Human Resources
Office of Equal Opportunity & Compliance

Creating Inclusive Workplaces:
Diversity, Inclusion, & Compliance

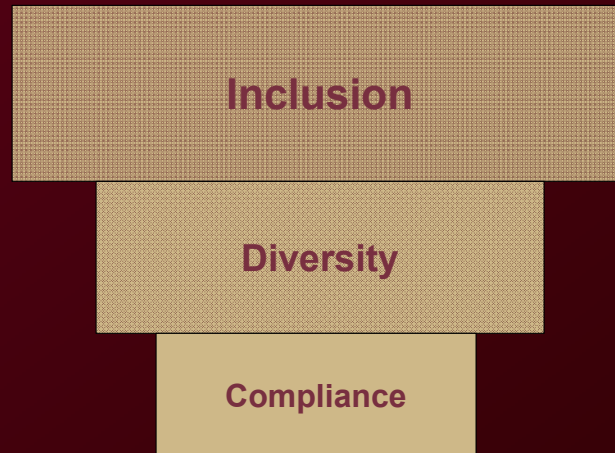Amber Wagner, HR Administrator
Phone: (850) 645-6519

Objectives

- Create inclusive, harassment-free workplaces

- Develop awareness

- Promote reporting

- Ensure efficient response

- Resources

2

Inclusion, Diversity, Compliance

Inclusion

Diversity

Compliance

3

Employee's Toolkit

Hard Skills (technical)

– Computer software

– Machine use

– Accounting

– Drafting blueprints

Soft Skills (interpersonal)

– Communication

– Motivation

– Managing expectations

– Cultural competency

4

Importance of Soft Skills

- Reduces absenteeism, sick leave, and turnover

- More motivated and engaged employees

- Better teamwork

- Creative solutions

- Better communication

- Fewer discrimination/harassment complaints

- Improved customer service

5

Culture & Cultural Competency

Culture is make up of a set of values, attitudes, and beliefs that differ from one person/culture to another.

Cultural Competency is the ability to work effectively with people from different backgrounds, ethnicities, belief systems, and experiences.

6

Lack of Cultural Competency

7

Culture

Culture is the lens through which we view the world.

Parents	Family	Geography
Community	School	Generation
Race	Ethnicity	Place in Family
Education	Religion	Travel
Socio-economics	Societal Events	Life Changes
Role Models	Friends	Time

Building Cultural Competency

- Awareness of your own worldview

- Willingness to learn about other cultures

- Committing to fair and respectful treatment

- Recognize people as individuals

- Recognize your role

- Don't assume

9

Creating a Positive Environment

- Respond to insensitivity

- Address issues promptly & seriously

- No one size fits all

- Put yourself in their shoes

- Be receptive to feedback

10

Goal of Inclusion

Create a productive workplace where people of all backgrounds and cultures feel included, welcome, and valued.

- Inclusive

- Respectful

- Productive

11

Barriers to Inclusion

- Biases (conscious and unconscious)

- Lack of knowledge

- Passivity

- Rigidity

12

Avoiding Pitfalls

- Examine your own behavior
  - be a positive role model
  - be aware of unconscious & "like me" bias

- Challenge stereotypes and assumptions
  - ex. believing that certain groups of people are only good at certain things

- Effectively address situations

- Filter
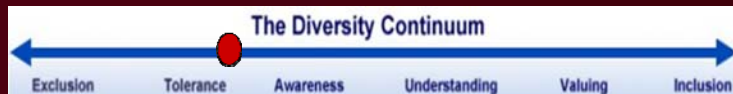 - avoid "in group" joking or personal matters

13

Handling Conflict

- Be aware of your body language

- Be considerate and respectful

- Be accepting and open-minded

- Provide clarification where possible

- Avoid jumping to conclusions

- Seek assistance from Human Resources

14

Where are you?

The Diversity Continuum

Exclusion   Tolerance   Awareness   Understanding   Valuing   Inclusion

15

Compliance

Race
Creed   Marital Status   **Equality**
Gender   **Gender Expression**
Religion
Sexual Orientation   **Non Discrimination**
Inclusion   Age   Color   fairness   Disability   Veteran Status   **Sex**
Gender Identity   National Origin   Diversity   Harmony

Non-Discrimination Laws

Federal Law
Title VII of the Civil Rights Act of 1964
Title IX of the Education Amendments Act of 1972
Genetic Information Nondiscrimination Act
Age Discrimination in Employment Act
Americans with Disabilities Act
Pregnancy Discrimination Act
Rehabilitation Act
The Equal Pay Act

State Law
Florida Civil Rights Act

FSU's Policies
EEO Statement
Non-Discrimination
ADA

17

FSU's Policies

Equal Opportunity Statement

Title IX Statement

Non-Discrimination Policy

Sexual Harassment Policy

Sexual Battery Policy

18

Non-Discrimination Policy

Prohibits:

- Denying employment opportunities
- Taking negative employment action
- Quid pro quo
- Creating a hostile work environment

Because of an employee's membership in a protected group in all terms and conditions of academics and employment.

