Hiring the Best While Developing Diversity in the Workforce: Legal Requirements and Best Practices for Screening Committees
Contra Costa Community College District | February 12, 13, 18 & 26, 2014 and March 28, 2014
Presented by: Laura Schulkind

AGENDA
• EEO Plan Required Training
• Core values that inform EEO planning
• Cultural Competence/Diversity Training
• Best practices in interview and selection process
• Committee's duties

EEO PLAN REQUIREMENTS
• Training for:
  - Participants on screening or selection committees
  - Anyone involved in recruitment efforts
• Training must cover:
  - Underlying Federal/State anti-discrimination laws
  - EEO Regulations
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**FEDERAL/STATE ANTI-DISCRIMINATION LAWS**

- Overview:
  - Prohibition against employment discrimination isn’t new
  - What constitutes unlawful discrimination has changed

- Title VII
- Fair Employment and Housing Act (FEHA)
- Title IX
- ADA

**FEDERAL/STATE ANTI-DISCRIMINATION LAWS**

- Collective effect, no discrimination on basis of:
  - Sex/Gender (gender identity/gender expression)
  - Genetic information
  - Race
  - Religious creed
  - Color
  - National Origin
  - Ancestry
  - Physical/mental disability, medical condition
  - Marital status
  - Age
  - Sexual Orientation
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**FEDERAL/STATE ANTI-DISCRIMINATION LAWS**
- Employment discrimination includes:
  - Refusal to hire
  - Rejection from training program
  - Discharge from employment/training program
  - Any decision affecting compensation, terms, conditions, privileges
  - If based on a protected status

**IT'S NOT JUST THE LAW...**
- Why Does Diversity Matter to CCDs?
  - Core mission:
    - Serve California's diverse community of learners
    - Provide opportunity for all
  - Core belief that a diverse staff creates:
    - Better service
    - Teaching
    - Better educational environment
    - Stronger community

**TRAINING FOR SCREENING/SELECTION COMMITTEES**
- Core values:
  - Workforce diversity serves educational mission
  - Successfully diverse communities are inclusive
  - Differences are appreciated not tolerated
  - Inclusion increases creativity and improves problem solving
  - Diversity does not mean lower standards
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TRAINING FOR SCREENING/SELECTION COMMITTEES

• Core values: training requires engagement and dialogue

**REVIEW & ANSWER PRE-TEST**

TRAINING FOR SCREENING/SELECTION COMMITTEES

• Cultural competence:
  – Recognize own biases and stereotypes
  – Discount own biases and stereotypes
  – Appreciate content of contributions
  – Facilitate productive outcomes
  – Feel enriched by diverse environments

EXERCISE

“FIRST IMPRESSIONS”

• Sit with someone you do not know
• You have 5 minutes
• List as many things as you can that you have in common
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DIVERSITY IN THE HIRING PROCESS

- The Big Picture: Key Steps Precede Application Review
  - Remove access barriers from job descriptions/qualifications
  - Include job-related criteria that enhance diversity
  - Recruitment strategy to create diverse, qualified applicant pool

THE JOB ANNOUNCEMENT — THE BASICS

- Minimum qualifications
- “Sensitivity to Diversity”*
- Local qualifications, job related

*Administrative and Academic Positions

THE JOB ANNOUNCEMENT — BEST PRACTICES

- Accurate
- Updated
- Examined for barriers
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COMMITTEE FORMATION — THE BASICS

- Diverse to extent possible
- Trained

COMMITTEE FORMATION — BEST PRACTICES

- Don't participate if:
  - Can't fairly and objectively evaluate candidates
  - Relative by blood, marriage, adoption
  - Provided recommendation/reference for an applicant
  - Can't give full attention/attend all meetings

Committee Process — Best Practices: PHASE 1

- Confirm all members are trained
- Review process and forms
- Review announcement/job description
- Review member roles and responsibilities
  - Protect integrity and credibility of process
  - All members have "EO" responsibilities
  - Attend all meetings
  - Develop interview questions
  - Screen applicants for minimum qualifications
  - Participate in all interviews
  - Be an active and respectful participant
  - Maintain confidentiality of process
### Committee Process — Best Practices: PHASE 2

- Paper screening
- Develop interview questions
- Select/Develop interview rating forms/criteria
- Collaborate/Communicate with H.R.

### Committee Process — Best Practices: PHASE 2

- Screening Process:
  - Neutral
  - Objective
  - Meaningful consideration of "sensitivity to diversity"
  - Job-related criteria only
  - Do it right the first time!
  - Monitor processes

### PHASE 2: POSSIBLE "SENSITIVITY TO DIVERSITY" CRITERIA (if job related)

- Teaching/working in:
  - Impoverished/marginalized communities
  - Community colleges
  - Other countries/cultures
- Relevant volunteer work
- Knowledge of other languages
- Teaching curricula that address racism, poverty, multiculturalism, controversial issues, etc.
- Attendance in community colleges
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**Committee Process — Best Practices:**

**PHASE 2**

- Developing appropriate questions:
  - No questions—direct or indirect—about protected status
  - Job related
  - Meaningful consideration of “sensitivity to diversity”
  - Direct questions
  - Open-ended questions
  - Hypothetical questions
  - Repetition/feedback questions

**PHASE 2: EXERCISE**

- You are on a Hiring Committee for:
  A. Dean of Humanities;
  B. Biology Professor; or
  C. Bookstore Manager

- Draft one question addressing “sensitivity to diversity” specific to position

**PHASE 3: THE INTERVIEW**

- Best Practices:
  - Establish ground rules and follow them
    - Introductions
    - Prepared questions
    - Follow-up
    - Note taking
    - Rating system
    - Responding
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Phase 3: The Interview

- Best Practices:
  - Create proper environment
    - Comfortable
    - Quiet
    - Private
    - Welcoming
    - Informative

- Best Practices:
  - Avoid questions and comments about an applicant's protected status

- Best Practices:
  - Listen
    - Take notes
    - Watch for non-verbal cues
    - Leave time for applicants' questions
    - Remember you are being interviewed

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## Hiring the Best While Developing Diversity in the Workforce

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<tr>
<th></th>
<th>TRUE</th>
<th>FALSE</th>
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<tbody>
<tr>
<td>1)</td>
<td>A diverse workforce serves the educational mission of the district.</td>
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<td>2)</td>
<td>It is not possible to have both an inclusive and diverse workplace.</td>
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<td>3)</td>
<td>Employers should strive for a workforce that is a melting pot of its employees.</td>
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<td>4)</td>
<td>Diversity affects the interactions of a work group that can help or hinder the completion of a task.</td>
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<td>5)</td>
<td>Inclusion helps an organization achieve goals by drawing on many perspectives, ideas, talents and solutions.</td>
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<td>6)</td>
<td>In order to fully embrace diversity, an employer must be ready to bend work rules and standards.</td>
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<td>7)</td>
<td>Creating a diverse workforce is the responsibility of H.R.</td>
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<td>8)</td>
<td>Screening and hiring committee members must be free of bias and stereotypes.</td>
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<td>9)</td>
<td>Screening and hiring committee members should be free to use their own contacts to gather information on candidates.</td>
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<td>10)</td>
<td>It is appropriate for the supervisor of an internal applicant to provide a recommendation and sit on the hiring committee.</td>
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