2021 Affirmative Action Plan Training for AAP Administrators

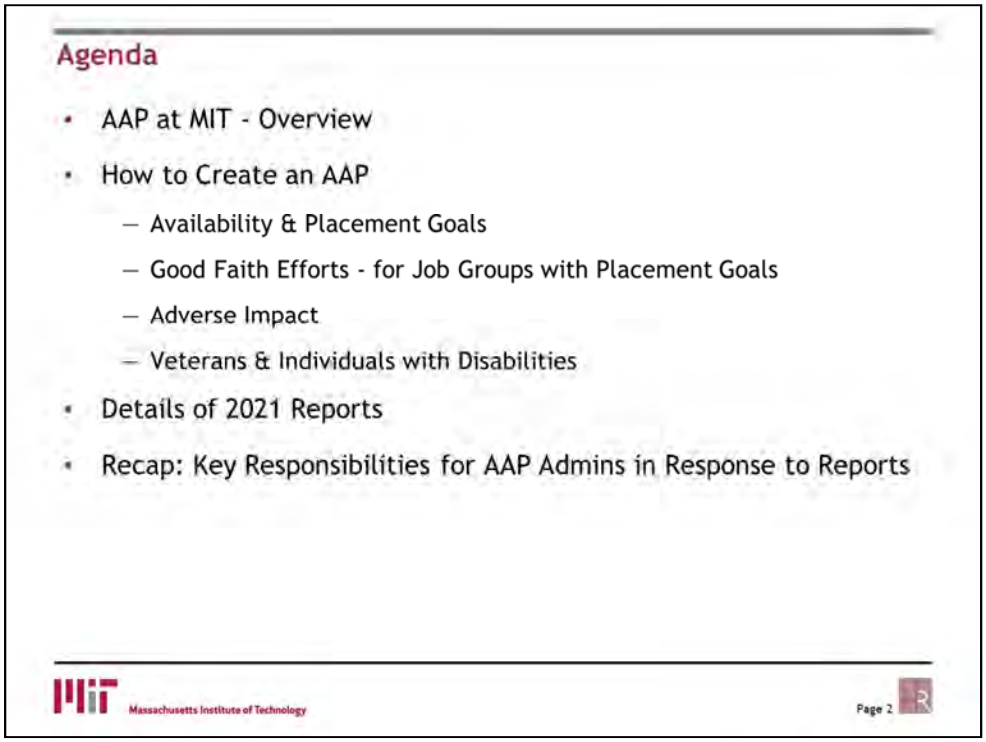
Riley Hart

rileyh@mit.edu

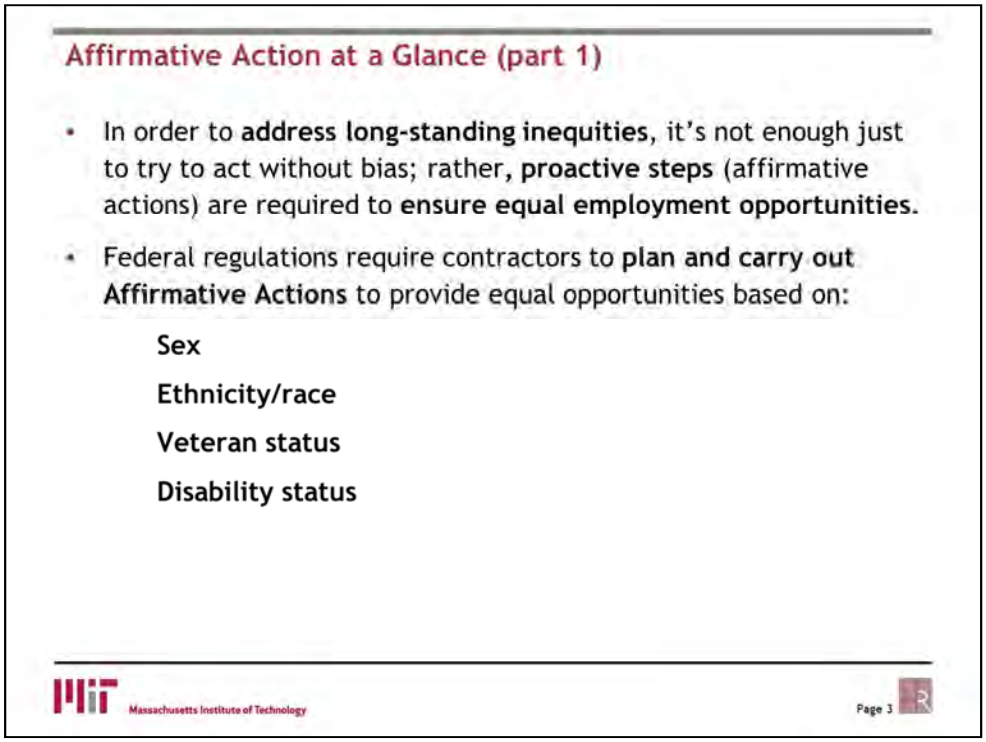
March 2, 2021 version PLUS IMPROVEMENTS useful for next year

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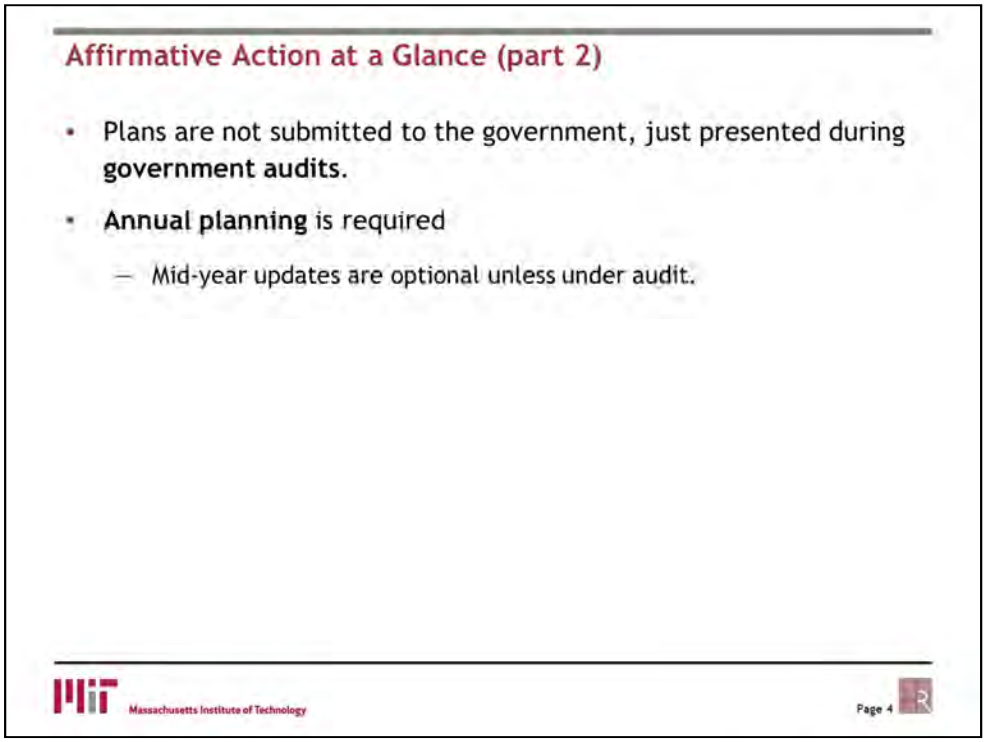




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Different methods are required for identifying issues involving sex and race **vs** veterans and individuals with disabilities.

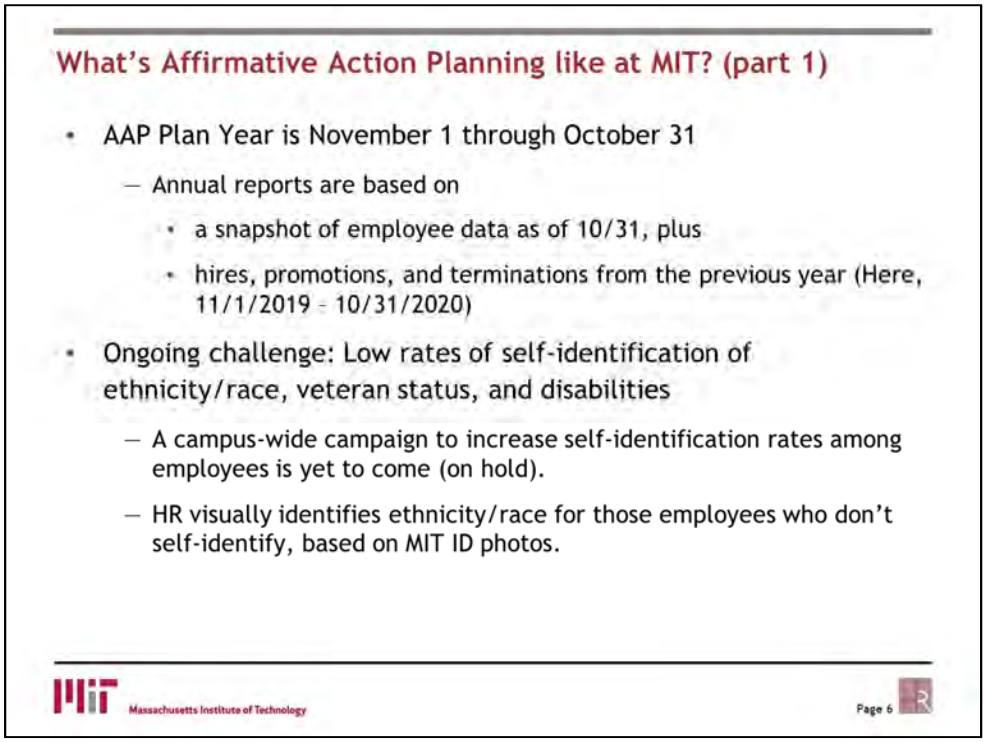


A government audit can happen in any year.

