


State-Mandated Diversity Training

Presented by:
University of Connecticut
Office of Diversity & Equity



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Basics

- Handouts – Going “Green”
- Cell Phones/Blackberries
- Laptops
- Questions & Breaks
- Late Entry/Early Exit

Agenda

- Understanding Diversity and Its Definition
- Standards for Working With and Serving Persons from Diverse Populations
- Skills & Strategies for Dealing with Interpersonal Conflicts and Addressing Differences
- Applicable Federal and State Laws & University Policies
- Remedies Available to Victims of Discrimination and Hate Crimes
- Your Rights, Responsibilities & Obligations

Why Diversity Training?

Connecticut General Statute (C.G.S.)
§46a-54(16) mandates diversity
training and education for state
employees.

UCONN's Definition of Diversity

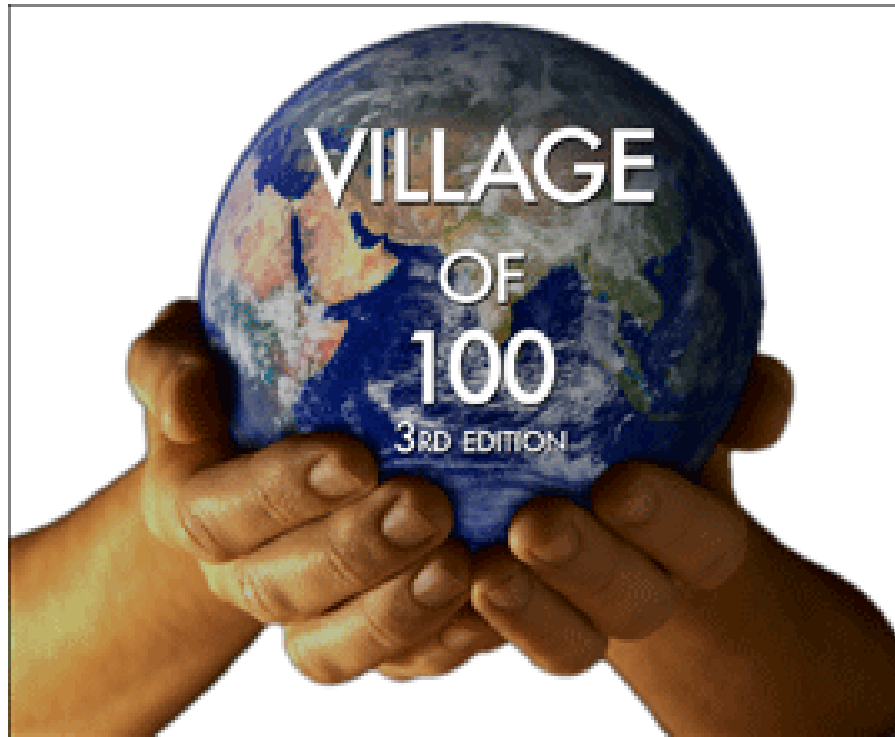
*“It is understood that the definition of diversity is ever changing and is constantly being ratified. **Diversity encompasses the presence and participation of people who differ by age, color, ethnicity, gender, national origin, race, religion, and sexual orientation; and includes those with disabilities and from various socio-economic backgrounds. It encompasses not only individuals and groups, but also thoughts and attitudes.** The fabric of diversity at our University must be woven in thought and in experience, within a climate where diverse views are welcomed and respected and where there is a commonality that comes from working together to effect constructive change.”*

The Report of the Diversity Action Committee of the University of Connecticut Board of Trustees, April, 16, 2002

Village of 100

If we shrunk the earth's population to a village of precisely 100 people, with all existing ratios remaining the same, what would it look like?

Now Playing *“Village of 100”*



Village of 100

Key Points

- The importance of diversity in the workplace
- The value of accepting others' differences
- How we ourselves are part of the diversity of the world
- The need for acceptance and understanding

Understanding Diversity

- As our communities and workplaces become increasingly more diverse, understanding the perspectives of diversity will be an important requirement for relating to members of the UCONN community.
- We need to learn to embrace the differences between people to prevent supporting prejudicial stereotypes and discrimination.

Stereotype to Oppression

When a Stereotype Becomes Harmful

Stereotype



Prejudice



Discrimination



Oppression

(Individual, Institutional, & Social/Cultural; Internal & External)

Stereotypes

Stereotypes consist of the characteristics attributed to categories of people. They have roots in the history of relations between groups and are transmitted through socialization agents, including the mass media. Stereotypes are all too often overgeneralized, inaccurate, and negative. The stereotypes of members of one group (the in-group) about the members of other groups (the out-group) typically reveal contempt and a failure to recognize the diversity within out-groups.

