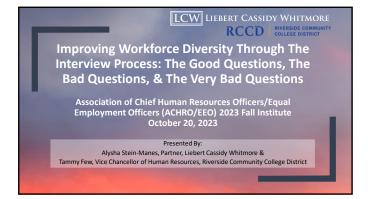
Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023





Legal Framework		
LCW		

Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023



EEO in California	
Proposition 209 (Cal. Const. Art. 1. Sec. 31)*  • Prohibits "preferential treatment" on basis of:  • Race  • Sex  • Color  • Ethnicity  • National origin  • In Public:  • Employment  • Education  • Contracting	Legislative Response  Government Code  Identifies lawful, and some mandatory. recruitment strategies (GC 7400)  Education Code  Makes funding contingent on "recruiting, training and advancement opportunities that will result" in EEO (EC 87101(c))

Title 5: Enforcing Regulations		
District must:		
Require EEO Plans (Section 53003(a))		
Take steps to eliminate underrepresentation based on protected status (Title 5, § 53006)  Compares % of a "monitored" group in a job category with their "projected representation" based on availability in the workforce. Representation below 80% = underrepresentation.		
<ul> <li>Implement strategies that demonstrate on-going, institutional commitment to diversity and equal employment opportunity</li> </ul>		
(Title 5, § 53024.1)		
LIEBERT CASSIDY WHITMORE		



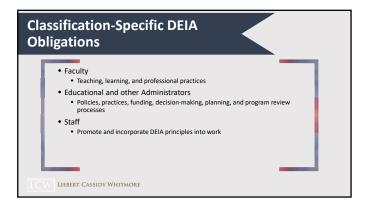
Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023





DEIA Regulations on Evaluation and Tenure Review
"Competencies"     Skills, knowledge, abilities, and behaviors     All employees must demonstrate and utilize in interactions with students and colleagues     Performing job duties
LCW LIEBERT CASSIDY WHITMORE

Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023

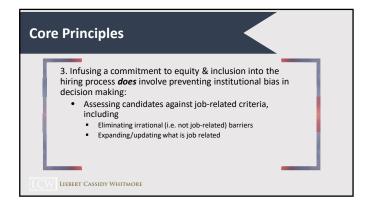


The Hiring Challenge		
Creating "equal access" requires more than obeying the legal prohibition against discrimination  Legally, it incudes identifying and correcting underrepresentation; Strategically, it requires deliberate and purposeful action.  "Affirmative Action" is not illegal under Prop. 209  Think of "affirmative action" to mean "purposeful action"; Purposeful action includes a range of lawful strategies.  Purposeful action is what distinguishes "nondiscrimination" from anti-racism		
LCW LIEBERT CASSIDY WHITMORE		



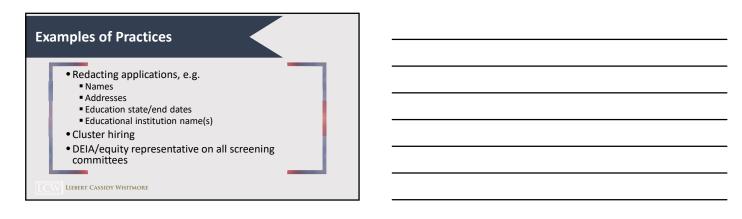
Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023



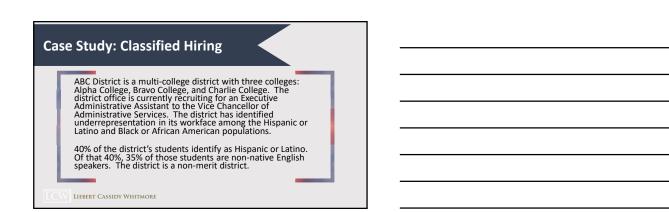


Lawful Strategies for Promoting Workforce Diversity	
_	
Four critical areas:	
On-going: Workplace/educational environment	
Pre-recruitment: Update who you are looking for	
3. Recruitment	
4. Selection Processes	
LCW LIEBERT CASSIDY WHITMORE	

Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023







Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023





Case Study 1: Classified Hiring	
The Panel Interview	
The hiring process for the Executive Assistant position includes two rounds. The first step is a panel interview with the screening committee formed for this particular recruitment. The screening committee includes 5 district and college employees: the executive assistants to the Chancellor and one college president; the Director of Fiscal Services; a Budget Analyst, and the Vice President of Human Resources.	
The screening committee prepares 10 interview questions to ask the candidates who will participate in the first round interviews. All of the candidates who the committee will interview will have met the MQs for the position.	
LCW LIEBERT CASSIDY WHITMORE	

Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023

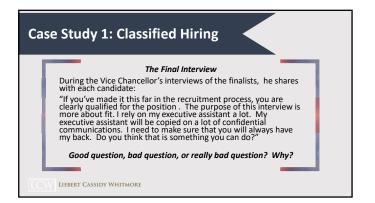


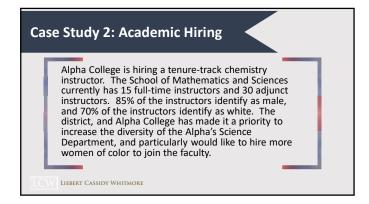
Case Study 1: Classified Hiring	
Screening for the Second Round	٦
After the Screening Committee scores the 10 candidates, the top 5 scores are: (1) 95, (2) 93, (2) 93, (4) 92, and (5) 83.  Several Committee members suggest that the Committee move the top 4 candidates forward, even though they had previously agreed to only move forward the top 3 candidates.  How would you handle?	
LCW LIEBERT CASSIDY WHITMORE	

Ca	se Study 1: Classified Hiring	
	The Final Interview	
	The Vice Chancellor of Administrative Services interviews the finalists. Unlike the Screening Committee, the Vice Chancellor does not prepare questions ahead of time. The Vice Chancellor conducts the interviews one-on-one with each candidate, without asking any other employee to sit in on the interview.	
	Good process? Bad Process? Why?	
ļ !	_	
LC'	LIEBERT CASSIDY WHITMORE	



Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023

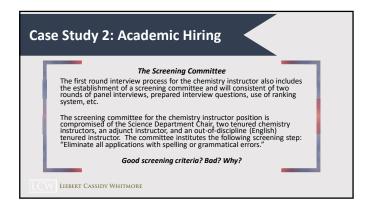




Cas	se Study 2: Academic Hiring
	Job Announcement, Representative Duties & Qualifications
	The job announcement for the tenure-track chemistry instructor includes the following representative duties and qualifications:
	<ul> <li>"Provides instruction in a variety of chemistry courses, from entry level chemistry courses to honors level organic chemistry"</li> </ul>
	<ul> <li>"Collaborates across disciplines and departments to leverage to student support services"</li> </ul>
	<ul> <li>"Must possess a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students."</li> </ul>
I.	
	LIEBERT CASSIDY WHITMORE

Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023

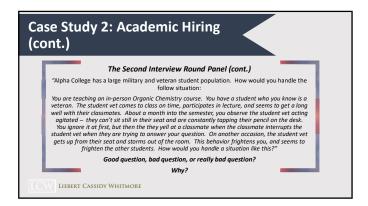




Case Study 2: Academic Hiring	
The Panel Interview	
The screening committee interviews 8 candidates for the chemistry instructor position. During the panel interviews, in order to get the candidates more comfortable with the interview, they begin each interview by asking the following question:	
"Tell us a bit about yourself. Where did you grow up? Are you close with your family? What do you like about the community that you're currently living in?"	
Good questions, bad questions, or really bad questions? Why?	
_	
LCW LIEBERT CASSIDY WHITMORE	

Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023





Case Study 2: Academic Hiring	
The Final Recommendation	
The members of the Second Round Interview Panel all agree that the best candidate for the job is a Hispanic female with a masters degree. She has an impressive work history and a background working with diverse student populations. A white male who is over 40 years old and who has a doctorate, also interviews with the panel. While he is an impressive candidate as well, the panel is less impressed with his teaching demonstration.	
The panel wants to recommend that the College President make an offer to the Hispanic female candidate, but is worried the candidate with the doctorate will sue the district if Alpha College does not hire him.	
What could the college have done in the pre-recruitment process to protect against a potential lawsuit?	
LCW LIEBERT CASSIDY WHITMORE	

Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO) 2023 Fall Institute October 20, 2023