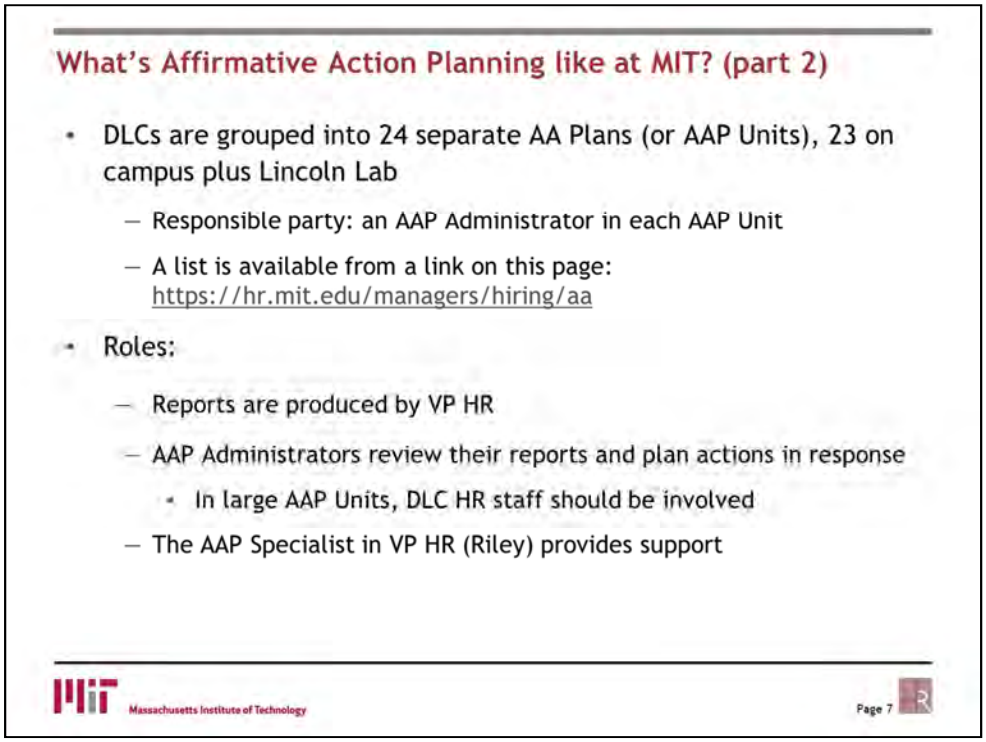
In the past, mid-year reports were generated every year. Currently, a decision on whether to issue mid-year reports is made each year. There will be no mid-year reports this year.

The Importance of Affirmative Action Compliance

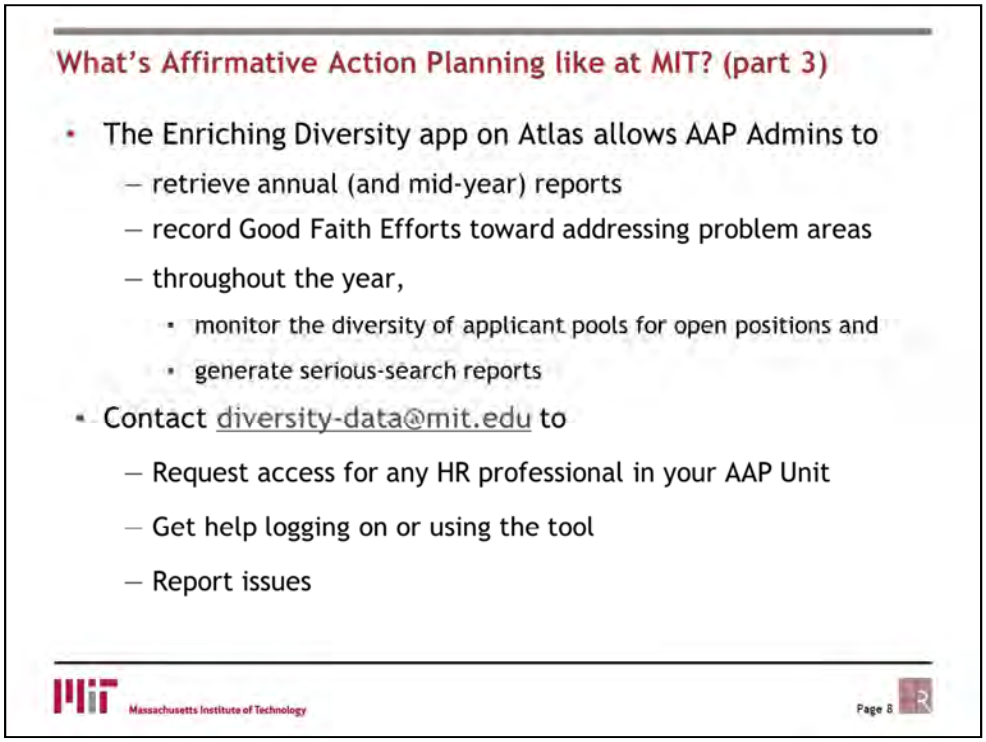
- Not only does Affirmative Action support the **Institute's own diversity values**, but…
- MIT is due for an **OFCCP audit** of our Affirmative Action plans soon. Any **negative findings** could lead to
  - Bad publicity
  - Increased oversight
  - Fines
  - Ultimately, loss of government contracts.



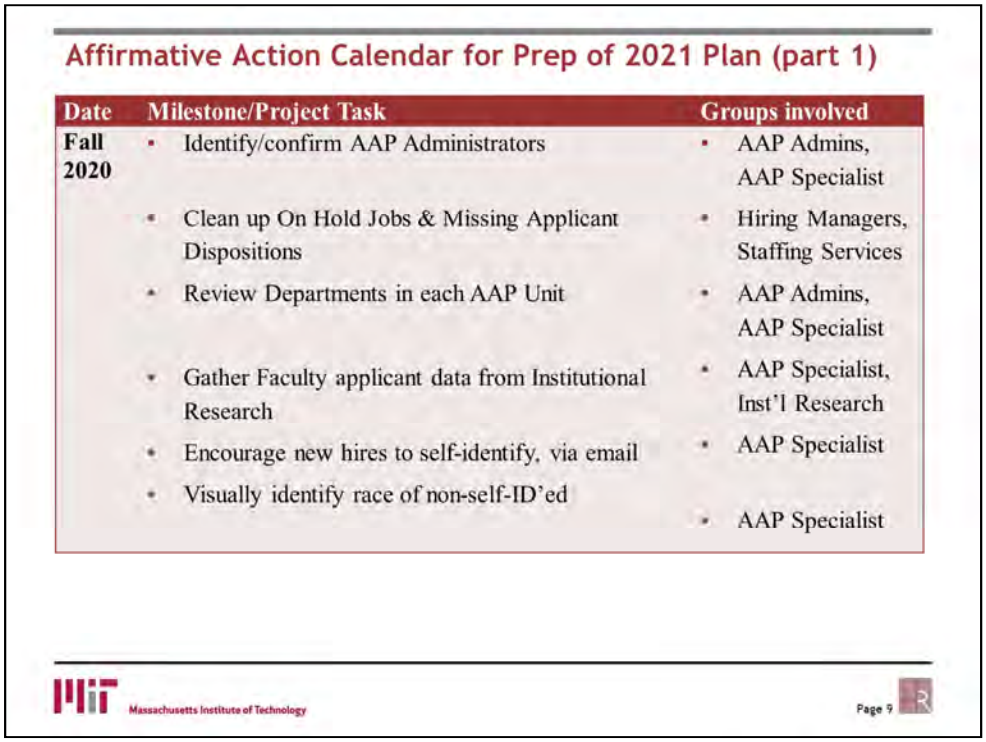
- Mid-year reports, if any, are based on a 4/30 snapshot and activities from 11/1 to 4/30.
- Knowing what we mean by, say, AAP Plan Year 2020 is confusing. Plan Year 2020, which ran from 11/1/2019 – 10/31/2020 was the period in which you were to carry out plans that were made based on data from 11/1/2018 – 10/31/2019. However, you weren't able to make the plans until well into the AAP Plan Year, due to the time it takes HR to gather the data, generate the reports, and distribute reports to you. So, you carried out the plans for AAP Plan Year 2020 from April 2020 through February 2021 (at which point the Plan Year 2021 reports reached you).
- The campaign to increase self-identification has been delayed first by changes in leadership and then by COVID-19.



Creating new AAP Units or moving DLC's from one Unit to another part-way through the year creates systems challenges, so whenever possible, we wait until the next AAP Year to do so.

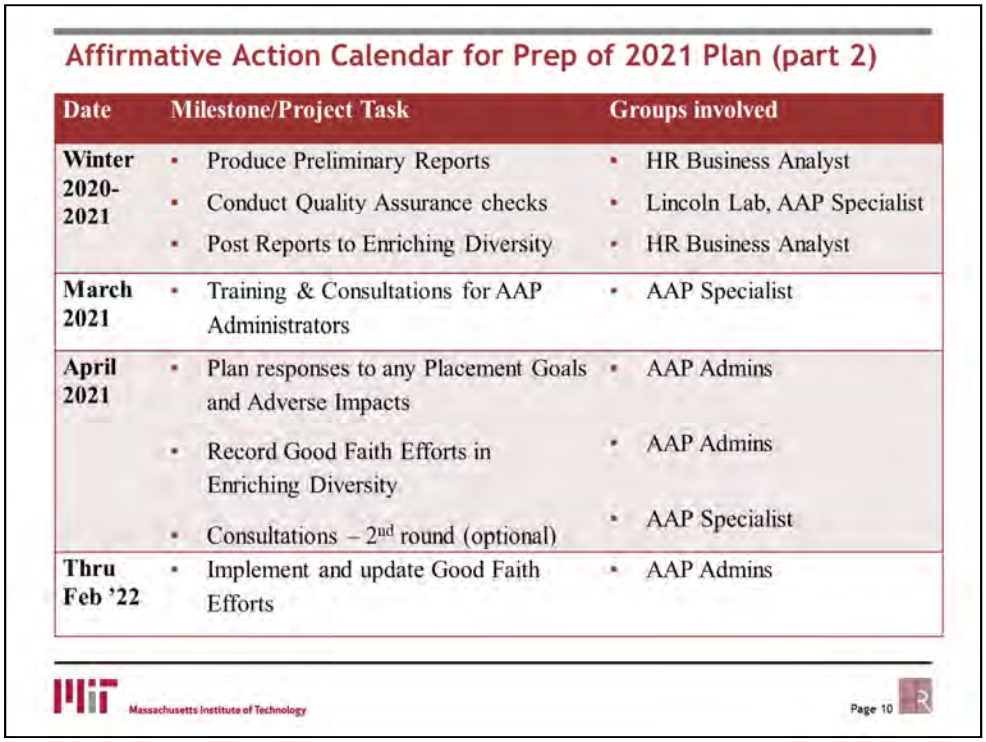


Department-level HR professionals in your AAP Unit may use Enriching Diversity for **their departments' requisitions** to monitor the pool's diversity and to generate search reports.



