



Objectives

- Become familiar with equal employment opportunity and affirmative action laws and regulations
- Learn about confidentially and conflicts of interest
- Understand why diversity matters
- Learn about bias and discover strategies to reduce bias
- Review search process key roles
- Know how to conduct a successfully inclusive search



Search Process

The university's search process is integral to Illinois' commitment to:

- Equal employment opportunity
- Affirmative action
- Diversity





Equal Employment Opportunity and Affirmative Action, Part 1

Equal employment opportunity (EEO)

 A legal framework that makes it unlawful to discriminate in employment decisions based on a protected class

Affirmative action

 A regulatory obligation for certain federal contractors that requires us to identify underrepresentation and take positive steps to address that underrepresentation



Equal Employment Opportunity and Affirmative Action, Part 2

Covered employment practices:

- Recruitment
- Hiring
- Reclassification/Promotion
- Demotions
- Transfers

- Layoff
- Termination
- Compensation
- Training opportunities
- Accessibility





Equal Employment Opportunity

Protected classes:

- Race
- Color
- Religion
- Sex
- Sexual orientation

- Gender identity
- National origin
- Age
- Disability
- Genetic information



Affirmative Action Regulations, Part 1

Race, color, sex, national origin, sexual orientation, gender identity

- Executive Order 11246
- Requires us to take affirmative action for females and males
- Prohibits discrimination against applicants and employees based on race, color, sex, religion, national origin, sexual orientation, and gender identity
- Prohibits action against applicants and employees for discussing pay
- Requires the development of a written and statistical affirmative action plan for women and minorities



Affirmative Action Regulations, Part 2

Individuals with disability

- Section 503 of the Rehabilitation Act (41 CFR section 60-741)
- Regulations require federal contractors and subcontractors to take affirmative action for and prevent discrimination against individuals with disabilities
- Requires the development of a written and statistical affirmative action plan for individuals with disabilities



Affirmative Action Regulations, Part 3

Protected Veterans

- Vietnam Era Veterans' Readjustment Assistance Act (41 CFR section 60-300)
- Regulations require federal contractors and subcontractors to take affirmative action for and prevent discrimination against the four classes of veterans found in the Jobs for Veterans Act
- We must take various actions to advance the employment of protected veterans
- Requires the development of a written and statistical affirmative action plan for protected veterans



Affirmative Action Plan Definition

- A written results-oriented program in which a federal contractor details the steps it will take to ensure equal employment opportunity
- Includes goal-oriented management policies and procedures designed to identify and eliminate barriers to employment opportunities for minorities, women, protected veterans and individuals with disabilities that are not based on specific job requirements



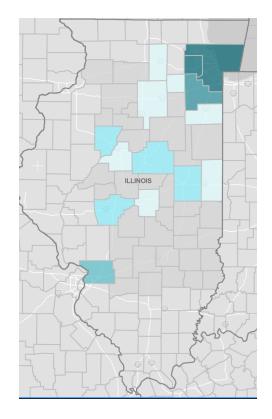
AFFIRMATIVE ACTION

Affirmative Action Placement Goals and Hiring Benchmarks

- Minorities and women: separate goals are assigned for each job group
 - Affirmative action placement goals are set when the percentage of minorities or women currently employed, is less than reasonably expected given their percentage of availability in the workforce
- Individuals with disabilities: 7% utilization goal for each job group
 - Established by OFCCP from the American community survey
- Protected veterans: 5.5% hiring benchmark for entire workforce
 - National percent of veterans in the civilian labor force updated annually



Placement Goal Examples



Census Data by Region and Occupation

C3 Finance

Emp: Min: 17% Fem:70%Avail: Min: 17% Fem:58%



• Emp: Min 13% Fem: 67%

• Avail: Min:19% Fem: 59%



• Emp: Min 22% Fem: 17%

• Avail: Min:25% Fem: 26%







Peer Schools and Ph.D. Recipients



•Emp: Min: 16% Fem: 9%
•Avail: Min: 13% Fem: 35%



•Emp: Min: 14% Fem: 43% •Avail: Min: 12% Fem: 56%

KZS3 Philosophy Asst. Professor

•Emp: Min: 71% Fem: 14% •Avail: Min: 31% Fem: 43%



How do I know if there is a goal or benchmark?

