



BEST PRACTICES FOR EMPLOYERS AND HUMAN RESOURCES/EEO PROFESSIONALS

How to Prevent Race and Color Discrimination

General

- Train** Human Resources managers and all employees on **EEO laws**. Implement a **strong EEO policy** that is **embraced at the top levels** of the organization. Train managers, supervisors and employees on its contents, enforce it, and hold them accountable.
- Promote an **inclusive culture** in the workplace by fostering an environment of professionalism and respect for personal differences.
- Foster open communication** and early dispute resolution. This may minimize the chance of misunderstandings escalating into legally actionable EEO problems. An **alternative dispute-resolution (ADR) program** can help resolve EEO problems without the acrimony associated with an adversarial process.
- Establish neutral and objective criteria to **avoid subjective employment decisions** based on **personal stereotypes** or **hidden biases**.

Recruitment, Hiring, and Promotion

- Recruit, hire, and promote with EEO principles in mind, by implementing practices designed to widen and **diversify the pool of candidates** considered for employment openings, including openings in upper level management.
- Monitor for EEO compliance by **conducting self-analyses** to determine whether current employment practices disadvantage people of color, treat them differently, or leave uncorrected the effects of historical discrimination in the company.
- Analyze the duties, functions, and competencies relevant to jobs. Then create **objective, job-related qualification standards** related to those duties, functions, and competencies. Make sure they are **consistently applied** when choosing among candidates.
- Ensure **selection criteria** do not disproportionately exclude certain racial groups unless the criteria are valid predictors of successful job performance and meet the employer's business needs. For example, if educational requirements disproportionately exclude certain minority or racial groups, they may be illegal if not important for job performance or business needs.
- Make sure **promotion criteria** are made **known**, and that **job openings** are **communicated** to all eligible employees.

- ❑ When using an outside agency for recruitment, make sure the agency does not **search** for **candidates** of a particular race or color. Both the employer that made the request and the employment agency that honored it would be liable.

Terms, Conditions, and Privileges of Employment

- ❑ **Monitor** compensation practices and performance appraisal systems for **patterns of potential discrimination**. Make sure performance appraisals are based on employees' actual job performance. Ensure consistency, i.e., that comparable job performances receive comparable ratings regardless of the evaluator, and that appraisals are neither artificially low nor artificially high.
- ❑ Develop the potential of employees, supervisors, and managers with EEO in mind, by providing **training and mentoring** that provides workers of all backgrounds the opportunity, skill, experience, and information necessary to perform well, and to ascend to upper-level jobs. In addition, employees of all backgrounds should have **equal access to workplace networks**.
- ❑ Protect against retaliation. Provide clear and credible assurances that if employees make complaints or provide information related to complaints, the employer will **protect employees from retaliation**, and consistently follow through on this guarantee.

Harassment

Adopt a strong anti-harassment **policy**, periodically **train** each employees on its contents, and vigorously **follow and enforce** it. The policy should include:

- A clear **explanation** of prohibited conduct, including examples;
- Clear assurance that employees who make complaints or provide information related to complaints will be **protected against retaliation**;
- A clearly described **complaint process** that provides multiple, accessible avenues of complaint;
- Assurance that the employer will protect the **confidentiality** of harassment complaints to the extent possible;
- A complaint process that provides a **prompt, thorough, and impartial investigation**; and
- Assurance that the employer will take **immediate and appropriate corrective action** when it determines that harassment has occurred.

General Information: www.eeoc.gov

Additional Information on Race and Color Discrimination: www.eeoc.gov/types/race.html

Technical Assistance: www.eetraining.eeoc.gov