We appreciate anything you can do to ensure that

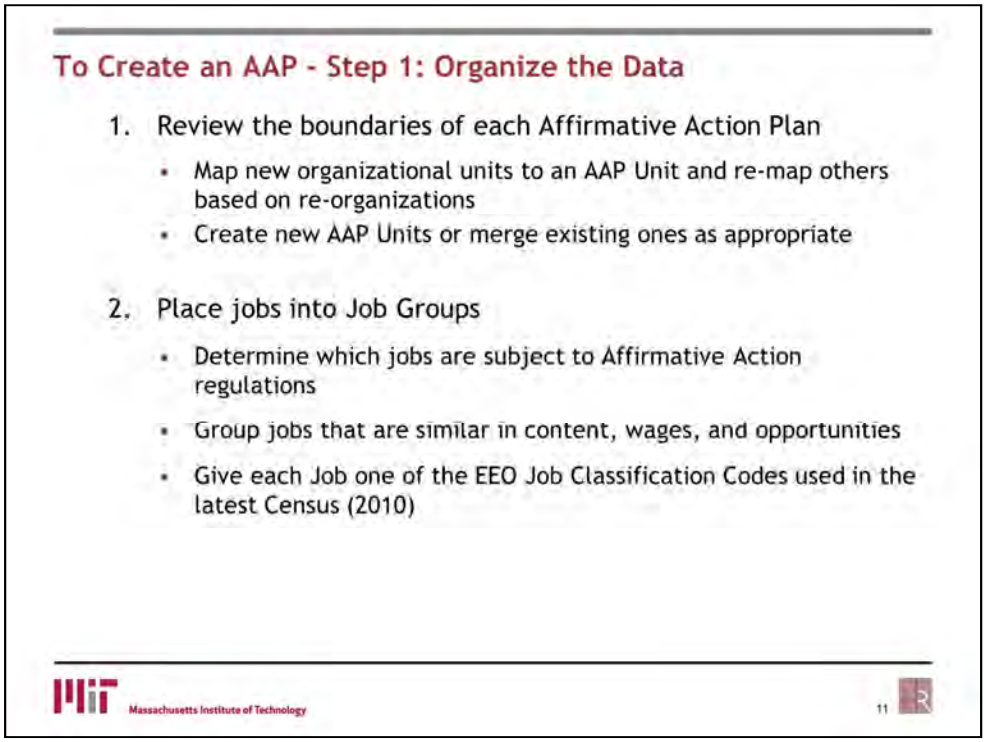
- Hiring Managers disposition applicants promptly in the Applicant Tracking System;
- Hiring Managers close reqs rather than keep them on hold for long periods;
- (for Schools) those who administer your Faculty Applicant Tracking System provide data in a timely way to Sonia Liou in the Office of Institutional Research



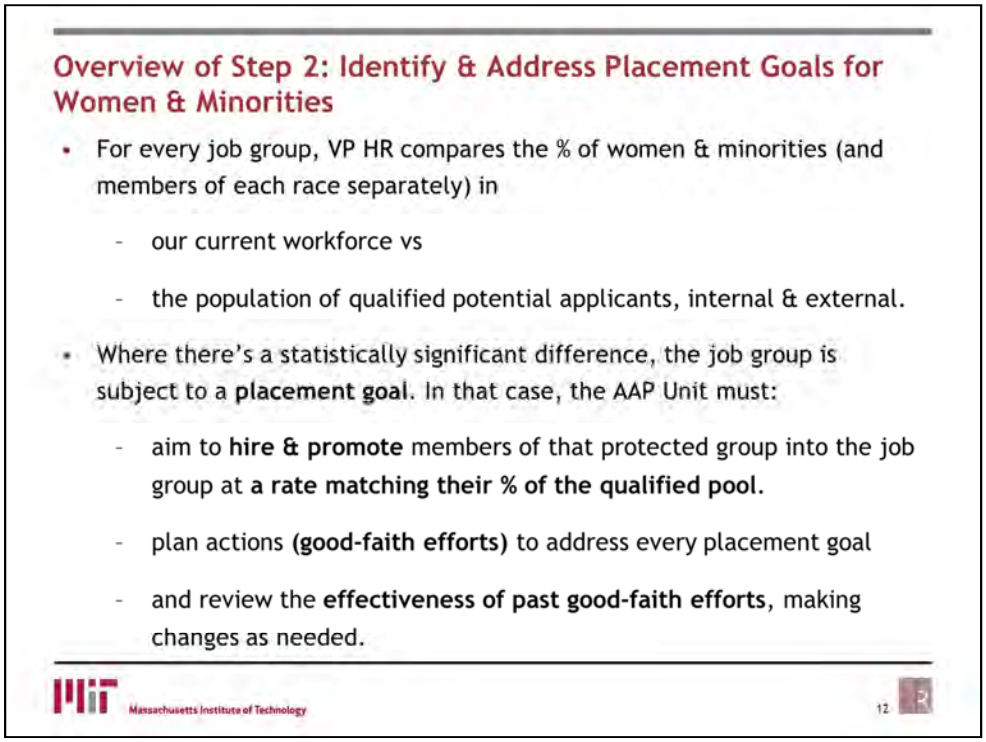
Affirmative Action Calendar for Prep of 2021 Plan (part 2)

Date	Milestone/Project Task	Groups involved
Winter 2020-2021	• Produce Preliminary Reports • Conduct Quality Assurance checks • Post Reports to Enriching Diversity	• HR Business Analyst • Lincoln Lab, AAP Specialist • HR Business Analyst
March 2021	• Training & Consultations for AAP Administrators	• AAP Specialist
April 2021	• Plan responses to any Placement Goals and Adverse Impacts • Record Good Faith Efforts in Enriching Diversity • Consultations – 2nd round (optional)	• AAP Admins • AAP Admins • AAP Specialist
Thru Feb '22	• Implement and update Good Faith Efforts	• AAP Admins

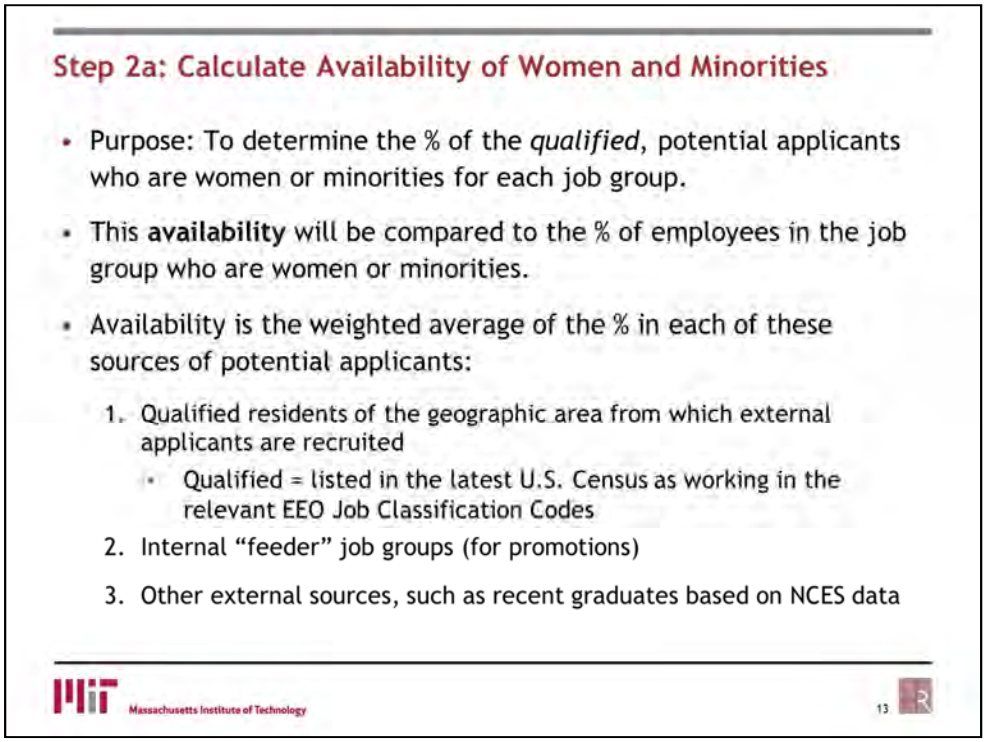
Your responsibility is to review the reports, determine what actions are necessary in response, and, for each Placement Goal, record Good Faith Efforts in the Enriching Diversity tool in Atlas.



- Every School has its own AAP Unit. Other AAP Units were defined several years ago, with minor adjustments since.
- We must ensure each AAP Unit is still large enough (50 people) and cohesive enough to remain; merge or create new AAP Units as needed
- EEO = Equal Employment Opportunity



The next several slides go into detail about how this is done.