Stereotypes

- What are some examples of stereotypes that people encounter every day?
- Why do stereotypes exist?
- From personal experience, how does it feel to be judged by a group stereotype rather than as an individual?

Origin of Stereotypes

- Social learning
- Media
- Parents (our first and most influential teachers)
- Significant Others
- Peers

Now Playing “*Diversity: Face to Face*”

Stereotypes



Prejudice

Negative attitudes towards social groups. Prejudice occurs when individuals are prejudged and disliked based on their group memberships. Prejudice can be founded on any group-based characteristics: race, ethnicity, national origin, sex, age, social class, caste, disability, sexual orientation, religion, language, and region.

Discrimination

Discrimination is the behavioral component of the attitude of prejudice. It consists of “a selectively unjustifiable behavior towards members of a target group.”



Handbook of Research on Multicultural Education

Oppression

A system that maintains advantage and disadvantage based on social group memberships and operates, intentionally and unintentionally, in **individual** (social group), **institutional** (policies, laws, rules, norms, & customs), and **cultural** (social norms, roles, rituals, language, music, art) levels.

Oppression = Power + Prejudice

Teaching for Diversity & Social Justice, 2007

Consider This . . .

- Binh, a Vietnamese American employee, has been working for the University for several years in an administrative position. He speaks English fluently but has an accent.
- Recently he was transferred to another department within the University. Whenever Binh is assisting students, one of his co-workers runs over and “helps out” by answering the students’ questions.

Consider This . . .

- At first, Binh thought his co-worker was trying to be helpful, but one day Binh overheard his co-worker tell the other staff:
- ***“I don’t know how anyone can understand him. We don’t have time to explain things over and over again to students. Perhaps Binh should be assigned to an area where he does not have to speak with students.”***

What Would You Do?

- What are the issues from each of the parties involved in this scenario?
- What should be done to help Binh?
- What should be done to help his co-worker?
- Have you had similar experiences at your workplace? If so, how was it handled?

Now Playing “*Diversity: Face to Face*”

Benefits



Cultural Sensitivity

- Being aware that there are many cultural differences as well as similarities, without assigning values (better or worse, right or wrong) to those cultural differences.
- The ability to be open to learning about and accepting of different cultural groups.

Workplace Benefits of Diversity

- Something that promotes or enhances well-being; an advantage.
- Explore the benefits and rewards of a diverse workplace by sharing ideas and embracing others' differences.
- Respect those differences.

Consider This . . .

- Veronica, a Latina lesbian, is a new academic counselor working for the University of Connecticut. She heard that UCONN was a great place to work. Then, one day her partner came to pick her up and several people in the office commented about “her.”
- Veronica began to notice that her co-workers did not want to sit with her at lunch time, and others ignored her completely or suddenly stopped talking to her.

What Would You Do?

- What are the critical issues in this scenario?
- What might be some underlying causes of these problems?
- How would you recommend handling this situation (i.e., What would you say or do)?
- What is likely to happen if nothing is done?

Skills & Strategies

- Recognize differences
- Build your self-awareness
- Do not assume your interpretation is correct
- Share your experience honestly
- Acknowledge any discomfort, hesitation or concern
- Practice appropriate communication
- Give your time and attention when communicating
- Do not evaluate or judge



00:00

Let's Take A Break!

Now Playing “What Would YOU Do?”



Discrimination & Harassment

The lack of cultural sensitivity can lead to ***discrimination & discriminatory harassment*** in the working and learning environment.

Applicable Federal Laws

- Americans with Disabilities Act of 1990 (ADA)
- The Age Discrimination in Employment Act of 1967 (ADEA)
- Civil Rights Act of 1964 (Title VI and Title VII)
- Equal Pay Act (EPA)
- Title IX of the Education Amendments of 1972

Applicable State Laws

- Connecticut General Statutes
- Connecticut Fair Employment Practices Act (CFEPA)
- Prohibit discrimination in employment and educational settings based on legally protected classes

Protected Classes in Employment

- **Age**
- **Ancestry**
- **Color**
- Criminal record (in state employment and licensing)
- Genetic information
- **Learning disability**
- Marital status
- **Past or present history of mental disability**
- **Intellectual disability**
- **National origin**
- **Physical disability**
- **Prior protected activity**
- **Race**
- **Religion**
- **Sex, including pregnancy and sexual harassment**
- Sexual orientation
- Gender identity or expression
- Workplace hazards to reproductive systems

