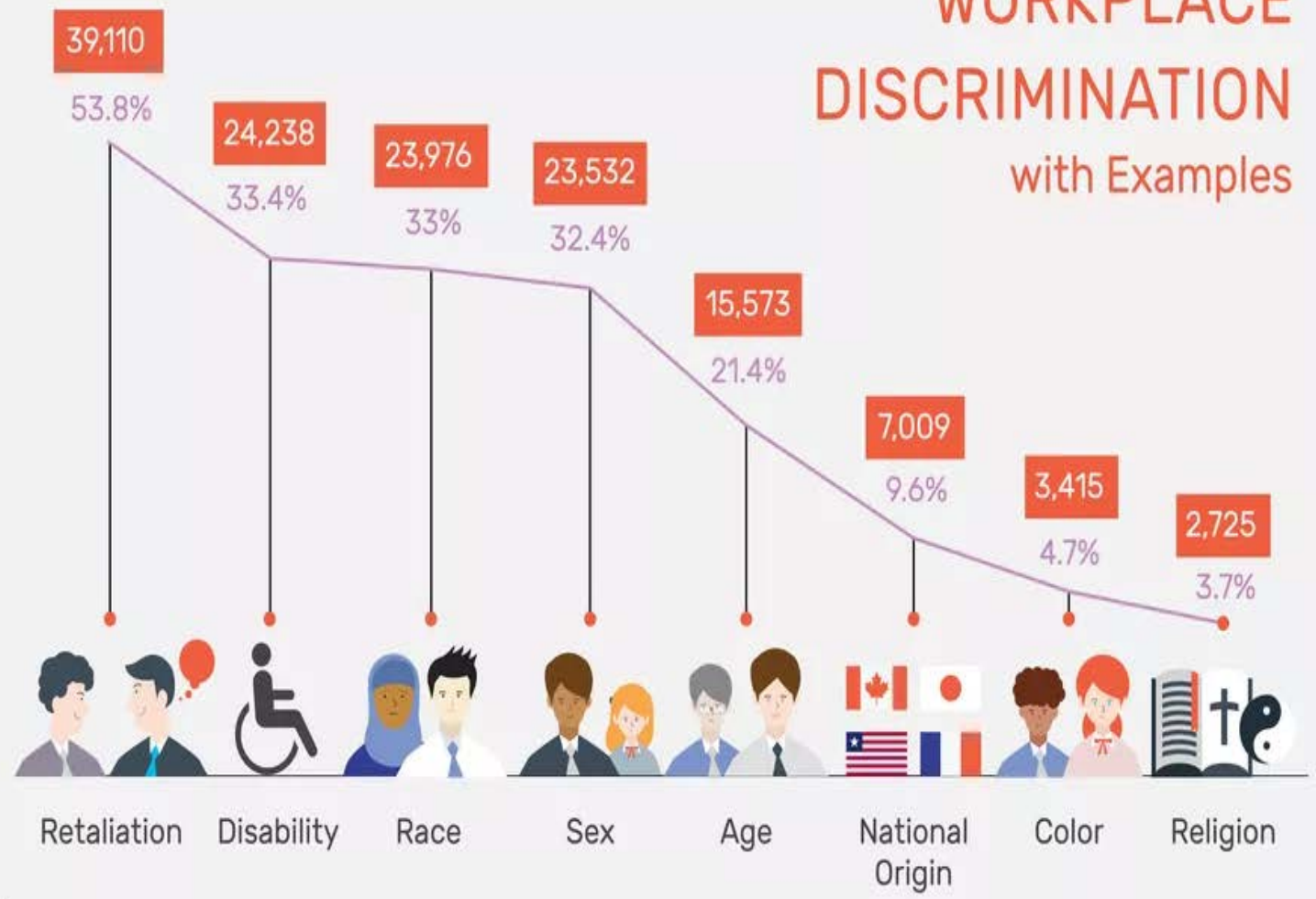
- Stating or suggesting preferred candidates in a job advertisement
- Excluding potential employees during recruitment
- Denying certain employees' compensation or benefits
- Paying equally-qualified employees in the same position different salaries
- Discriminating when assigning disability leave, maternity leave, or retirement options
- Denying or disrupting the use of company facilities
- Discrimination when issuing promotions or lay-offs




The EEOC reported the following breakdown for the charges of workplace discrimination (received by the agency in fiscal year 2019)

- Retaliation: 39,110 (53.8% of all charges filed)
- Sex: 23,532 (32.4%)
- Race: 23,976 (33%)
- Disability: 24,238 (33.4%)
- Age: 15,573 (21.4%)
- National Origin: 7,009 (9.6%)
- Color: 3,415 (4.7%)
- Religion: 2,725 (3.7%)
- Equal Pay Act: 1,117 (1.5%)
- Genetic Information: 209 (0.3%)