- When a new requisition feeds into Cornerstone, OAE sends an email to the req owner with information about the search process
 - Includes link to a dashboard where goals and benchmarks can be found
- After the announcement is posted, an email is sent to the hiring manager, req owner and search committee members (if applicable)
 - Includes the goals and benchmarks for that vacancy and information about key roles
- If you have questions about the goals or benchmarks for a vacancy, please send OAE an <u>email</u>



What does it mean if there is a goal or a benchmark?

OFCCP regulations require federal contractors to:

- Conduct good faith efforts to address underrepresentation of faculty and staff (i.e., if there is a goal, efforts should be geared towards that goal);
- Document efforts and analyze the effectiveness of the efforts being conducted; and
- If efforts are not working to meet goals, to try different efforts to address the underrepresentation

OFCCP does not tell us:

- Where/how to recruit
- How to analyze the effectiveness of efforts



Affirmative Action Placement Goals & Hiring Benchmarks: Expectation

Affirmative action is NOT:

• A quota system

Placement goals and hiring benchmarks ARE:

- Target rates for hire
- Used to guide our good faith efforts



The expectation:

As goals are met, the gender, racial and ethnic profiles, as well as the veteran and disability status of our employees, will mirror the population from which we recruit



Responsibilities

You are responsible for:

- Promoting equal employment opportunity and applying affirmative action principles
- Ensuring the company's policy of equal employment opportunity is understood, supported and followed
- Preventing all types of unlawful workplace harassment
- Understanding affirmative action placement goals and know what goal is set for the position you are filling



Guidance Documents

- Recruitment and Hiring Guidelines
- Affirmative Action Regulations
- Equal Employment Opportunity
- EEOC Uniform Employee Selection Guidelines
- Internet Applicant Recordkeeping Rule





Confidentiality

- Confidentiality is critical
- Maintain confidentiality of all candidate information and deliberations
 before, during, and after search
- Access to application materials and other information about screening is limited to search committee members, hiring officials, and individuals supporting the search
- Extra caution with internal candidates
 - Even if no longer under consideration, cannot be involved in any aspect of search
 - Consider making calendar invites private



Types of Confidential Information

Examples of information that should **only be shared on a need-to-know basis** include:

- Identifying applicant information
- Applicant documents (cover letter, resume, CV, etc.)
- Candidate references and letters of reference
- Deliberation documents (interview questions, evaluation forms, committee member notes, etc.)



Who Might "Need-to-Know"

- Hiring manager and search committee members
 - For use in assessing application materials
- Support staff
 - For scheduling interview, travel arrangements, etc.
- Stakeholder groups or other parties involved in interviewing finalists
 - For use in assessing application materials



Consequences of Confidentiality Breach

- Negative repercussions for candidates whose current employer is not aware that they are entertaining job offers
 - Well qualified candidates may be reluctant to apply for fear that we cannot keep their information confidential
- Strained relationships for current staff
 - Internal candidates are often concerned with the confidentiality of the search process
- Investigations from University Ethics or Office for Access and Equity



Freedom of Information Act

- The Illinois Freedom of Information Act (FOIA) provides public access to government documents and records
- FOIA requests are processed by the Office for University Relations
- University Relations may request documents to be provided directly from the unit or from OAE
- University Counsel can provide guidance on FOIA



Conflict of Interest Example, Part 1

Committee member has an undisclosed current or past relationship with an applicant (i.e., relative, spouse, friend, advisee, etc.)