Applicable University Policies

- Policy Against Discrimination, Harassment, and Inappropriate Romantic Relationships
- Affirmative Action & Equal Employment Opportunity Policy
- Policy Statement: People With Disabilities

Discriminatory Practices

It is illegal for an employer to discriminate against an individual based upon his/her protected class(es) in:

- Hiring and firing
- Compensation, assignment, or classification of employees
- Transfer, promotion, layoff, or recall
- Job advertisement, recruitment, testing
- Use of company facilities
- Training and apprentice programs
- Fringe benefits (salary, leave, terms and conditions)
- Pay, retirement plans and disability leave

Other Discriminatory Practices

- **Hostile Environment Harassment**: is defined as an environment on campus, that through harassing conduct (e.g., physical, verbal, graphic, written), is unwelcome, and severe and/or pervasive enough to create an intimidating, hostile, and objectively offensive working or learning environment.
- Must be based on an individual's protected class status.

Neutral Policies

- Some neutral employment policies or practices may exclude certain protected classes or groups in significantly greater percentages than others. If there is a business necessity for the practice and there is no equally effective alternative, the practice will be lawful despite its impact.
- If there is not a business necessity for the practice or the business need could readily be met in a way that has less impact, the practice will be **unlawful**.

National Origin Discrimination

National origin discrimination means treating someone less favorably because he or she comes from a particular place, because of his or her ethnicity or accent, or because it is believed he or she has a particular ethnic background.

National Origin Discrimination

- Accent discrimination

An employer may not base a decision on an employee's foreign accent unless the accent materially interferes with job performance.

- English fluency

A fluency requirement is only permissible if required for the effective performance of the position for which it is imposed.

- English-only rules

English only rules must be adopted for non-discriminatory reasons. An English-only rule may be used if it is needed to promote the **safe or efficient operation** of the employer's business.

Religious Discrimination

- Employers must reasonably accommodate employees' sincerely held religious practices unless doing so would impose an undue hardship.
- Accommodations may include flexible scheduling, voluntary substitutions or swaps, job reassignments and lateral transfers, modification of grooming requirements or other workplace practices, policies and/or procedures.

Disability Discrimination

- An employer is required to make a reasonable accommodation to the known disability of a qualified applicant or employee.
- An employer is not required to lower quality or production standards to make an accommodation, nor is an employer obligated to provide personal use items such as glasses or hearing aids.
- Employees/applicants engaging in the current illegal use of drugs are not covered.

Pregnancy Discrimination

The Pregnancy Discrimination Act is an amendment to Title VII of the Civil Rights Act of 1964. Discrimination on the basis of pregnancy, child birth, or related medical conditions constitutes unlawful sex discrimination.

Conn. Law Protects Breastfeeding

- an employee may express breast milk or breastfeed at her work place during a meal or break period, and cannot be discriminated against for doing so
- employer must make "reasonable efforts" to provide a private location near the work area (not a toilet stall)

Conn. Gen. Stat. Section 31-40w

Age Discrimination

The ADEA generally makes it unlawful to include age preferences, limitations, or specifications in job notices or advertisements.

A job notice or advertisement may specify an age limit **only** in the rare circumstances where age is shown to be a “bona fide occupational qualification” (BFOQ) reasonably necessary to the normal operation of the business.

Race/Color Discrimination

- Title VII does not contain a definition of “race.” Race discrimination includes discrimination on the basis of one’s ancestry or physical or cultural characteristics associated with a certain race, such as skin color, hair texture or styles, or certain facial features.
- Color discrimination occurs when a person is discriminated against based on his/her skin pigmentation (lightness or darkness of the skin, complexion, shade or tone).

Retaliation for Protected Activity

- Retaliation against an individual for filing a complaint or charge of discrimination, participating in an investigation, or opposing discriminatory practices.
- An employer may not fire, demote, harass or otherwise “retaliate” against an individual for reporting or filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination.

Charge Statistics*

Equal Employment Opportunity Commission (EEOC) Received
A Total of 99,922 Charges FY 2011

- 37,334 charges of **retaliation**
- 35,395 charges of **race** discrimination
- 28,534 charges of **sex-based** discrimination
- 23,465 charges of **age** discrimination
- 25,742 charges of **disability** discrimination
- 11,364 charges of **sexual harassment**
- 11,833 charges of **national origin** discrimination
- 5,797 charges of **pregnancy** discrimination
- 4,151 charges of **religious** discrimination

Effects of Discrimination

- Interferes with overall productivity of the workplace
- Creates interpersonal conflicts
- Causes absenteeism and turnover
- Contributes to poor work or academic performance
- Creates a hostile working/learning environment

Hate Crimes

According to the U.S. Department of Justice, a **hate crime** is defined as a “crime of violence, property damage, or threat that is motivated in whole or in part by an offender’s bias based on race, religion, ethnicity, national origin, gender, physical or mental disability or sexual orientation.”