Types of WORKPLACE DISCRIMINATION with Examples





When we get conscious about managing diversity, we are “tuning in” to the indicators around us that tell us everyone does not see the world the way we do. While we know that intellectually, when it plays out in a difference of opinion, a different response, or a different way of being, behaving, dressing, talking -- you name it, we forget that everyone is not ‘just like me.’ It is at that moment that we have to wake up, realize we need to manage the diversity that is facing us and begin by thinking, “OK, who is in this mix and what are their perspectives? “

*Dr. M. Elizabeth Holmes, Executive Vice President & Chief Learning Officer,
Roosevelt Thomas Consulting & Training,
from “Getting Conscious About Managing Diversity”*

HOW TO AVOID WORKPLACE DISCRIMINATION ISSUES

While completely preventing discrimination can be a challenge, there are several steps your District can take to help minimize the risk of workplace discrimination.

1. Employee Handbook

- One important step you can take is to develop a clear discrimination policy for your District and include it in your [Employee Handbook](#). This can be helpful whether you manage a small, medium or large district. The policies should clearly define workplace discrimination and explain the complaint process.

2. Employee Training

- Goal: reduce the risk of discrimination – be proactive. This training should include tips for identifying discrimination in the workplace, how to avoid discrimination and how to handle discrimination claims.

3. Work with an Attorney

- Due to the complexities of the discrimination laws, employers should always give HRA a call or talk with the experienced SDAO attorneys who can help you take the right steps immediately to help avoid further actions, which could have a detrimental effect on the District.

Even if you have had no current issues of discrimination in your workplace, it is important to be prepared before an issue arises.



EVERYONE HAS A JOURNEY

- Recognize that everyone has a story, everyone has history, we don't always know, and people don't always share
 - and for a lot of us we don't ask, instead we assume
- We need to ask ourselves why do I believe what I believe
- Diversity is not our problem – close mindedness is
 - close mindedness is our challenge and what we need is external curiosity - this is being open minded



MORE DEFINITIONS

- A **micro-inequity** is a slight that demeans or marginalizes the recipient.
- A **microaggression** is an act that stereotypes or denigrates the recipient.
- **Unconscious bias** occurs when you make “a positive or negative mental attitude, spontaneous judgment about a person, thing, group or situations based on your past experiences, culture, background, or exposure to media.

BIAS AND OUR ACTIONS

Perception – how we see people and perceive reality.

Attitude – how we react towards certain people.

Behaviors – how receptive/friendly we are towards certain people.

Attention – which aspects of a person we pay most attention to.

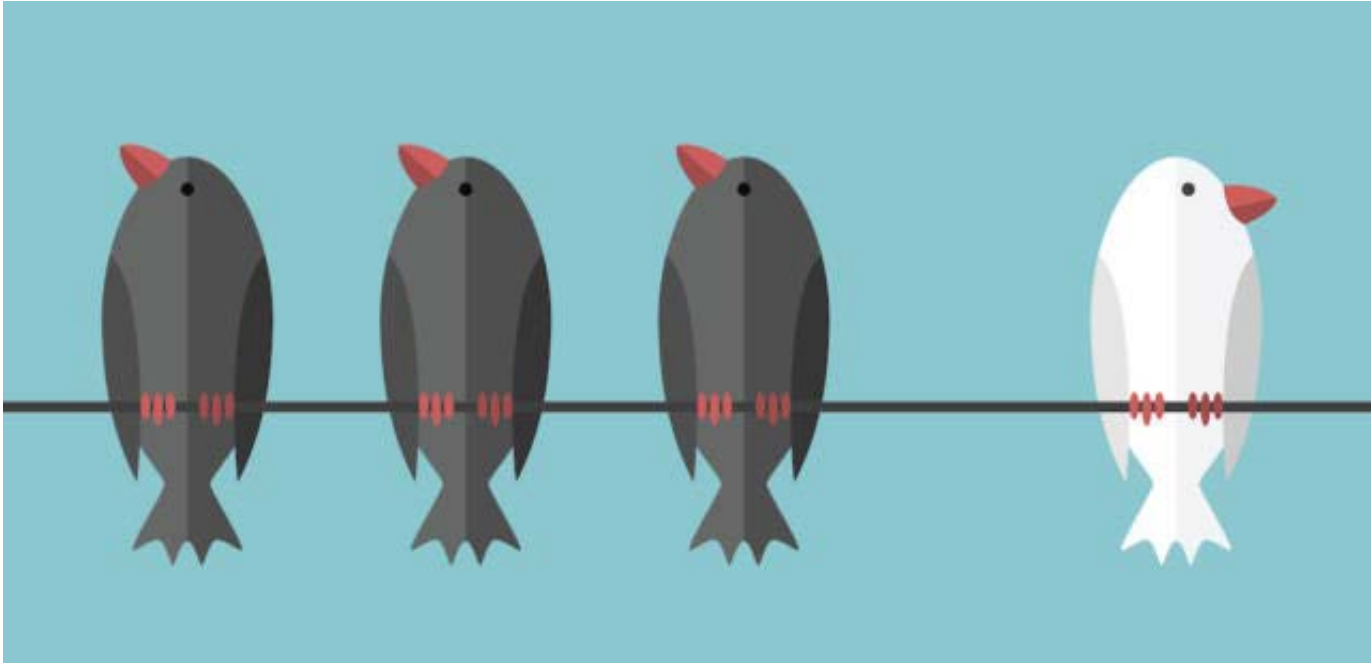
Listening Skills – how much we actively listen to what certain people say.

