

On behalf of Baltimore Racial Justice Action, I submit the following comments on File Number S7-08-13:

Subject: File Number S7-08-13

Re: Request for Comment

- 1) The proposed joint standards are not as effective as they could be, if equitable opportunity and access is the goal. Why not and what would be more effective?
 - a. “Diversity” simply describes the *presence* of individuals from various backgrounds and/or with various identities. Efforts to promote diversity are not typically interpreted to mean authentically bringing the perspectives and contributions of all people to the table, equitably distributing power, and incorporating their needs, assets and perspectives into the design and implementation of processes, policies, activities, and decision-making.

Providing a definition of “inclusion,” such as the one above, in the document, and in each agency’s inclusion policy, would make clear to those responsible for enacting the policy that the goal of diversity and inclusion is not simply to hire more people who are not white and male.

- b. As, the proposed policy states on page 10, “The Agencies recognize that greater diversity and inclusion promotes stronger, more effective, and more innovative businesses, as well as opportunities to serve a wider range of customers.” However, none of the suggested assessment methods *include* talking to women and minorities about their perceptions of inclusion. Diversity can easily be assessed by metrics – either women and minorities are present or they are not. Metrics are important and reflect accountability. However, standard metrics do not demonstrate the degree to which women and minorities are actually included.

An annual survey with thoughtfully prepared questions, for both minority and non-minority employees, with results aggregated by race, would provide a more substantive assessment of an agency’s efforts. (There are racial equity organizations in the Baltimore-Washington area that can assist with such surveys.)

By the same token, simply counting the number of voluntary and involuntary separations does not provide much useful information about inclusion. A voluntary separation could be because an employee was offered a better job, or it could be because the employee felt excluded from the culture of the agency. On the other hand, an involuntary separation could be because an employee was not performing satisfactorily, or because the employee was unfairly targeted for failure.

Exit surveys of everyone leaving would shed some light on the underlying causes of separations, and could provide valuable insight into organizational culture and practices. Having an independent agency conduct the exit interviews/surveys may provide the opportunity to get more information.

Obviously, implementing new surveys would be more costly than relying on already-existing metrics, but would not be prohibitively costly and would provide higher quality information.

c. Leadership (Organizational Commitment – page 13) may be sincere in their commitment to diversity and inclusion, but may not have the requisite skills to promote an understanding of inclusion. Talking about race, especially, is often very difficult for people and usually unproductive because most cannot move beyond the interpersonal aspects of racism. A thorough understanding of structural racism is required in order to successfully lead the way to inclusion and a “corporate culture that embraces diversity and inclusion.” In fact, leadership that does not understand the actual roots of disproportionalities can create more harm than good, including but not limited to, lack of retention and creation or maintenance of an undesirable reputation as an agency that does *not* value inclusion.

Equity (not diversity) training should be made available for the Directors and “leadership.” Better yet, it should be made mandatory.

d. Regularly providing “equal employment opportunity and diversity and inclusion education and training on a regular and periodic basis” (Standards – page 14) will not necessarily improve an agency’s efforts for inclusion, and may be a complete waste of the agency’s money and employees’ time. Although yearly notification of EEO laws/rights is important, understanding the law will not lead to inclusion. By the same token, most diversity training focuses on “appreciating our differences,” or “reconciliation.” All the appreciation in the world will not make visible, the invisible assumptions that directors, managers, employees, all of us, walk around with every day that unconsciously influence our behavior and decisions.

Regularly providing training with an intentional “equity” framework is much more likely to lead to genuine diversity and inclusion.

e. Pressuring organizations to take “steps to promote a diverse pool of candidates,” (Standards – page 14) often leads to cynical efforts to promote any female or minority person, whether qualified or not, setting them up to fail and then using them as an example of why women and minorities should not be promoted.

Leadership should be instructed to take steps to *find* and promote a diverse pool of *qualified* candidates. Excuses of being unable to find qualified minority or female candidates should not be accepted.

Efforts to find and promote qualified people are to some extent dependent upon the executive leadership of an organization. Leadership should be empowered with sufficient funds and incentives for these efforts.

f. What does it mean to hold “management accountable for diversity and inclusion efforts”? (Standards – page 16) Such an approach often leads to busy managers making sure they have the “numbers,” which as stated above, indicates nothing about inclusion.

There would be more efficacy in asking managers to be prepared to present a detailed report of their inclusion efforts, and results for review, critique and support. There should be clear expectations and benchmarks in their plan that reflect the depth of their effort to genuinely include women and minorities in the organizational culture – what training have they undergone, what input did they collect from the women and minorities themselves, what benefits have accrued from including more diverse voices in decision-making. There should also be a clear understanding that meeting these goals carry great weight in managers' evaluations.

g. Use of a website, newsletters and other communications strategies (Practices to Promote Transparency of Organization Diversity and Inclusion – page 19) to provide transparency regarding efforts to promote diversity are generally anemic and ineffective. *Every* business and agency advertises their commitment to diversity and inclusion now, but we all know most of them are not.

Transparency is only likely to be effective if the language used reflects a genuine understanding of structural racism, its barriers and impacts, white privilege and implicit bias, and how that undergirds structural racism. Images are also important -- a webpage with all white commissioners speaks volumes.

2) No comment

3) What other factors would be useful in assessing the diversity policies and practices of the regulated entities and why should such factors be considered?

a. Written materials (websites, newsletters, policies, statements) should be examined for racial, cultural, male bias and re-written to reflect an agency's commitment to inclusion. To ignore biased written materials is to 1) suggest that women and minorities are not really important, 2) belie the agency's commitment to inclusion.

b. Agencies should also review their leadership composition and if it is not diverse, develop a plan to make it so -- when people come to be interviewed they are introduced to the organizational culture by who is in leadership and who is not.

4) The proposed model approach to assessment is incomplete. What approach would be appropriate and why?

Self-assessments (Proposed Approach to Assessment – page 20) are useful and necessary, but only if the assessors have an understanding of what they are looking for. Otherwise they can simply be pats on the back for ineffective efforts.

The people performing the assessments should have undergone equity training, and have a clear understanding of what numerical metrics can and cannot provide, and should understand the tools available for gathering meaningful information.

Periodically, an agency should hire an outside equity consultant to independently assess their process and progress. Such an assessment would include areas that are working well, areas in need of improvement and recommendations for change.

5) Would there be potential advantages or disadvantages of the proposed model approach to assessment.

The disadvantage of implementing a “diversity” model is that agencies spend resources on increasing, tracking and reporting their “numbers,” with no substantial change in the diversity of their organizations because they failed to consider the underlying causes of high turnover of minorities or women; failed to understand why they have trouble creating diversity in the first place; got discouraged and/or cynical, discouraging minority and women employees in the process; and creating or cementing a reputation for inequity.

Sincerely,
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