- Potential steps to be taken:
 - Notify chair of issue immediately
 - Chair may consult with HR staff, who may consult with OAE
- Potential remedies (depending on the nature of the relationship):
 - Recusal of committee member
 - Committee member abstains from evaluation of the specific candidate and does not take part in hiring decision of the candidate
 - Others, depending on specifics of situation consult OAE



Conflict of Interest Example, Part 2

Unsolicited information provided to committee regarding a candidate (i.e. phone calls, emails, rumors, etc.)

- Potential steps to be taken:
 - Notify chair of issue immediately do NOT share with whole committee
 - Chair may consult with HR staff, who may consult with OAE
- HR staff should determine if information is true, verifiable and relevant to the position
- We want to minimize the use of unsolicited information if it is not pertinent to the position, it should never be included as part of the review of the candidate



Conflict of Interest Example, Part 3

Current colleague of committee or hiring official in applicant pool

- This is not a conflict by itself, but can become one if not handled carefully
 - Current employees must be treated as any other applicant
 - Confidentiality rules apply may need to take extra steps to ensure that current employees who are applicants do not have access to privileged information
 - Current employees who are applicants, even if they are no longer in consideration (screened out or deemed not-hirable) must never participate in the review or evaluation process of other candidates



Summary

- Confidentiality and conflicts of interest often go hand-in hand
- Confidentiality breaches can lead to conflicts and perceived conflicts
- Many complaints received by our office start as confidentiality breaches, but the allegations are most often conflicts of interest or discrimination of some type
- The University strives to not only avoid conflicts of interest and breaches of confidentiality, but also to avoid the appearance of a conflict



Perceived Conflict Caution

- Perceived conflicts can turn into complaints
- Complaints can turn into:
 - Unofficial investigations
 - Official internal investigations
 - Interviewing all committee members
 - Collecting additional information
 - Inquiries from University Ethics
 - Investigations from external agencies





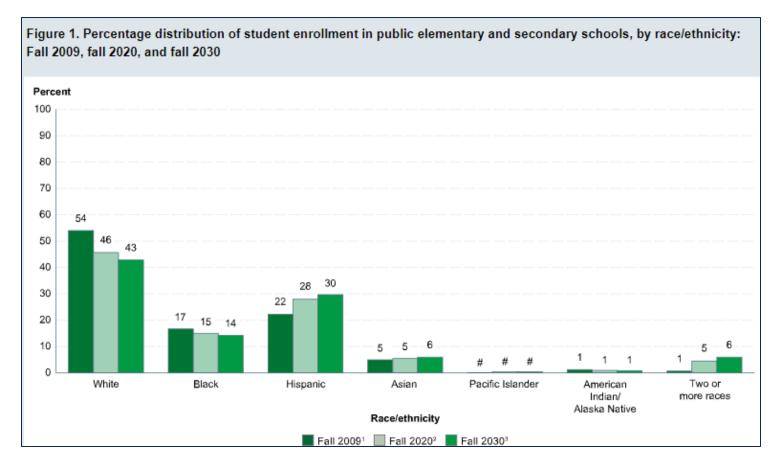
Campus Commitment to Diversity

- University of Illinois System Guiding values include "Be inclusive, treat each other with dignity and respect, and promote citizenship"
- University of Illinois, Urbana-Champaign Strategic Plan "We will be leaders in advancing diversity and equity that will contribute to creating an institution committed to excellence in discovery, teaching, and research, and a climate where all can achieve their highest aspirations in a safe and welcoming environment"
- Academic and campus life programs for students Housing multicultural advocates, Office of Minority Student Affairs, Diversity and Social Justice programs, African American, Asian American Cultural Centers, La Casa Cultural Latina, LGBT resource center, Native American House, and many others

https://www.uillinois.edu/about/mission/; https://archive.strategicplan.web.illinois.edu/



Changing Demographics



Note. From the National Center for Education Statistics (May 2022). # Rounds to zero.