Micro-affirmations – how much or how little we comfort certain people in certain situations.



WHAT IS UNCONSCIOUS BIAS?

- Implicit bias is “a positive or negative mental attitude towards a person, thing, or group that a person holds at an unconscious level”.
- The inclinations, attitudes or stereotypes that affect our understanding, actions, and decisions that form outside our own conscious awareness.
- Unconscious bias occurs when you make spontaneous judgments about people or situations based on your past experiences, culture, background, or exposure to media.



TYPES OF UNCONSCIOUS BIAS

- Normative Bias
- Performance Bias
- Confirmation Bias
- Personal Filters and Competence/Likeability Tradeoff
- Maternal Bias
- Performance & Attribution Bias

- Conformity Bias
- Beauty Bias
- Affinity Bias
- Halo Effect
- Horns Effect
- Similarity Bias
- Contrast Effect

Bias - Preference that inhibits impartial judgment

MICRO-INEQUITIES (DEFINED)

-
- #1: Is a slight that demeans or marginalizes the recipient
 - #2: Small events which are done in passing, often hard to prove, are covert, often unintentional, frequently unrecognized by the perpetrator, which occur wherever people are perceived to be different.
 - #3: Tiny damaging discriminatory action or comment which normally one cannot do anything about. Yet they are incredibly damaging.

EXAMPLES

-
- *The leader says “good morning” to everyone but one person.*
 - *A manager repeatedly ignores the existence of a colleague in the elevator.*
 - *A group of employees go out after work and leave one person on the team consistently behind.*
 - *Little acts of disrespect*
 - *Failure in performance feedback*
 - *Names off a list*
 - *Comments on physical appearance*
 - *People not introduced at a meeting*
 - *Inequitable job assignments*
 - *Jokes that make fun of groups, cultures, or disabilities*

MICROAGGRESSIONS (DEFINED)

-
- “**Microaggressions** are the brief and commonplace daily verbal, behavioral, and environmental **indignities**, whether intentional or unintentional, that **communicate** hostile, **derogatory**, or negative racial, gender, sexual-orientation, and religious **slights and insults.**”

EXAMPLES

-
- *I went to see a woman doctor.*
 - *You don't sound black or You are so articulate.*
 - *You don't look Jewish.*
 - *He is Christian, but very open-minded.*
 - *It's great you don't have any accent.*
 - *How young/old are?*
 - *I never would have guessed you were gay.*
 - *Isn't it nice that you are helping your wife out with the kids at home?*
 - *You are no shrinking violet.*
 - *You are doing such a great job (to a disabled employee)*
 - *I thought that way when I was young.*

RESPONDING TO MICROAGGRESSIONS

There are three main ways to react:

- *Let it go.*
- *Respond immediately.*
- *Respond later.*



OTHER DEFINITIONS

- **Diversity**- of variety of people, experiences, and perspectives. Under the umbrellas of identity, including race, gender identity, sexual orientation, religion, disability , political affiliation and so much more.
- **Equity**- the process of just and fair consideration because of someone's experience or social position.
- **Inclusion**- the sense of belonging that people feel in an organization or community.



4 LAYERS OF DIVERSITY



EVERYONE HAS A JOURNEY

- Recognize that everyone has a story, everyone has history, we don't always know, and people don't always share.
 - for a lot of us we don't ask, instead we assume.
- We need to ask ourselves why do I believe what I believe?
- Diversity is not our problem being closed minded is.

ACTIVITY

We each have our own experience.....our own path and journey.

Using 6 words write down your journey or experience.



