Examining Unwritten HR Practices to Center Race Equity and Inclusion

By Trisa Kern, Director of Operations[1]
Columbia Legal Services

Like much of modern American work life, our human resources practices often embrace, accept, and perpetuate unwritten rules. Norms and conventions are passed down like folklore from employee to employee and are frequently accepted as truth without giving much thought to their original purpose, or whether they meet our modern-day needs.

When considering office-based workplace practices, many have evolved to meet the needs of a 21st century workforce — we have made great strides with worker-centered benefits like flexible work schedules, portable equipment, and telecommuting. Many others, which were designed around bureaucratic principles established as far back as the industrial revolution, are infrequently challenged or examined. For example, our modern-day work lives are often not centered around a nine-to-five schedule, yet we still often hold archaic, outdated expectations for staff members to arrive exactly at 9 am. Most of us have been conditioned to follow rules that no longer serve us.

Our human resources practices are no exception, and without intentional practice and examination, they can perpetuate inequity and implicit bias in our workplaces. If left unchallenged, they may even actively reinforce practices that we are explicitly trying to dismantle and challenge through our own race equity initiatives.

Because so many of us have exposure to recruitment and hiring processes, either through interviewing for jobs ourselves, or through participating in hiring panels, our conventions are often repeated and reinforced in perpetuity. Especially when we are understaffed, overburdened, and badly need to fill a vacancy, we resort to the easiest or most familiar practices.

Examining internal human resources practices often feels overwhelming, so identify and shift your practices gradually, and do not fall into a perfectionism trap that you can do nothing until your plan is completely perfect — perfect is not real, and it is not attainable. Filling a vacancy with an underlying urgency to rewrite your recruitment and hiring practices can be overwhelming, but incremental shifts in key areas will make a huge difference as you move your practice to center more-equitable outcomes. Here are some "unwritten" HR rules you can shift within your organization.

Conduct a Needs Assessment

Before you fill a position, take the time to do a quick internal needs assessment to determine if the needs of your program have shifted or changed. Often, we fall on established approaches to recruitment that lend themselves to cycles of rote action: when a vacancy occurs, we dig out the same job description, post it in the exact same places, select a few candidates for an interview, rinse, and repeat — the unexamined, missing step is determining whether the needs of our program and staff have changed.

A needs assessment can be quick and easy, but more importantly, it must be inclusive. Before deciding whether to fill a position, send a quick survey or conduct brief interviews with a small group of people that are closest to the position being filled. Include a true cross-section across hierarchy, positional authority, and lived experience within your organization, or even with external stakeholders. How have the the needs of your organization changed since the last time this position was filled? Ask a few foundational questions that will help drive you towards a decision. Did the position function as it was created and written? Do the people closest to the position see an opportunity to shift or change roles and responsibilities? Are the needs of the communities you serve being met? Are your

internal activities aligning with your organizational goals and initiatives?

In some instances, you can move quickly towards a decision that the vacancy is essential and should be filled as it is currently crafted. In others, the people closest to the work might believe that you need a different position filled. For example, you may need a community advocate, not a legal assistant. Or, you may not need to fill the position at all and should shift your resources to another area.

Before you begin your process, be transparent about how the information you are soliciting will be used—if you are seeking input from staff and the supervisor will make the final decision, let folks know ahead of time, so they understand at what level their input is being considered. Once you have arrived at a decision, you can move on to crafting your position description.

Crafting a Realistic and Inclusive Job Description

Once you have determined the appropriate position to fill, examine your job description posting through this refreshed lens.

Position descriptions should have some basic design elements — first and foremost, be explicit about your intentions, and the needs of your program. Explicitly center your organization's commitment to race equity and inclusion and craft a welcoming message to encourage people of color and members of other protected classes to apply. Recently at Columbia Legal Services, we refreshed our inclusion language and moved it from the bottom of the posting, where we all often cram it in 10-point font, to the very top of the announcement. Our language states:

> We are committed to an environment of mutual respect, collaboration, and equal opportunity for all employees, and strongly encourage applications from people of color, immigrants, people who have been affected by mass incarceration, and other underrepresented and historically marginalized groups. We believe in building and sustaining an organization that is reflective of the communities we serve, and is diverse in work background, experience, education, race, color, national origin, sex, age, religion, marital status, veteran status, sexual orientation, gender identity, ancestry, national origin, or sensory, mental and physical abilities. We believe that the resulting diversity is both a source of program strength and a matter of fundamental human fairness.

A position description should lay out the expectations for the role. Your criteria should be clearly stated and written to appeal to the broadest, most-diverse pool of applications. Often, this means working to challenge language and expectations within our organization—some examples of job descriptions gone awry are ones that are three to five pages long, use internal acronyms that mean very little to external applicants, or are too ambiguous to fully communicate the essential functions of the role.

Another spot to remove hurdles for your application pool are your minimum requirements. I cannot count the number of times experienced staff members wanted to require 10 to 15 years of experience practicing law when fewer years would have been perfectly acceptable. Often, you can reduce barriers and make your posting more attainable and accessible. Always look for spots where you can request relevant years of experience in a comparable role and remove a requirement for formal education. I promise you, your office manager doesn't need a master's degree in Applied Science of Organizational Leadership.