2013-2014 was the last year in which a majority of America's K-12 students were white

Although our society is becoming increasingly diverse, U.S. institutions of higher education currently do not reflect this trend

It is our mission to create an increasingly diverse and inclusive campus community that is open, just and welcoming for all



Benefits Our Mission

Diversity benefits our teaching and research mission

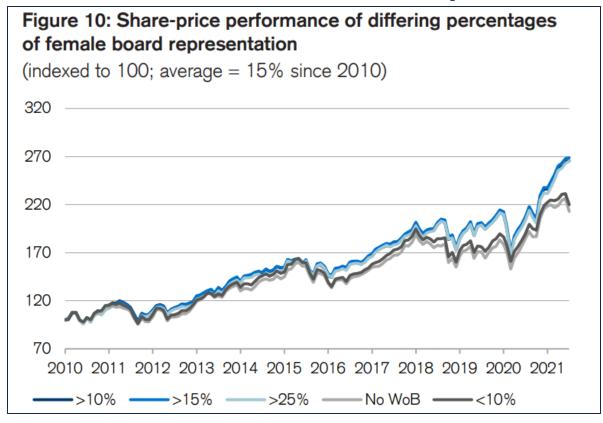
Diverse teams:

- Are more productive, creative, and innovative (e.g., Henderson & Herring, 2013; Hofstra et al., 2020)
- Make higher-quality decisions with more careful consideration of the available information (e.g., Gaither et al., 2018)
- Author papers that are published in higher-impact journals and cited more (e.g., Campbell et al., 2013; Freeman & Huang, 2015)
- Create grant proposals that are more likely to receive funding (e.g., Lungeanu et al., 2014)



Diverse Groups Are More Productive, Part 1

The Credit Suisse Gender 3000 Report



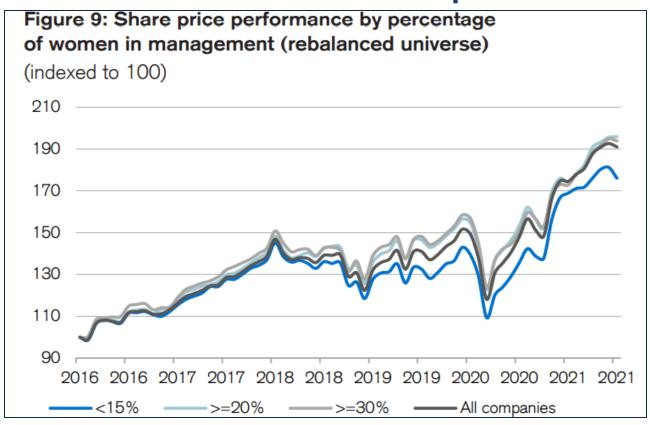
Data collected from 3,000 companies in 46 countries, comprising 33,000 executive positions

Companies with a greater percentage of women on their board of directors have consistently outperformed those with few (<10%) to no women (No WoB) on their boards