BENEFITS OF DIVERSITY

- Expanded creativity and problem-solving
- Better decision-making
- Increased productivity
- Enhanced employee engagement and retention
- Better District reputation



An Indeed survey shows that 17% of job seekers say that inclusivity and diversity displayed in the hiring process is one of the top factors for helping them develop a feeling of positive connection or camaraderie with an organization during the interview stage.



INCLUSION

Inclusion - creating an environment that accepts, utilizes, accommodates and appreciates the talents, skills, abilities, perspectives and leadership styles of all employees and the clients we serve.

Ensuring we all have equal access to sharing and using our skills and talents equally in, being a part of, and contributing to, the organization's work environment and delivery of service.

PERSONAL STEPS



BEST PRACTICES FOR FOSTERING WORKPLACE DIVERSITY

Be fair. Ensure you're treating every employee fairly and that salary and benefits packages are consistent for all employees with similar roles or responsibilities. Consider performing an audit to identify any pay gaps that may exist.

Value all of your employees. Employees who are valued feel a greater sense of responsibility and connection to their company and teams. They're more productive, innovative and try harder to contribute to an organization's success.

Promote opportunities for career advancement. Opportunity is one of the primary factors a candidate considers when taking a job or making a career move.

Offer clear paths for career advancement and fair and equal growth opportunities to all employees. Consider analyzing past promotions to identify any patterns or trends that may exist where certain types of employees get promoted less often than other groups of employees.

BEST PRACTICES FOR FOSTERING WORKPLACE DIVERSITY

Educate your workforce on diversity. Educate your employees on the best practices and benefits of diversity in the workplace. Consider holding webinars, online training and/or hosting guest speakers to get the conversation about diversity going. Encourage discussion and welcome new ideas to create a culture of inclusion and belonging.

Additionally, encourage employees to join or start employee resource groups (ERG's) to increase cultural awareness and ensure all employees feel accepted and valued.

Support collaboration. Encourage and support collaboration – it strengthens the social bonds that can boost the unique power of a unified, diverse workforce.

Consider using social events, team-building activities, group volunteering activities, mentor programs; and casual coffee chats to strengthen your team's bond.

Offer flexibility. Offer flexible work locations and hours to support a better work/life balance and attract more diverse, qualified applicants. It's also important to be aware of the different religious and cultural holidays that exist.

Consider offering floating holidays to allow employees to substitute a public holiday with another day of their choosing, such as a religious or cultural holiday that is not on your District calendar.



BEST PRACTICES FOR FOSTERING WORKPLACE DIVERSITY

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Recruit differently. Instead of relying on educational background and work experience, consider personality assessments to get a feel for candidates' motivations, personality and “add” to your culture.

- Additionally, make your hiring process appealing for a wide variety of people by:
 - Posting openings with groups that focus on underrepresented talent
 - Offering internships to underrepresented groups
 - Highlighting your commitment to diversity on your website, especially in your careers/job section
 - Training your hiring managers and HR staff to avoid bias in recruitment
 - Encouraging your employees to make diverse referrals

WAYS TO BUILD DIVERSITY IN THE WORKPLACE

Leverage **diverse** job boards. ...

Offer targeted internships and scholarships. ...

Highlight **diversity** on your career site.

Reward **diverse** referrals. ...

Have a **diverse** interview panel. ...

Unconscious bias training for recruiters. ...

Create **diversity** friendly policies.

PROMOTE INCLUSION & DIVERSITY IN YOUR WORKPLACE

1. Make It A Continuous Process
2. Hire Leaders Who Understand The Importance Of These Values
3. Always Keep An **Open Mind**
4. Help Employees Feel Comfortable Expressing Themselves
5. Invite Diversity Of Discussion
6. Have A Safe Space For People's Beliefs
7. Hold Regular Culture Days
8. Focus on Belonging



QUESTIONS

THANK YOU!



Human Resources

- Affirmative Action Plans
- Compensation
 - Salary Surveys
 - Pay Equity
- Employee Relations
- Policy & Procedure
- Human Resource Practices Audit
- Compliance
- Employment
- Labor Relations
- Investigations
- Job Descriptions
- Recruitment/Staffing
- HR Resource Library
- Career Management & Outplacement Services



Training

- Employee and Managerial Training
- Needs Assessment
- Confidential Employee Surveys
- Customized Training
- One-on-One Coaching
- Facilitation of:
 - Meetings/Retreats
 - Strategic Planning Sessions
- Train-the-Trainer Materials
- Training Room Access
- Monthly Workshops/Programs for HR and employees

HR-On-Call (a.k.a Advantage Plan)

- Immediate, Unlimited Phone/Email Support
- Access to HR Resources/Materials and Samples via website
- HR Newsletter/Alerts
- Discounts on Other HRA Products, Workshops and Services