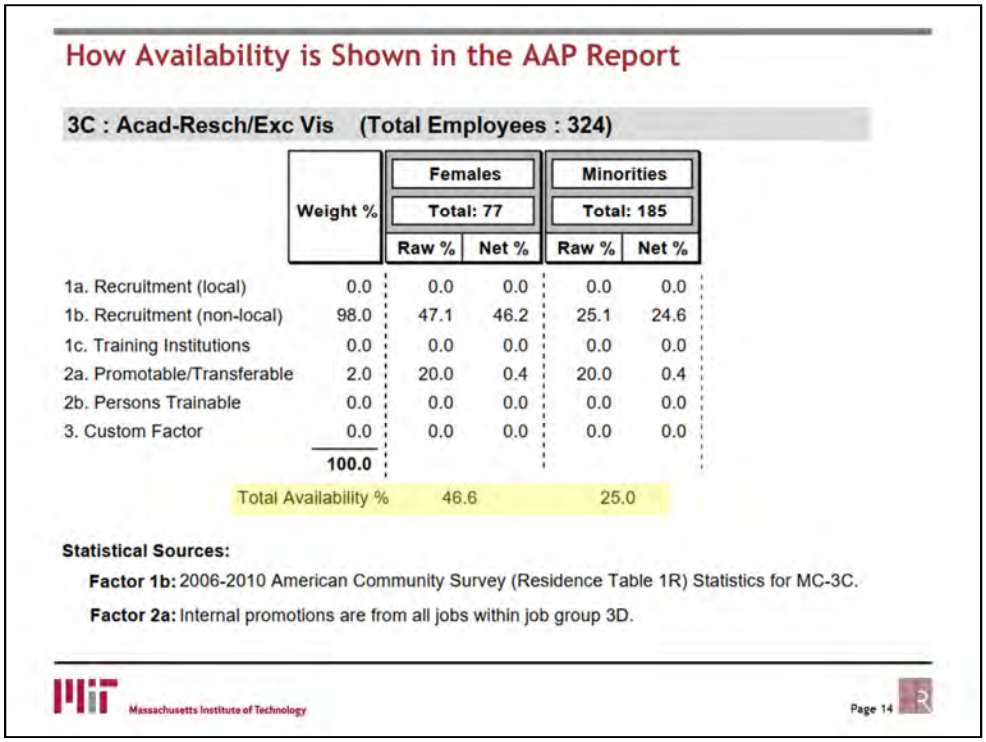


Availability by Job Group

- most job groups use the greater Boston area including NH and RI; some use the US or a blend of the US and the local area
- NCES = National Council on Education statistics, e.g. can look at new PhD's for faculty by field

Weighting:

- If most positions in a job group are filled internally, then the highest weighting will be on the "feeder" job groups.
- If a job group contains only entry-level jobs, internal feeder job groups will have a weight of 0%.
- Most job groups have a 0% weight for "other data sources" like NCES graduation rates.



How Availability is Shown in the AAP Report

3C : Acad-Resch/Exc Vis (Total Employees : 324)

	Weight %	Females Total: 77		Minorities Total: 185	
		Raw %	Net %	Raw %	Net %
1a. Recruitment (local)	0.0	0.0	0.0	0.0	0.0
1b. Recruitment (non-local)	98.0	47.1	46.2	25.1	24.6
1c. Training Institutions	0.0	0.0	0.0	0.0	0.0
2a. Promotable/Transferable	2.0	20.0	0.4	20.0	0.4
2b. Persons Trainable	0.0	0.0	0.0	0.0	0.0
3. Custom Factor	0.0	0.0	0.0	0.0	0.0
	100.0				
Total Availability %		46.6		25.0	

Statistical Sources:

Factor 1b: 2006-2010 American Community Survey (Residence Table 1R) Statistics for MC-3C.

Factor 2a: Internal promotions are from all jobs within job group 3D.

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If math isn't your thing, wait this slide out. The crucial info is on the next slide.

This slide and the next show **subsets** of what's on this page of the Report, for simplicity.

Weight

- 1a & 1b Recruitment Local and Non-Local: You'll see a zero in one of these rows, because we've combined them. For each job group, we've created a combined geographic area that includes some percentage of local availability and some of national availability.
- We generally don't use 1c or 2b.
- 3 Custom Factor is where we put graduation statistics.

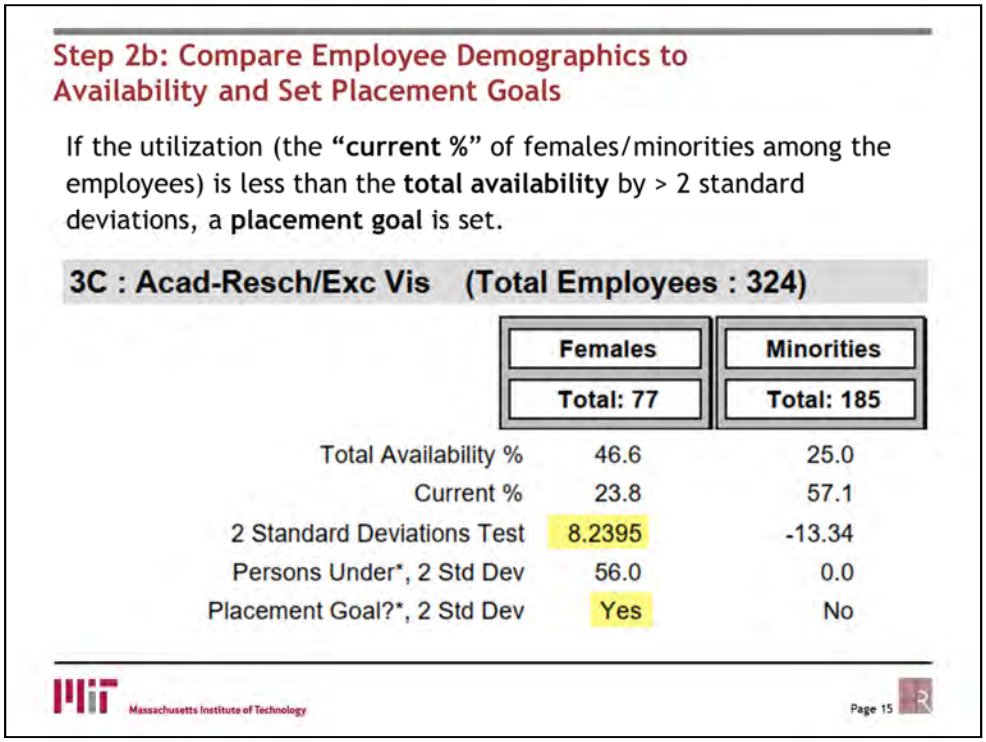
Numbers of Employees:

- The total count is in the top heading. The # of females and of minorities appears in the column heading boxes.

Statistics

- The Raw % numbers are the % of females or minorities in that row's population.
- Details about where the raw %s come from are under Statistical Sources.
- **Total Availability %,** near the bottom, is what your workforce will be

compared to.



Step 2b: Compare Employee Demographics to Availability and Set Placement Goals

If the utilization (the **"current %"** of females/minorities among the employees) is less than the **total availability** by > 2 standard deviations, a **placement goal** is set.

3C : Acad-Resch/Exc Vis (Total Employees : 324)

	Females Total: 77	Minorities Total: 185
Total Availability %	46.6	25.0
Current %	23.8	57.1
2 Standard Deviations Test	8.2395	-13.34
Persons Under*, 2 Std Dev	56.0	0.0
Placement Goal?*, 2 Std Dev	Yes	No

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Things to note:

- This slide shows the rows that appear below what was shown on the previous screen.

The Upshot

- The crucial piece of information is the "Yes" or "No" in each column, indicating whether there's a placement goal.

Details

- Total Availability % is the same information as on the previous slide.
- Current % is the percent of people in the job group as of 10/31 who are females or minorities.
- If standard deviations number is >2, the difference is statistically significant, and there is a placement goal for this job group.

Placement Goals by Individual Ethnicity/Race Category

We generate placement goals not just for minorities as a whole, but also for each ethnicity/race:

Availability Analysis

41 CFR Section 60-2.14

3C : Acad-Resch/Exc Vis (Total Employees : 324)

	Weight %	Females Total: 77		Minorities Total: 185		Black Total: 4		Hispanic Total: 23		Asian Total: 157		Am. Indian Total: 0		Pac / Hawaiian Total: 0		Two or More Total: 1	
		Raw %	Net %	Raw %	Net %	Raw %	Net %	Raw %	Net %	Raw %	Net %	Raw %	Net %	Raw %	Net %	Raw %	Net %
1a. Recruitment (local)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1b. Recruitment (non-local)	98.0	47.1	46.2	25.1	24.6	5.5	5.4	5.1	5.0	12.5	12.3	0.2	0.2	0.0	0.0	1.7	1.7
1c. Training Institutions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2a. Promotable/Transferable	2.0	20.0	0.4	20.0	0.4	0.0	0.0	0.0	0.0	20.0	0.4	0.0	0.0	0.0	0.0	0.0	0.0
2b. Persons Trainable	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3. Custom Factor	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	100.0																
Total Availability %		46.6		25.0		5.4		5.0		12.7		0.2		0.0		1.7	
Current %		23.8		57.1		1.2		7.1		48.5		0.0		0.0		0.3	
2 Standard Deviations Test		8.2395		-13.34		3.3173		-1.733		-19.33		0.8058		0.0000		1.9374	
Persons Under*, 2 Std Dev		56.0		0.0		5.3		0.0		0.0		0.0		0.0		0.0	
Placement Goal?*, 2 Std Dev		Yes		No		Yes		No		No		No		No		No	

Statistical Sources:

Factor 1b: 2006-2010 American Community Survey (Residence Table 1R) Statistics for MC-3C.

Factor 2a: Internal promotions are from all jobs within job group 3D.