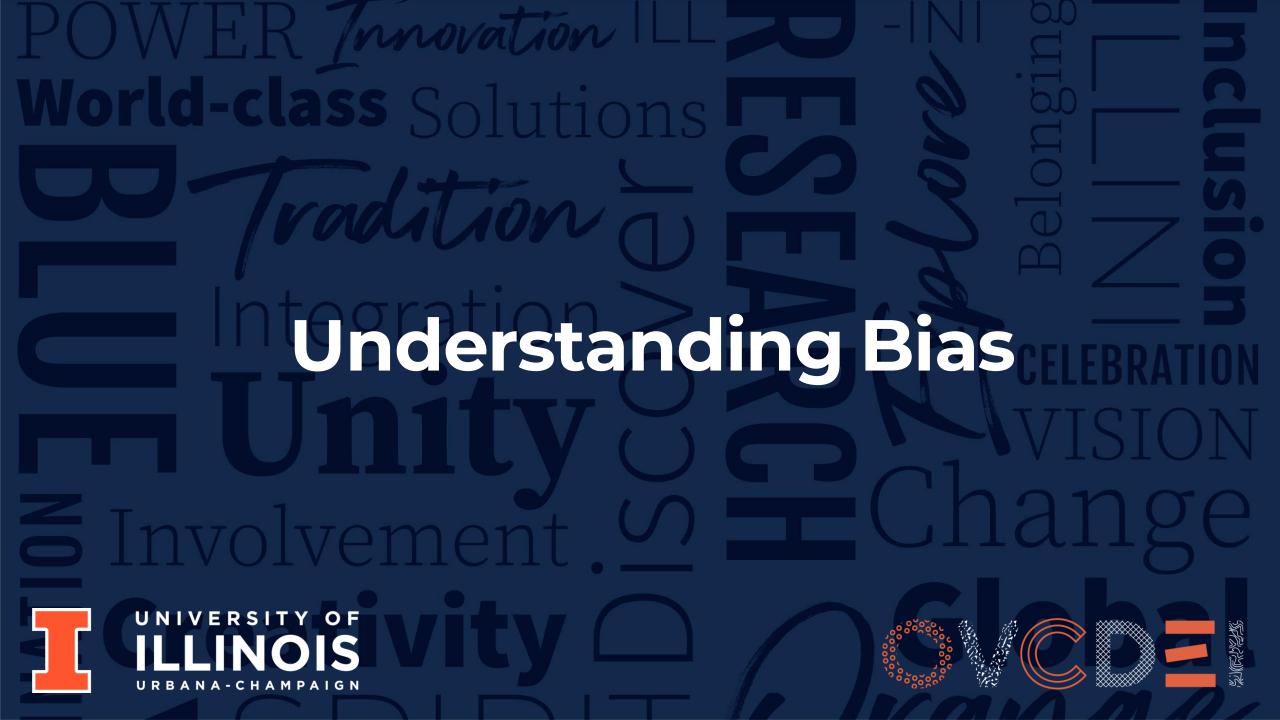
Diverse Groups Are More Productive, Part 2

The Credit Suisse Gender 3000 Report



Companies with a greater percentage of women (>=20% and >=30%) in management have consistently outperformed those with fewer women in management (<15%)





Implicit Bias Explained, Part 1

- Bias we are unaware of and is outside of our control
- The ability to quickly categorize is a fundamental quality of the human mind and **happens to everyone**
- It occurs automatically and is triggered by our minds noticing patterns and making quick generalizations of people and situations



https://www.scientificamerican.com/article/how-to-think-about-implicit-bias/



Implicit Bias Explained, Part 2

- Even if we have strong egalitarian values and believe we are not biased we may still behave in discriminatory ways
- Despite efforts to be objective, these judgments are shaped by a lifetime of experience and cultural history, and lead to implicit bias or implicit stereotyping
- Applies to a variety of physical and social characteristics associated with race, gender, age, ethnicity--even height



Bias Example – Height

- When shown photographs of people of the same height, evaluators overestimated men's heights and underestimated women's heights, even though a reference point, such as a doorway, was provided
- Decisions were based on assumptions about average height of men vs women, despite evidence that the individual in question did not fit the stereotype
- Another study found that tall candidates are perceived as more competent, employable and healthy
 - 58% of male CEOS are over six feet tall, even though they only account for 14.5% of the population

https://www.monmouth.edu/equity-and-diversity/documents/biasbrochure_3rded.pdf/ https://builtin.com/diversity-inclusion/unconscious-bias-examples



Bias Example - Names

- Resumes of applicants with white-sounding and male-sounding names were more likely to be interviewed for open positions than were equally qualified applicants with African-American-sounding or female-sounding names
- When rating the quality of verbal skills as indicated by vocabulary definitions, evaluators rated skills lower if told that an African American provided the definitions than if a white person provided them



https://www.monmouth.edu/equity-and-diversity/documents/biasbrochure_3rded.pdf



Strategies to Avoid Bias, Part 1

- Before reviewing anyone, be very clear and in agreement about what is required/preferred for each job and what that looks like
- Evaluate each candidate's entire application
 - Avoid depending too heavily on only one element such as letters of recommendation
 - Be able to defend every decision for eliminating or advancing a candidate by documenting the process
 - Reasons for selection/non-selection should be specific
 - Avoid vague statements such as "not a good fit"