Hate Crimes Incidents

Examples of Hate Crimes:

- Painting racial slurs on the side of a campus building
- Assaulting another person because of perceived sexual orientation
- Throwing a rock through someone's window while yelling derogatory comments about the person's religion.

Bias-Related Incidents

Bias-related incidents are non-criminal activities that harm another because of that person's race, national origin, age, ancestry, color, sex, gender identity or expression, sexual orientation, disability (physical or mental), religion, height, weight, marital status and veteran status.

Bias-Related Incidents

Examples of Bias-Related Incidents:

- Writing a racial epithet in erasable marker on someone's dry-erase board
- Making fun of another person because of the person's language or accent
- Making insulting comments about someone's traditional manner of dress or geographic origin

Hate Crimes Statistics

- In 2010, there were 6,624 incidents of hate crimes reported to the United States Department of Justice Federal Bureau of Investigation (FBI). Of these offenses, 147 were reported in the State of Connecticut and five originated from UCONN *.
 - 47.3 percent were racially motivated.
 - 20.0 percent were motivated by religious bias.
 - 19.3 percent stemmed from sexual-orientation bias.
 - 12.8 percent resulted from ethnicity/national origin bias.
 - 0.6 percent were motivated by disability bias.

*US Dept. of Justice FBI – November 2010

Consequences & Risks

- Individuals who commit acts of discrimination may face disciplinary action (verbal counseling, letters of warning, suspension or termination).
- Employees who supervise other employees have a “**heightened**” duty to receive and report allegations of discrimination.
- Individuals may face civil & criminal penalties.
- Employees can be held personally liable if acting outside the scope of his/her employment.

Remedies Available

- Cease and desist orders (injunctive relief)
- Back pay
- Front pay
- Compensatory damages
- Hiring, promotion or reinstatement
- Attorney's Fees
- Punitive Damages (§ 1983 Claims)

Internal Reporting

Office of Diversity and Equity

Claims by/against University employees

(860) 486-2943 – Case Management

Division of Student Affairs - Community Standards

Student-to-Student Claims

(860) 486-8402

UCONN Police Department

911 – emergencies

(860) 486-4800 (routine calls)

What You Can Expect

If you file an internal complaint:

- All complaints are taken seriously
- Confidentiality is maintained to the extent possible by law and consistent with adequate investigation
- Prompt investigation of complaints
- Prohibition of retaliation will be enforced

Frequently Asked Questions

- Will I lose my job if I file a complaint?
- Can I file an anonymous/confidential complaint?
- What if my supervisor is aware of the harassment and does nothing?
- What should I do if my supervisor is the one responsible for the harassment?
- What should I do if the behavior only happened once and there were no witnesses?

External Reporting

Connecticut Commission on Human Rights & Opportunities (CCHRO)

21 Grand Street, Hartford, CT 06106
(860) 541-3400 // (800) 477-5737
TTY: (860) 541-3459

Equal Employment Opportunity Commission (EEOC)

John F. Kennedy Federal Building
475 Government Center, Boston, MA 02203
(617) 565-3200 // (800) 669-4000
TTY: (800) 669-6820

External Reporting

- Connecticut law requires that a formal written complaint be filed with the CCHRO within 180 days of the alleged discriminatory treatment.
- Federal law requires that a formal written complaint be filed with the EEOC within 300 days of the date when the alleged discriminatory act occurred (must be filed within 180 days to preserve state claims).

For Other Assistance

Other Internal Resources Available

- African American Cultural Center - (860) 486-3433
- Asian American Cultural Center - (860) 486-0830
- Puerto Rican/Latin American Cultural Center - (860) 486-1135
- Rainbow Center - (860) 486-5821
- Women's Center - (860) 486-4738

For Other Assistance

Other Internal Resources Available

Department of Human Resources
(860) 486-3034

Office of Audit, Compliance & Ethics (OACE)
(860) 486-4526 – (888) 685-2637 (HOT LINE)

Employee Assistance Program (EAP)
(860) 679-2877 or in CT (800) 852-4392

Union Representative (if applicable)

State-Mandated Diversity Training

QUESTIONS??

**Make sure you sign an
Attestation Sheet**