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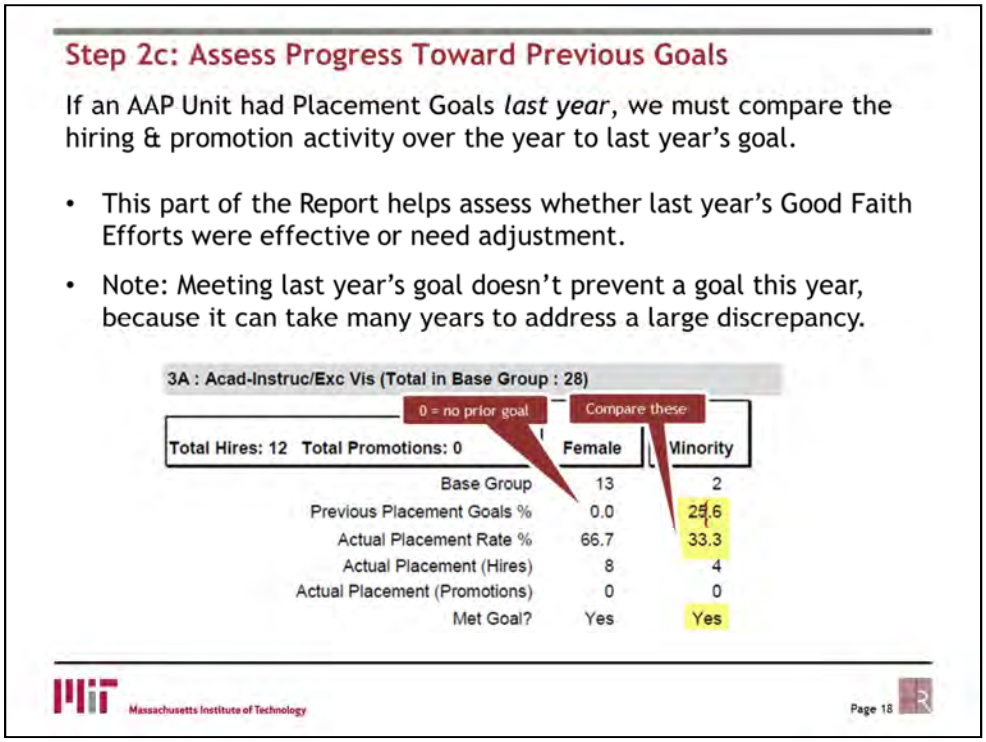
The earlier slides showed only women & minorities for simplicity.

Note that

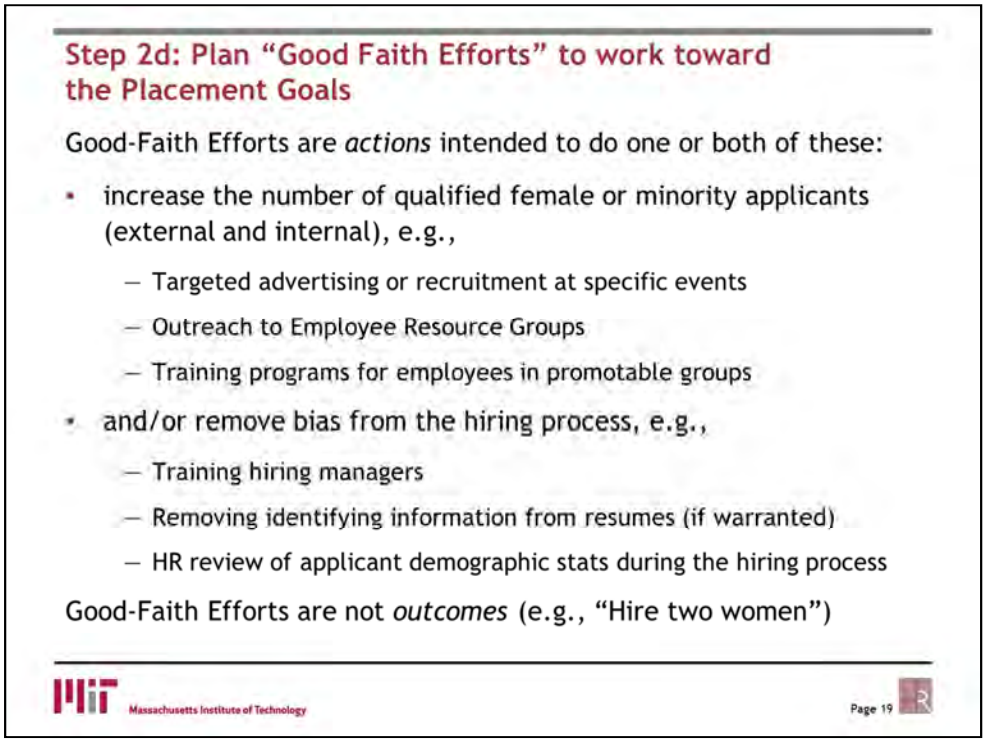
- there may be a placement goal for a particular race, even if there's no Placement goal for Minorities.
- Enriching Diversity can't yet show placement goals or record Good Faith Efforts for a specific race.



Specific examples of the types of actions to address placement goals are on a later slide.



- In contrast to the previous step, this does not compare the *utilization* (demographics of your workforce) to the availability. Instead, it compares the % of female or minority *hires and promotions* to the availability. For Plan Year 2021, these are the hires and promotions from 11/1/2019 – 10/31/2020.
- If there was no placement goal last year, there will be "0.0" in the 2nd row. The final row *should* say "n/a" in this case, but the software we use puts "Yes."



- Do not include general diversity efforts as Good Faith Efforts. GFE's should be targeted toward the relevant protected group.
- Staffing Services offers very good trainings. See https://hr.mit.edu/managers/hiring/process or the Learning Center on Atlas.
- Redacting resumes can be helpful where there is a pattern of diversity being lost between the applicant pool and phone screening or interviewing. It is time consuming, and the decision whether, when, and how to use it can be complex.
- "HR review…" refers to an HR professional viewing a requisition on the Requisitions Tab of Enriching Diversity. After viewing the diversity of applicants who have made it to each stage in the process so far, the HR person may coach the hiring manager with suggestions such as the following:
    - "The applicant pool has few minorities. It would be good to pause the process while you do some more targeted postings and outreach."
    - "The list of applicants you've selected for phone screening is less diverse than the overall applicant pool. To try to capture some of that diversity, increase the number of promising applicants who will be phone screened."

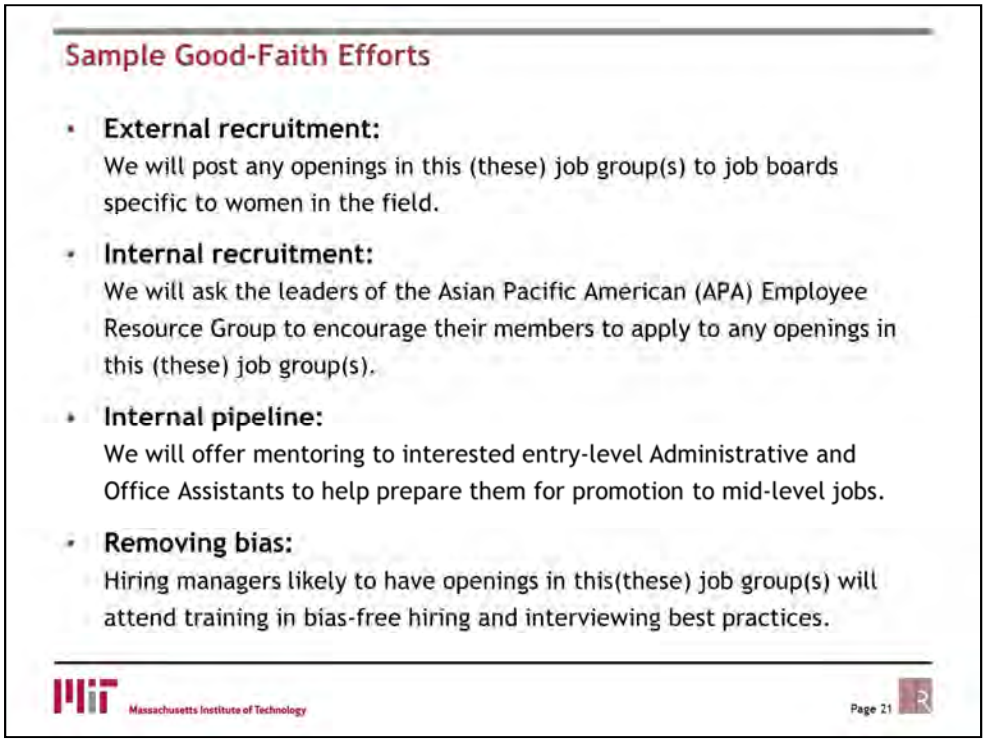
Resources from the VP of Human Resources

- See the "Hiring Process Overview" page on HR's website:

  https://hr.mit.edu/managers/hiring/process

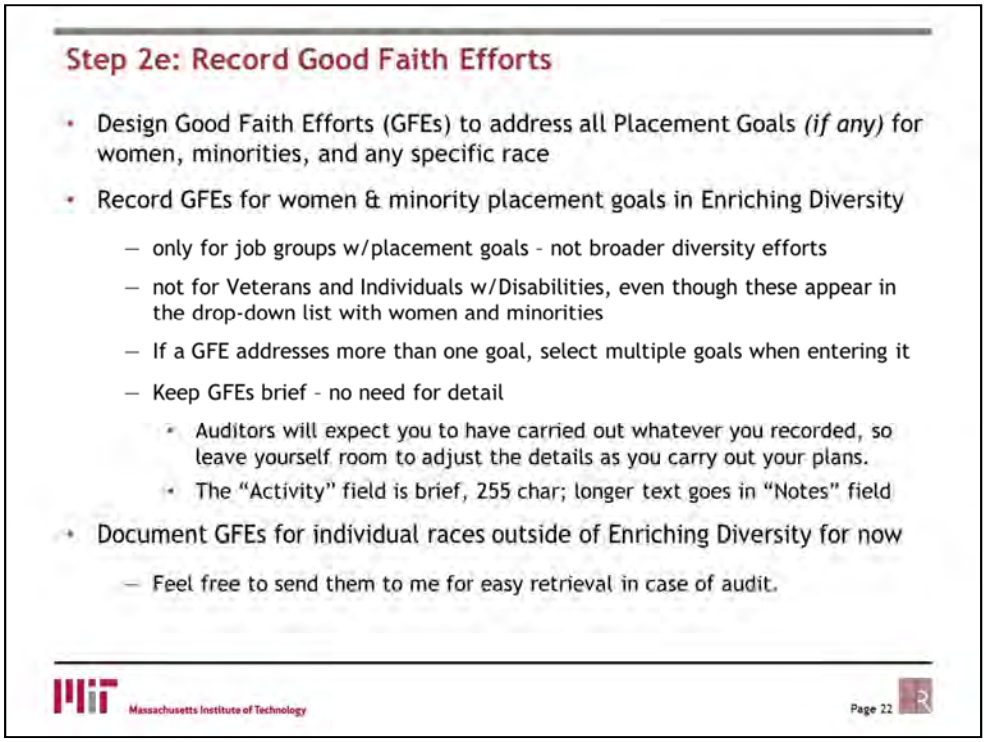
  A few highlights include:

  - *Advertising and diversity outreach* section:
    - Diversity Posting Guide
    - Tips for outreach
  - *Screening, interviewing, and ensuring bias-free hiring decisions* section:
    - Courses on bias-free hiring and interviewing taught by Staffing Services



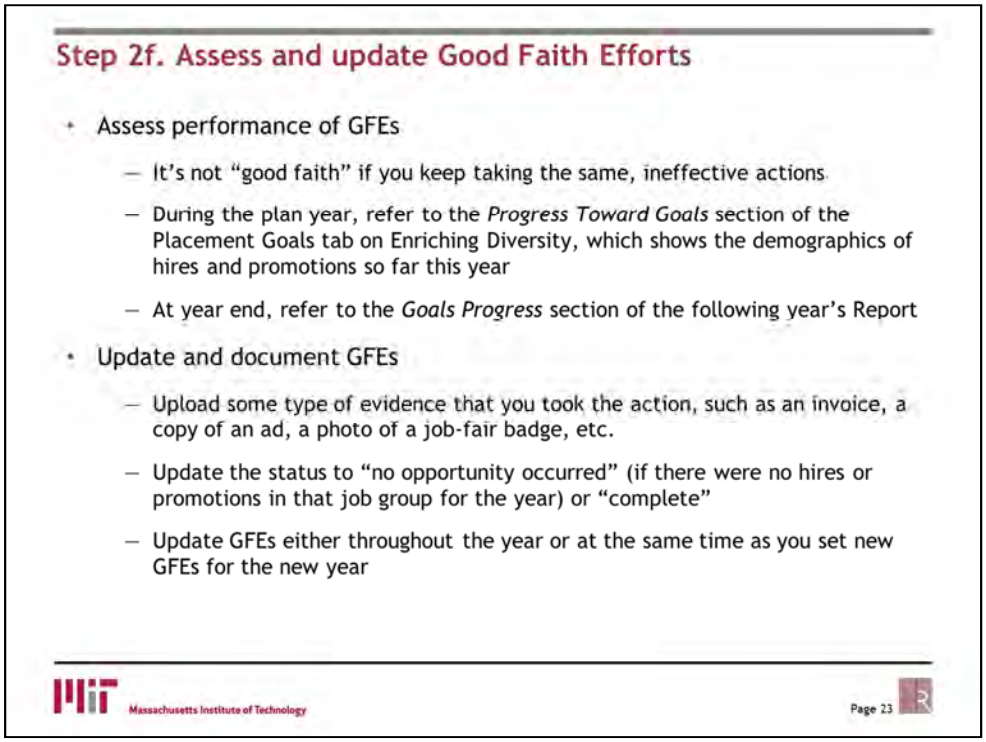
The most effective Good Faith Efforts address the specific situation. For instance,

- recruiting additional qualified women to apply will not help much if the hiring manager resists hiring someone who might need maternity leave, while
- training hiring managers won't help much if postings are not reaching qualified minorities in the field.



Hoped-for future improvements to Enriching Diversity's Good-Faith Efforts tab:

- Ability to record GFEs for individual races
- Easier interface for selecting the goal(s) for which you're entering the GFE



In the drop-down list for selecting the Placement Goals for a particular Good-Faith Effort:

- Items for Veterans and Individuals with Disabilities are in the list. Currently, you aren't required to record GFE's for these, although you may.
- You may select as many Placement Goals as a particular GFE addresses.

You don't need to record your GFE in detail. Auditors will expect you to have carried out whatever you recorded, so leave yourself room to change the specifics as you carry out your plans.

Overview of Step 3: Identify, Analyze, & Address Adverse Impact

- Adverse impact consists of ways in which employees & qualified applicants are being
  - hired,
  - promoted, or
  - terminated

  disproportionately based on
  - sex or
  - ethnicity/race.

- Adverse impact can be found against males or white people, as well as against females or other races.
  - This is a way to flag possible instances of preferential treatment that go beyond equal opportunity.

Step 3a: Identify Adverse Impact

- To identify adverse impact, the personnel transactions (hires, promotions, and terminations) over the previous year (11/1/2019 - 10/31/2020 are considered for each job group.
- The rates at which people of each sex or race are hired are compared to each other. (The same is done for promotions and terminations.)
- Where there's a statistically significant difference, **adverse impact** is indicated.
- Here are some examples…

Adverse Impact Example: Applicant Flow (Hiring)

A Job Group has 4 open positions. In total, 4 women & 8 men apply. (These 12 are the **base group**.)

Two women and 2 men are hired.



Female **placement rate** = 50%

Male **placement rate** = 25%

Females are the **most favored group**.

Males have **adverse impact** *if* the difference between the male & female placement rates are statistically significant.

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Terminology for Hires/Applicant Flow:

- The **base group** for **hires/applicant flow** is the set of qualified applicants for all positions into which someone was hired during year.
- The **placement rate** for a particular sex or race is the % of applicants of that sex or race who were hired.
- For hires/applicant flow, the **most favored group** is the sex or race with the **highest** placement rate.

Adverse Impact Example: Terminations

A Job group has 24 employees, including 10 of the Blue race, 8 of the Purple race, and 6 of the Green race. (These 24 are the **base group**.)

Three Blues, 2 Purples, and 2 Greens are terminated.



The **termination rates** are:

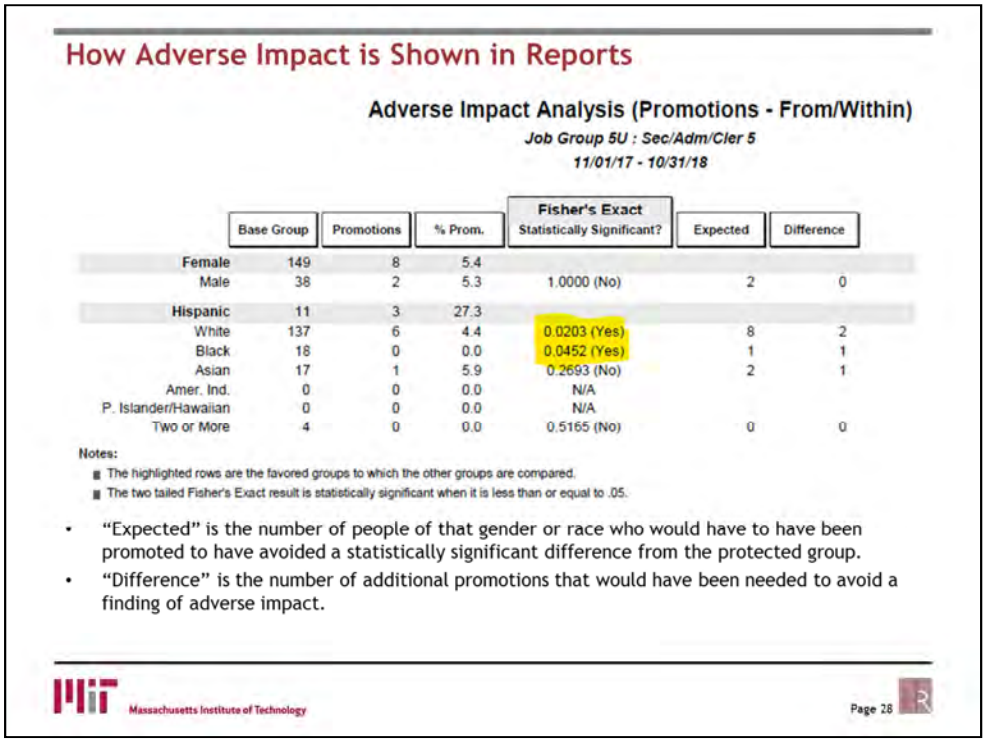
Blue: 30% Purple: 25% Green: 33%

Purples are the **most favored group**.

Blues and/or Greens have **adverse impact** if the difference is statistically significant.

Terminology for Terminations:

- The **base group** for **terminations** is the set of employees in the job group at the beginning of the year.
- The **termination rate** for a particular sex or race is the % of applicants of that sex or race who were terminated.
- For terminations, the **most favored group** is the sex or race with the **lowest** termination rate.



How Adverse Impact is Shown in Reports

Adverse Impact Analysis (Promotions - From/Within)

Job Group 5U : Sec/Adm/Cler 5

11/01/17 - 10/31/18

	Base Group	Promotions	% Prom.	Fisher's Exact Statistically Significant?	Expected	Difference
Female	149	8	5.4			
Male	38	2	5.3	1.0000 (No)	2	0
Hispanic	11	3	27.3			
White	137	6	4.4	0.0203 (Yes)	8	2
Black	18	0	0.0	0.0452 (Yes)	1	1
Asian	17	1	5.9	0.2693 (No)	2	1
Amer. Ind.	0	0	0.0	N/A		
P. Islander/Hawaiian	0	0	0.0	N/A		
Two or More	4	0	0.0	0.5165 (No)	0	0

Notes:

- The highlighted rows are the favored groups to which the other groups are compared.
- The two tailed Fisher's Exact result is statistically significant when it is less than or equal to .05.

- "Expected" is the number of people of that gender or race who would have to have been promoted to have avoided a statistically significant difference from the protected group.
- "Difference" is the number of additional promotions that would have been needed to avoid a finding of adverse impact.