Strategies to Avoid Bias, Part 2

- Spend sufficient time reviewing each person
- Ensure consistent and fair treatment of all applicants at every stage of the selection process
 - Application review
 - Screening & finalist interviews
 - Discussion of finalists
- Consider including a diversity interview question
- Applicants who need an accommodation should be treated equally to applicants who do not need an accommodation



Strategies to Avoid Bias, Part 3

- Question your judgments and decisions; Consider whether unintentional bias may have played a role
 - Are women or minority applicants subject to higher expectations in areas such as number/quality of publications?
 - Are applicants who received degrees from institutions other than major research universities being considered?
 - Question if all the final candidates are similar
- Discuss, monitor, and *point out biases* if they emerge in the search process





Search Process Key Roles

Search Process Guidance

Campus

IHR, OAE, Provost Office

College

EEO Officer, Vice Chair EEO, Assistant Vice Chair

Department

HR, Search Coordinator, Requisition Owner

Selection Decision

Hiring manager

Search Committee/Interviewers

Chair
Diversity Advocate
Committee Members

Interview Team (if no committee)

For information about roles review the Select the Search Team section of the search process toolkit



Key Role Overview, Part 1

Office for Access and Equity

- <u>Affirmative Action Planning and Analytics Division</u>: oversight of search process aspects that pertain to diversity and affirmative action compliance
- Equal Employment Opportunity Division: investigate complaints of discrimination and harassment
- <u>Accessibility and Accommodations Division</u>: facilitate reasonable accommodations and support campus accessibility in facilities, instruction and technology
- All divisions: training and education



Key Role Overview, Part 2

- Equal Employment Opportunity Officer/Vice Chair
 - Serves as a resource at the college level on search matters
 - Monitors the search process across departments to ensure fairness and consistent implementation of policies, procedures, and practices
- Unit HR/Search Coordinator
 - Monitors the search process at the department level
 - Manages the administrative functions of the search
- Both remain independent in the selection process (i.e., not on committee)



Key Role Overview, Part 3

- Hiring manager makes final hiring decision
 - Is not on the search committee
 - Provides committee charge at first committee meeting

- **Search committee** serves in advisory capacity to hiring manager
 - Chair responsible for overall conduct of the search
 - Diversity advocate advocate for diversity as a core component of excellence in the search
 - Committee members performs a variety of search related tasks under the direction of the chair



Search Committee Chair Role Overview

- The search committee chair serves as the leader of the search committee, coordinating the committee and facilitating the relationship between the committee and the hiring manager
- Has an important responsibility and must ensure that everything that must happen throughout the search process, does happen, whether they perform the function or delegate to others
- Should hold a position at the same level as or a higher level than the vacant position
- Must complete the <u>DiversityEdu</u> online educational program prior to reviewing any application materials (required every three years)





Forming a Search Committee

The composition of the search committee is critical to its success

- Build a diverse committee
- Include individuals who have broad perspectives and a commitment to diversity
- Confirm appropriateness of the participation of all committee members
 - Ensure that no committee member intends to apply to the position
 - Ensure there are no obvious conflicts of interest
 - Make sure they have enough time to devote for the expected timeframe



First Committee Meeting

- Charge from hiring manager
 - Defining the position and qualifications
 - Expectations of the search committee
- Search committee chair
 - Confidentiality and conflict of interest
 - Evaluation criteria for screening applicants
 - Decision making for interviews
- Diversity advocate
 - Affirmative action placement goal discussion and recruiting strategies
 - Guarding against bias



Inclusive Job Descriptions and Postings, Part 1

- Use gender neutral titles and check pronouns
- Avoid your use of gender-charged words and superlatives
 - Use the Gender Decoder Tool
- Limit the number of requirements
- Reconsider your minimum requirements
- Express your commitment to equality and diversity
- State benefits

