



PrestigePEO

July 22, 2020

Diversity and Inclusion



Today's Presenters



Jason Flinn
Today's Host,
Director of
PrestigePEO Client
Services



Phillip Bauknight
Counsel Fisher
Phillips



Carol Sawyer
Tax Manager at
PrestigePEO

- ❖ Webinar Forum
- All participants are muted.
- Please type questions in the side navigation panel and we will try to address most questions.
- Today's presentation will be posted prestigepeo.com/co-vid-19.

Phillip Bauknight Fisher Phillips



- Phillip's practice focuses on employment, business, and labor issues with an emphasis on OSHA, joint employment, franchise, and workplace safety matters.
- He also provides guidance to clients on issues related to diversity and inclusion practices, hiring and termination procedures, employee discipline issues, performance management, discrimination, retaliation, employee leave, and disability accommodations issues.
- Phillip is an Executive Committee Member of the National Black Lawyers, where he has been selected to their Top 40 under 40 List for the past five years.



DIVERSITY AND INCLUSION CONSIDERATIONS FOR TODAY'S WORKFORCE



Phillip Bauknight, Fisher & Phillips, New Jersey

HOW IS TODAY'S WORKFORCE DIVERSE?

- Race
 - Color
 - Religion/Creed
 - Sex
 - Handicap/Ability
 - Familial Status
 - National Origin
 - Age
- > Pregnancy
 - > Military Status
 - > Ethnicity
 - > Marital Status
 - > Sexual Orientation
 - > Gender Identification
 - > Socio-economic.





VALUING DIVERSITY

- It's the right thing to do.
- Improve performance and obtain competitive advantage.
- Employee morale and positive culture.
- Give organization access to broader range of opinions and viewpoints.
- Avoid potential legal issues.



IMPLICIT / UNCONSCIOUS BIAS AND SCHEMAS

- *Implicit bias* → a positive or negative mental attitude towards a person, thing, or group that a person holds at an unconscious level.
- *Schemas* → Mental Shortcuts; Automatic; Help Organize and Categorize Information.
- *How do these concepts impact Diversity and Inclusion?*

EVERYONE HAS SCHEMA/IMPLICIT BIAS



- a preference for a group (positive or negative)
 - often operating outside our awareness
 - based on stereotypes and attitudes we hold
 - that tend to develop early in life
 - and tend to strengthen over time
-
- Implicit biases sometimes differ substantially from stereotypes and attitudes we expressly self-report.



SCHEMAS

- Non-conscious expectations or stereotypes associated with members of a group that guide perceptions and behaviors.
- Action based on schemas is pervasive and inevitable. But schemas can be distorting and result in poor judgment.
- People are typically not aware of them, but with effort can become aware of them and change them.

IMPLICIT BIAS CAN BE BASED ON...

- Race
- Gender
- Ethnicity
- Sexual identity (LGBT)
- Socio-economic status
- Ability/disability
- Age
- Or any other way a person sorts and categorizes





Implicit Social Categories

Comes from

- Parents/Families
- Friends/Peers
- School
- Media
- Direct or vicarious experiences
- Positive or negative associations



MICRO- AGRESSIONS

- *Everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.*
- Lack of choice assignments.
- Disregard by a subordinate of a minority manager's direction.
- Comments made to co-workers and subordinates.
- Ignoring of comments made by women & minorities at meetings.



Micro-Messaging

- Small messaging sent without conscious thought or intent
- Can be micro-affirmations, micro-inequities, or microaggressions

Debiasing



- Education
 - Become aware of implicit bias
- Exposure
 - Contact
 - Perspective taking
- Approach
 - Examine Policies, Procedures, and Programs
 - Organizational changes
 - Accountability



Equal Opportunity/Anti-Discrimination and Diversity/Inclusion Efforts

- Both are important, but they are not the same.
- Temptation for Employers to try and lump them into one project.
 - Not recommended.
 - This misses the point.
- Still need EEO/Anti-Discrimination/Anti-Harassment/Anti-Discrimination Policies.



May employers affirmatively seek out minority candidates? Or female candidates? What about male candidates?

THE LAW ON DIVERSITY RECRUITING GOALS

- Recruiting activities targeting diverse communities are always permitted.
- Most efforts to increase diversity focus on recruitment.
- Certain companies that have business contracts with the federal government often have affirmative outreach obligations.
- Affirmative Action requires specific recruiting and reporting obligations.



TIPS FOR OPERATING IN THE REAL WORLD

Rule 1: Authenticity Always Prevails

- Talk (i.e., crafted PR statements) will never be enough, but taking a written stance is never a bad starting point
- Verbally or in writing, be authentic
- Acknowledge shortcomings



TIPS FOR OPERATING IN THE REAL WORLD

Rule 2: Take Meaningful Action

- An almost limitless number of options; here are some bigger ones.
- Assess Your Company's Diversity and Inclusion Efforts
- Honoring holidays such as Juneteenth
 - Either with day off, or something commemorative
- Challenge recruiting efforts
- Evaluate Policies
- Educational outreach

Update on PPP

PPP Loan Forgiveness Update

- No Rush to apply for Forgiveness
- Banks have not yet received guidance from SBA for the processing of the forgiveness applications
- SBA expects to release this guidance to the banks and lenders in August
- Stay Tuned! Prestige is diligently working on creating the loan forgiveness reports
 - Once completed, we will host a webinar to review each report in relation to the forgiveness application

Client Communications

Client Communications

Today's presentation will be posted on "[The Prestige Perspective](#)" page of our website located at prestigepeo.com/blogs

Visit our [COVID-19 resource center](#) prestigepeo.com/covid-19 for all things COVID-19

Tune-in to our newest show, Prestige podcasts at "[HRin15.com](https://hrin15.com)"



Be on the look out for our next PrestigePEO [email newsletter](#)

Stay tuned for an invitation to [future webinars](#)

Join us on [Facebook](#), [LinkedIn](#) and [Twitter](#) to receive event notifications and weekly updates

Reach out to your support teams – HR and Compliance, Employee Benefits, and Payroll directly from our [PrestigeGO mobile app](#)





PrestigePEO
We Are Here For You