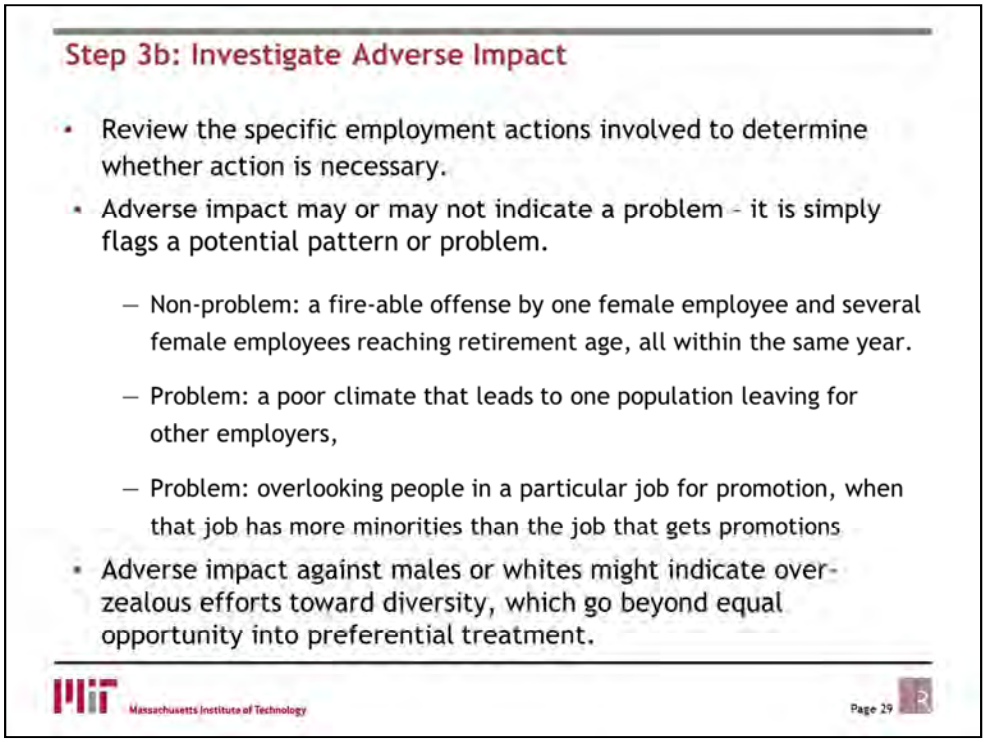
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- As in the "Notes" in the screen shot: The highlighted (gray) rows are the favored groups, and statistical significance occurs at less than .05.

Terminology for Promotions:

- The **base group** for promotions is the set of employees in the job group at the beginning of the year.
- The **promotion rate** for a particular sex or race is the % of applicants of that sex or race who were promoted.
- For promotions, the **most favored group** is the sex or race with the **highest** promotion rate.

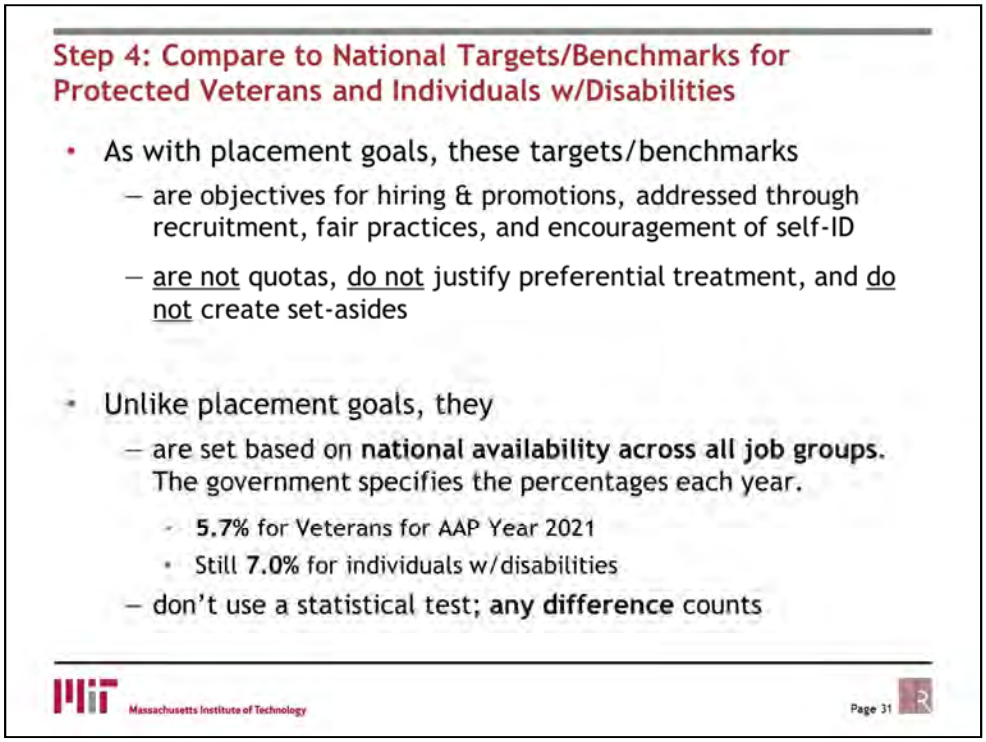


Determining whether an adverse impact indicates a problem that can be addressed is tricky.

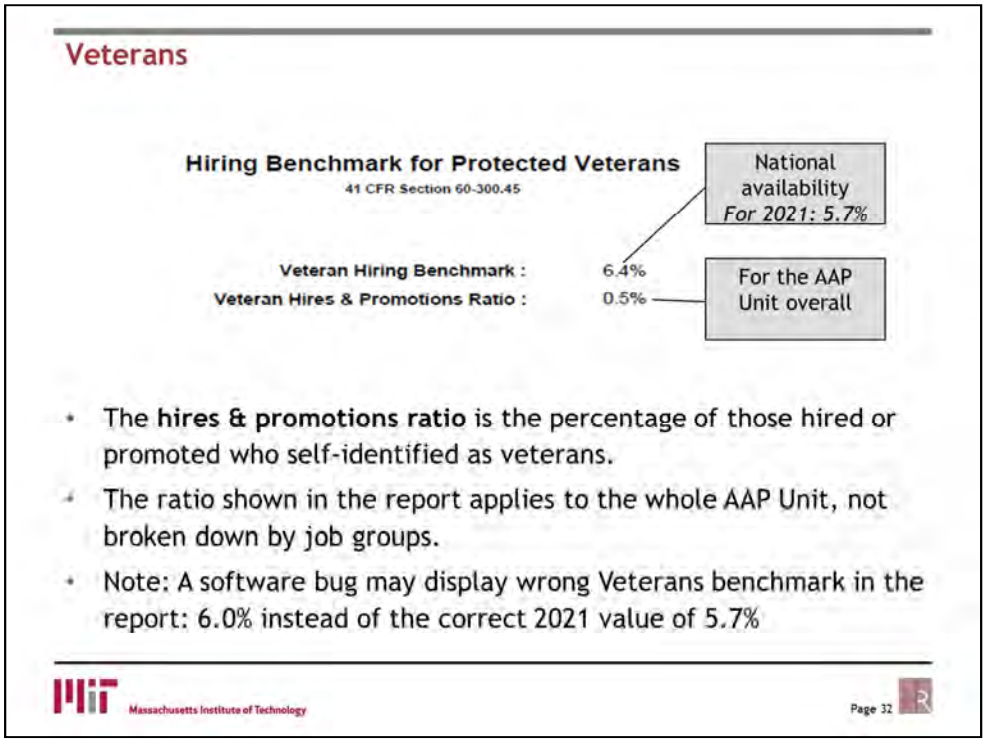
Consider a job group that has an adverse impact against Asian employees regarding terminations. You may discover that three Asian employees moved away because their spouses got new jobs. Is that a coincidence outside the AAP Unit's control, or does that suggest that the employees' MIT jobs weren't appealing enough to compete against the spouses' new opportunities? It depends on factors that you may or may not know, such as whether the spouse is the primary breadwinner.

Step 3c: Address Adverse Impact

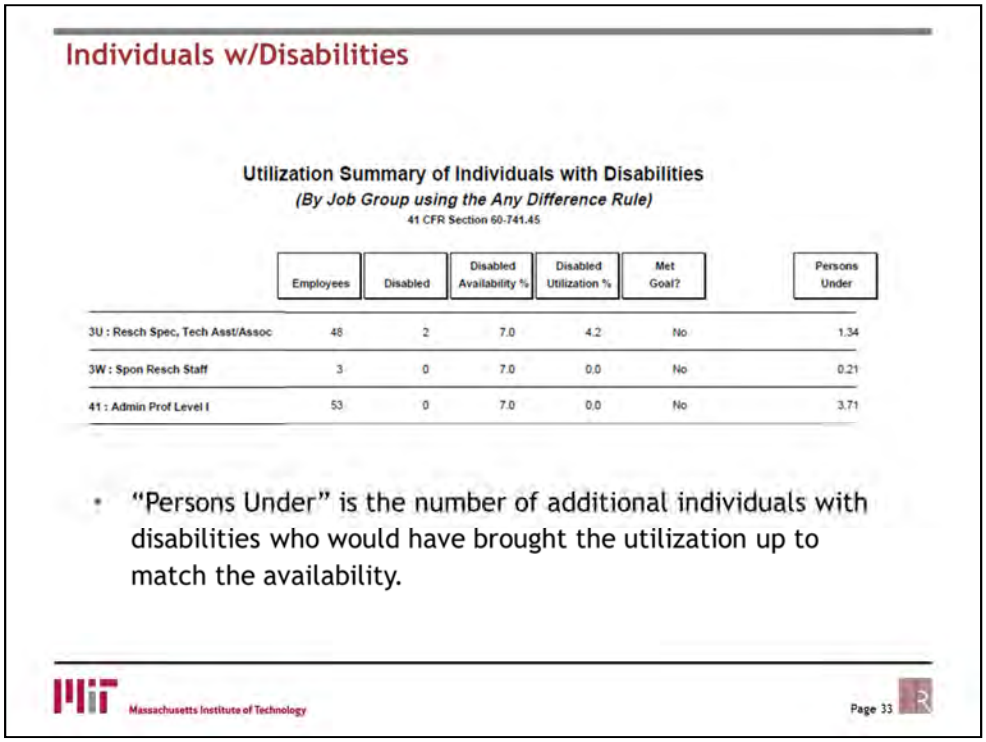
- Plan actions targeted to address any issues you identify in your analysis. Examples include:
  - Terminations: Improvements to the climate to promote retention
  - Promotions: Training, mentoring, and succession planning
  - Hiring: Actions similar to Good Faith Efforts
- Currently, Enriching Diversity doesn't have a place to enter these plans; please retain your own documents of your analysis and any planned actions.
  - If you would like to send these to me, so they can be found easily in case of audit, that's great.