Please refer to <u>search process</u> <u>toolkit</u> for additional guidance



Inclusive Job Descriptions and Postings, Part 2

- Mention your values
 - <u>Campus Commitment to Diversity and Affirmative Action/Equal Employment Opportunity</u>
 - <u>Diversity Values Statement (Academic Senate)</u>
- Hybrid/Remote Options
 - Opens new and diverse talent pools
 - Help close the gender gap people with primary family care responsibilities
 - Assist individuals with disabilities
 - Increased efficiency and productivity



Advertising and Recruitment

- Automatic postings
 - <u>University of Illinois Job Board</u> (Free)
 - <u>Higher Ed Jobs</u> (Free)
 - Higher Ed Jobs, Diversity & Inclusion Email (may carry a fee that will be charged to the department; contact Illinois HR for additional information)
 - Broadbean Sources (Free)
 - Higher Education Recruitment Consortium (Free)
- Faculty only recruitment resources
 - Big Ten Academic Alliance Doctoral Directory (Free)
 - Southern Regional Education Board DSP Scholar Directory (Free)

https://oae.illinois.edu/our-services/hiring-processes/recruitment-sources/



Good Faith Efforts, Part 1

- Efforts to broaden the pool of qualified candidates to include minorities, women, individuals with disabilities and protected veterans
- Document everything
 - When outreach happened
 - Who was contacted
 - Which group was targeted
 - What outreach occurred



 Diversity advocate will work with search coordinator to document and monitor effectiveness of efforts

Refer to <u>search process toolkit</u> for good faith efforts example and template spreadsheets



Good Faith Efforts, Part 2

- Recruitment and outreach efforts are critical in ensuring a diverse pool of candidates
- Committees must do more than simply issue a position announcement and wait to receive applications
- All committee members should be actively involved in these efforts!



Strategies to Increase Diversity of the Pool

- Diversify the search committee
- Ensure an inclusive office environment
- Utilize a wide variety of recruiting methods
- Do not rely on the same sources repeatedly each search is unique
- Assess efforts and adjust when needed
- Provide equal access to the selection process
- Revisit your pipeline our networks tend to look just like us
- Video <u>Blind Spots: Broaden Perspectives</u>



- Work with HR staff to email job postings to professional journals, associations, web recruitment boards or electronic newsletters for diverse applicants in a particular field
- Connect with Historically Black Colleges and Universities and Hispanic, American Indian, and Asian serving institutions
- Ask members of the department to reach out to their professional networks, to see if they know of underrepresented individuals who may be qualified for/interested in position
- Reach out to cultural centers, career centers and alumni groups



- Utilize social media groups
- Make connections at junior colleges
- Engage local and regional networks of people in related fields to see if they know of potential candidates
- Encourage colleagues who will be attending professional conferences to recruit for the position
- Share announcements with various community organizations that work with diverse audiences



- Invite individuals on campus for a lecturer series
- Contact women and minorities who have received significant grants or professional recognition and ask for the names of promising women and minority scholars
- Maintain close contact with graduates of the U of I and encourage them to apply or to contact their students/colleagues
- Email position announcements to graduate departments that are relevant to fields of study for position
- Review databases for listings of diverse scholars and contact any that might fit the position description



- Engage with Regional Veterans' Employment Coordinators (RVEC)
- Post at <u>Rally Point</u> (social network site for veterans)
- Build relationships with <u>Disabled American Veterans</u> and <u>Hiring Our</u> <u>Heroes</u>
- Contact community organizations that support individuals with disabilities - <u>Directory of Centers for Independent Living and Associations</u>
- Post with <u>Ability Jobs</u>



- Make connections with religious organizations, spiritual centers and places of worship
- Post with <u>Pink Jobs</u> which features LGBTQ+ friendly positions from proequality employers
- Makes connections on <u>Out Büro</u>, the largest LGBTQ+ professional networking group on LinkedIn