Finally, if you want to be taken seriously as an organization committed to race equity, you must advertise the salary range and available benefits in your job announcement. Historical practices of underpaying women and people of color makes the need for transparency critical in 2020. First and foremost, you don't want qualified applicants passing over your job posting, and more importantly, you want to model compensation practices that demonstrate your organization's commitment to equity.

Language and Expectations

As you move onto the interview process, keep an ear out for statements like: "They don't seem like a good fit for our organizational culture," "I liked their answers to our questions, but they didn't give me a good vibe," or "We need to hire the *most* qualified candidate for the position." These statements have a few things in common — primarily, they are not based on information that is quantifiable or measurable, which allows ample space for bias to influence the interview process, and yet, all of them are socially acceptable in the workplace. Instead of allowing folks to repeat platitudes that could veil implicit bias or discrimination, be deliberate in centering debiasing in your internal language and conversations.

Before you discuss a candidate's resume or debrief an interview, circulate the position description and focus the discussion on the minimum qualifications for

the position, as well as quantifiable data and information. Quantitative grading tools like rubrics can help you debias your interview processes and are readily available for free online.

The minimum qualifications you advertise should inform whether someone is considered for a role — if your stated qualifications require two years of experience, ten years of experience should not automatically move someone to the top of the stack. If your position does not require a formal education, an applicable master's degree is an excellent thing to have, but that does not mean everyone else should be rejected. Ensuring that your criteria are clear, accessible, and applied to each applicant in the same manner will build a fair applicant pool and be a great first step in providing your pool with more-level criteria for consideration.

Of course, a candidate may bring something to the table that is a needed bonus to your organization. For example, dual-language skills are quite often a benefit and should be considered, but unless you post them as a requirement, a lack of dual-language skills should not be used to disqualify other candidates from consideration. You can use language indicating that certain skills are "a plus" as long as that language does not build barriers for folks that do not have those skills.

Interview Expectations

Now that you have taken these incremental steps by examining what your program needs *before* you post a position, crafting a clear, inclusive position description, and debiasing the internal language and practices that your interview panel uses — consider the ways that you can shift your interview practices to be more accessible, inclusive, and informative.

Conventional HR interview practices often value white, male-dominated characteristics and behaviors. To challenge your internal beliefs and biases, or how your organization might be valuing certain behaviors over others, consider past practice and be explicit in your expectations. Once an interview is set, create a template of all the information an applicant may need to know to be successful. Communicate dress code expectations and norms, the interview process (how many interview rounds will they go through, and whom will they be meeting with), and whether they might expect any "show the work" exercises. Your organization can be proactive in demystifying your process, so your organization and your applicant can both focus

on the position itself, without adding stressful guesses about how much time they should put on the meter, or whom they'll be meeting with.

Here are some examples of ways that your organization might have some unexamined expectations about interviews. Often, wardrobe choices have immediately cast interviewees in a negative light. Under examination, perhaps the applicant was were wearing the nicest piece of clothing they owned, or, didn't understand that a formal suit and tie was expected for an IT Help Desk position. You can shift unexamined biases by being explicit about what your organizational dress code norms and expectations are, and by communicating that information to both the panel and the interview participant before the interview.

Another area of unexamined expectations I have repeatedly witnessed are stated judgements on an applicant's level of assertiveness. Assertiveness is often a male-centered, western trait — not all cultures expect people to brag about their accomplishments. When an applicant extends a weaker handshake using it as a reason they should be disqualified from a role— consider that it may be a natural extension of their cultural upbringing and conditioning.

Keep the Line Moving

Once you begin examining your HR practices, you will start spotting opportunities for growth everywhere. Examine where power lies within your current practices, what characteristics they value, and why that might be. The days of HR practices that lack transparency, shield your organization from accountability, and protect the people with the most power are slowly fading.

As we examine where we can move and shift power within our organizations and within ourselves, gradually moving our internal HR behaviors and practices towards race equity and inclusion is empowering. Remember that there is no end to centering race equity in the workplace, or anywhere else, for that matter—it's a continuous process without a perfect, one-size-fits-all solution, and it's not a project with a beginning, middle and end. While shifting your HR practices is not quick or easy, it is rewarding, and you'll quickly feel the difference between upholding power and shifting and sharing it.

Resources:

■ *Debiasing Techniques — The Law Office of William Kennedy — Race Equity Project:*

https://justleadwa.org/wp-content/
uploads/2018/09/REJI-Organizational-Toolkit_
Tool-G.pdf
- *Dismantling Racism:*
https://resourcegeneration.org/wp-content/
uploads/2018/01/2016-dRworks-workbook.pdf
- *Equity, Diversity and Inclusion in Recruitment,
Hiring and Retention:*
https://www.usdn.org/uploads/cms/documents/
usdn-equity-in-recruitment_hiring_retention.pdf
- *Justlead Washington: Organizational Race Equity
Toolkit:*
https://justleadwa.org/wp-content/
uploads/2020/10/REJI-Toolkit-2nd-Edition-
2020-Final.pdf

1   Trisa Kern is the Director of Operations at Columbia Legal Services, an independent HR Consultant, and an investigator with MFR Law Group. She has focused her career on human resources and nonprofit management since 2004. She is a SHRM Certified Professional, has a Master of Nonprofit Management from DePaul University, and a Bachelor's Degree from the University of Missouri. She loves legal services and helping to shift the changing HR landscape through a lens of race equity and inclusion. Trisa may be reached at *trisa@mfrlawgroup.com.*