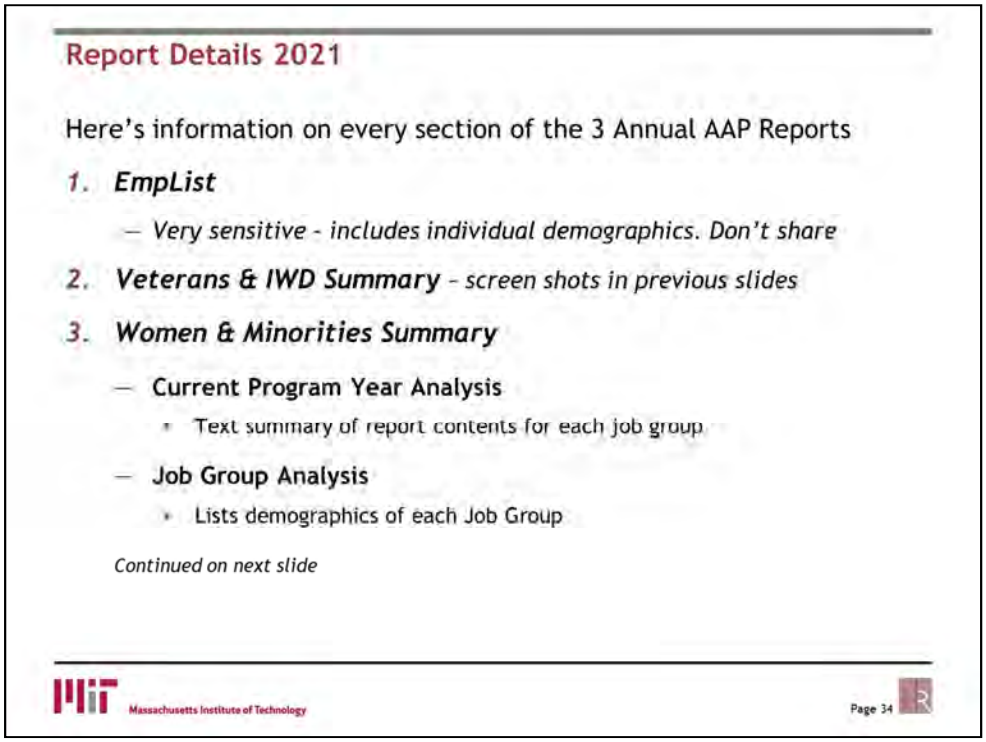
- Different laws cover equal employment opportunity for protected veterans vs individuals with disabilities vs women & minorities, and the regulations differ in some large and many small ways. The principles and the types of actions we should take are similar, however.
- Note that the law protecting veterans from discrimination also protects spouses of veterans.



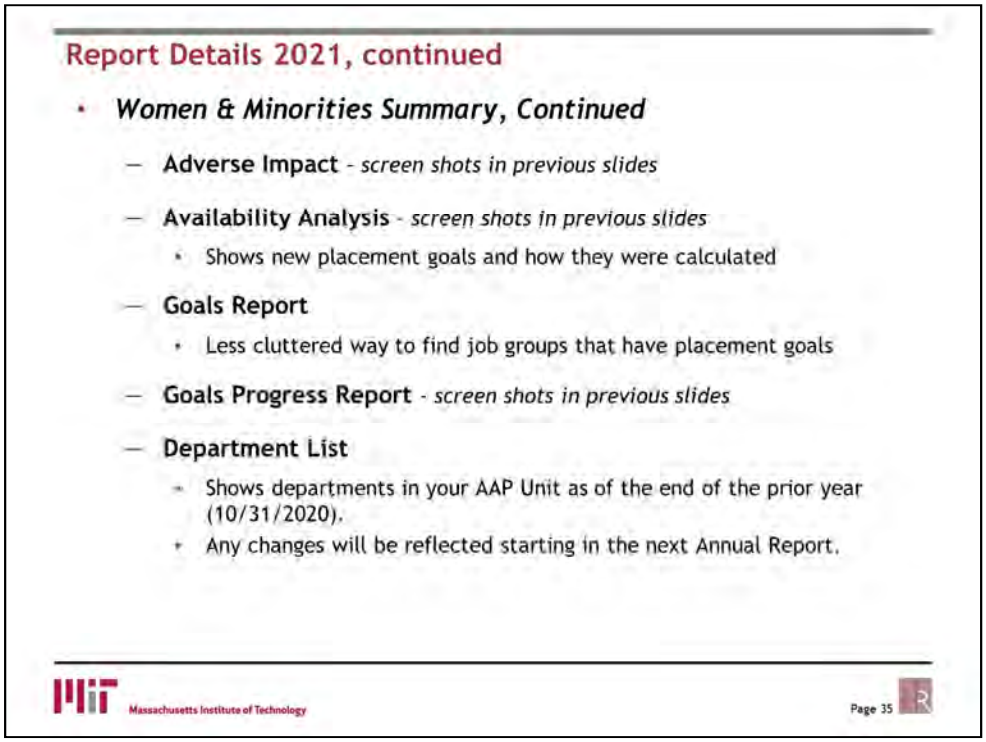
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This shows each job group separately.



There are no changes in report format from last year.



[No notes on this slide]

Recap: Key AAP Admin Responsibilities in Response to Reports (part 1)

1. Update any Good Faith Efforts from last year in Enriching Diversity
   - Update the status to "complete" or "no opportunity occurred"
   - Upload some type of evidence that you took the action, such as an invoice, a copy of an ad, a photo of a job-fair badge, etc.



2. Download your 3 Reports from the Enriching Diversity *Reporting* tab



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We will review these steps in your consultations.

1. If you had no Placement Goals last year, skip this step.
2. If you have trouble accessing the reports, write to diversity-data@mit.edu describing the problem with specifics.

Recap: Key AAP Admin Responsibilities in Response to Reports (part 2)

3. Review the Effectiveness of Last Year's GFEs
   - Refer to the "Progress Toward Goals" section of the W&M Report
4. Develop GFEs for any 2021 Placement Goals by 4/16/2021
   - Enter GFEs for Women & Minority Placement Goals in Enriching Diversity



   - For specific Ethnicity/Race Placement Goals, document and retain GFEs separately (not yet available in Enriching Diversity)
5. Review any Adverse Impacts
   - Determine whether any actions are necessary; document plans

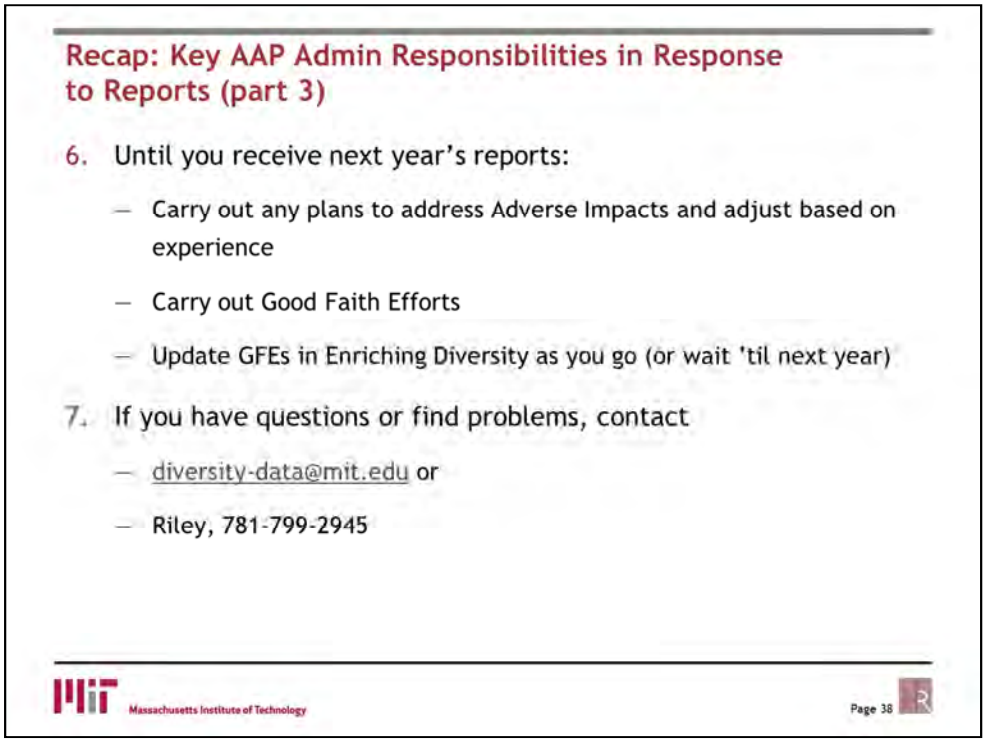
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3. If you had no Placement Goals last year, skip this.

4. If you have no Placement Goals this year, skip this. Otherwise, remember: Keep the text for a GFE under 255 characters; add more to the Notes if needed, but don't go into detail

5. If you have no Adverse Impacts this year, skip this.



6. If you have no Placement Goals or Adverse Impacts, just keep up your good HR practices!