Continued Recruitment

- Always be recruiting
- More successful when ongoing
- The best candidates often do not check job boards









Diversity of Applicant and Finalist Pool

- Automated diversity of the pool reports are sent to select college HR staff once a week, for workflows they have access to view in Cornerstone
 - If there are three or more applicants, college HR staff can run additional diversity of the pool reports and can include source code data if desired (job aid available in search process toolkit)
- OAE can provide a diversity of the finalist pool report if three or more finalists are selected
- The EEO officer or vice chair is available as a resource to the diversity advocate and search chair to discuss reports
- If the pool is insufficient, the search may be extended



Reviewing Applications and Selecting Finalists

- Prior to the review of any application materials, determine a plan to screen and evaluate candidates in a fair and equitable manner, as well as how screening decisions will be documented
 - Agree on ground rules, including how you will vote
 - Agree on job-related criteria and develop a written outline to be used by all committee members (i.e., checklist, rating form, spreadsheet, etc.)
 - Agree on rules of discussion and how to handle disagreement
 - Avoid comments (either orally or written) that are not job-related
 - If bias is noticed, speak out and redirect the conversation
 - Be aware of the possibility of your own implicit bias
 - Agree on method for selecting finalists



- Determine who will conduct/participate in each interview (committee interview, hiring manager, stakeholders, etc.)
- Develop a timeline includes breaks and meals, if needed
- Schedule times and locations well in advance of selecting finalists
- Consider how you will meet the needs of applicants with disabilities
 - Recognize that some applicants with visual, hearing, or other disabilities may not be able to participate effectively in a video conference



- Carefully prepare interview questions
- Finalists should be asked similar questions and treated similarly
- Review information about <u>pre-employment inquiries topics to avoid</u>
- Consider asking <u>diversity-related question</u>
- Create an interview rating sheet, to be provided to each interviewer before the interview and explain the importance of completing it based on job-related criteria



- Be prepared to handle complications caused by travel delays
- Phone/Video
 - Maximize audio and video quality by using appropriate equipment or software
 - Recognize that not all applicants have access to the technology needed to participate in a videoconference
 - Be prepared to handle technical difficulties



- Make candidates feel comfortable and welcome treat all candidates as potential colleagues and remember they are interviewing you as well
- Share useful information for candidates
 - Employee benefits
 - Cultural events and resources
 - Childcare
 - Schools
 - Spousal/partner hiring and benefits
- Conclude the interview by letting the candidate know what to expect next
- Remind interviewers to provide feedback



Evaluating the Finalists

After all interviews are complete

- Meet with the search committee to discuss and compare finalists, and then provide feedback to the hiring manager for final selection
- Check references when the hiring manager asks to do so
- Decide how to proceed if top candidate declines
- Justification for selection/non-selection must be based on specific qualifications, experience, references, and interview



Checking References

- Flexibility with reference process
 - References for proposed appointee, to verify the decision before offer is extended
 - References for multiple finalists, to narrow down who will be selected for position
 - Reference letters for all candidates, as part of application process (not common)
- Should have a structured set of questions
- Document a summary of all phone reference checks
- Save copies of written references / recommendation letters
- Hiring manager should be prepared to document in case check doesn't go well

Reference Checking Resources



Completing the Search

- Work with search coordinator to complete search paperwork and obtain required approvals before a written offer is made
- Ensure offer letter is prepared for finalist (in coordination with hiring manager)
- Keep all non-selected applicants informed on the progress of the search



All Stages Can Make a Difference

- Pre-posting recruitment at conferences and on-going networking
- Position description development
- Position posting
- Outreach and recruitment efforts
- Evaluation of applications
- Critical review for gender/race bias
- Interview of finalists/<u>TOP Program</u>
- Offer/negotiation/<u>Dual Career Program</u>
- Transition support
- Retention



Contact Information & Resources

- Office for Access and Equity
 - Phone: 217-333-0885
 - Email: <u>accessandequity@Illinois.edu</u>
 - Website: https://oae.Illinois.edu