19

Protected Groups at FSU

FSU prohibits discrimination based on:

race, creed, color, sex, religion*, national origin, age, disability*, genetic information, veterans' status, marital status, sexual orientation, gender identity, gender expression, and other legally protected groups.

* Duty to provide reasonable accommodations(s).

What is Sexual Misconduct?

- Sex/Gender Discrimination
- Sexual Harassment
- Gender Stereotyping/Animosity
- Rape/Sexual Assault/Battery
- Domestic Violence
- Dating Violence
- Stalking

21

Examples

- Mocking clothes, food, or physical appearance of people from different cultures, religions beliefs, sexual preferences, etc.
- Humor based on stereotyping/denigrating members of protected groups
  - Watch out for in-group joking.
- Not respecting different beliefs.
- Making fun of accents or names.
- Hate speech.

22

Examples

- Continued unwelcome flirting/requests for dates.

- Calling someone honey, baby, sugar, sweetie, or similar terms.

- Obscene gestures, sounds, jokes, practical jokes, emails, texts, leering.

- Giving unwelcome sexually suggestive compliments.

- Allowing coworkers to harass a colleague who is transitioning from one gender to another.

- Sexual violence.

23

Zero Tolerance Policy

FSU has a duty to:
- Investigate
- Eliminate
- Address effects
- Prevent recurrence

Applies to **all** students, faculty, staff, visitors, and contractors.

Applies to **all** programs and activities, both on and off campus.

24

Who Handles Complaints?

– **EOC**

– *Against* staff, faculty, visitors, contractors

– Procedures in Non-Discrimination Policy

– **Title IX Director**

– Sexual Misconduct ONLY

– Jennifer Broomfield

– *Against* students

– Procedures in Student Code of Conduct

25

Employee Reporting Obligations

Mandatory Reporting (within 2 business days)

What: all discrimination/sexual misconduct involving:

- Student victim

- Subordinates (anyone under your supervision)

- Sexual Battery (on/near campus)

Where:

- Equal Opportunity & Compliance (EOC) or Title IX Director/Dean of Students

- FSU Police (sexual battery)

26

Confidential Sources

The ONLY Confidential Sources at FSU are:

- FSU Victim Advocates

- Mental health counselors

  - University Counseling Center

  - Employee Assistance Program

- Medical Staff at Wellness Center

- University Affiliated Clergy

27

Employee Reporting Quiz

Are you a confidential source?

NO!!!!!!!!!!!!!!!!!!

You may keep the information on a need to know basis (private), but you cannot promise confidentiality. When in doubt reach out for guidance.

28

Reporting Triggers

"Knew or Should Have Known" Standard

You have duty to report
& respond if:

- Victim mentions
- You witness (*see or hear*)
- 2nd Hand Reports (*co-workers/police/media*)
- Rumor mill

29

Non-Retaliation

Retaliation is prohibited against individuals who:
- Make a complaint (internal/external/lawsuit)
- Help someone report
- Participate in investigations
- Otherwise opposes discrimination

Defined Broadly
- Any action that could discourage a complaint
- Any negative employment action
- Creating a hostile work environment

30

Retaliation is Illegal

- Retaliation is illegal/violates University Policy <u>even if</u> there was no underlying discrimination or sexual misconduct.

  - Can come from
    - Supervisors
    - Accused
    - Co-workers

  - Must proactively monitor.

Who Can be Disciplined?

Anyone who:

- engages in discrimination/sexual misconduct

- knowingly files a false claim

- retaliates against someone

- fails to comply with mandatory reporting requirements

32

Key Points

1. Unwelcome conduct

2. Intent is irrelevant

3. Complaining person need not be target

4. Gender & sexual orientation neutral

5. Consensual relationships

6. Mandatory reporting duties

33

Final Thoughts

1. **Model appropriate behavior**
   - Set the tone/culture (professional filter)
   - Encourage reporting
   - Silence and inaction also sends a message

2. **Proactively manage work environment**
   - Know your responsibilities
   - Actively promote inclusion
   - If you see something say something
   - Remind employees
   - Regularly circulate policies

2. **Contact EOC in HR**
   - For consultation
   - To Report incidents
   - BEFORE taking action
   - Especially if recent protected activity (Retaliation)

34

Thank You!
Contact EOC @ 645-6519