*Universal Policy*

# Equity, Diversity, and Inclusion in State Employment

September 16, 2020

## I.    Statement of Purpose

This Universal Policy sets forth expectations regarding equity, diversity, and inclusion for all classified employees within the state personnel system and non-classified employees in Executive Branch departments. This does not include non-classified employees in institutions of higher education and those reporting to elected officials other than the Governor and Lieutenant Governor. Institutions of higher education and elected officials may opt to implement and follow this Universal Policy, at their discretion.

## II.    Statement of Policy

The State of Colorado is most successful in serving our residents when our workforce reflects the diversity of our communities. Discrimination in the United States has caused a legacy of inequities in health, education, housing, employment, income, wealth, and other areas that impact achievement and quality of life. Research shows that diverse groups tend to make more accurate decisions, have more comprehensive problem-solving skills, are more innovative, and deal more effectively with complex challenges. Therefore, a diverse and inclusive state workforce is crucial to ensure we are effective in serving Coloradans. The State of Colorado is an equal opportunity employer that celebrates equity, diversity, and inclusion (EDI). In all aspects of the employment process, qualified applicants will receive consideration for employment without regard to race, color, religion, sex, disability, age, sexual orientation, gender identity or expression, pregnancy and medical condition related to pregnancy, creed, ancestry, national origin, marital status, genetic information, or military status (with preference given to military veterans).

Beyond ensuring that people with diverse backgrounds are hired at state agencies, as an employer, we are committed to creating a workplace where all individuals feel comfortable bringing their full selves to work. The State of Colorado values *belonging* because of its potential to increase employee engagement, and our employees are our greatest asset. Employees who do not feel welcome at state agencies may soon leave and add to high turnover rates from historically marginalized communities. They may also suggest to their community groups, friends, and family members that the State of Colorado is not an inclusive employer, resulting in greater difficulty recruiting from traditionally marginalized communities. When people face barriers to achieving their full potential at work, the loss of talent, creativity, energy, and productivity is a burden not only for those impacted by historic

disparities and inequities, but for communities, businesses, governments, and the economy as a whole.

It is critical that all State of Colorado employees feel a sense of belonging at work; otherwise, hiring a diverse workforce will not accomplish our goals. There is a collective responsibility to make the State of Colorado an employer of choice for people with all identities and abilities - including leadership at all levels. This includes examining policies, practices, and procedures in state government today which may result in disparate impacts on people of color and people with other marginalized identities. Further, the state should provide training and guidance to work against an individual's unconscious biases which are reinforced by daily messages - both subtly and overtly - and influence how we perform our work serving the community, as well as guidance for fostering equity, diversity, and inclusion in all state agencies.

This policy applies in all areas of employment including recruitment, hiring, retention, training, promotion, compensation, benefits, performance management, and organizational culture. It outlines the actions the Department of Personnel and Administration (DPA) will take with regard to EDI initiatives, and the responsibilities of department heads, agency leaders, and all employees with regard to the State's effort to become an equitable, diverse, and inclusive employer.

## III.   Definitions

**Equity:** When everyone, regardless of who they are or where they come from, has the opportunity to thrive. Equity recognizes that some individuals have an advantage because of their identity, while others face barriers. Unlike equality, which suggests giving the same thing to everyone, equity works to provide opportunities to those facing barriers by providing additional resources to those who do not have these advantages. This requires eliminating barriers like poverty and repairing systemic injustices.

**Diversity:** A description of differences usually based on identities such as race, gender, sexual orientation, class, or ability, etc. Diversity does not equal equity and does not always occur intentionally.

**Inclusion:** What an organization does with diversity to ensure individuals have the opportunity to fully participate. Inclusion intentionally promotes a sense of belonging where people's inherent worth and dignity are recognized and their abilities, qualities, and perspectives are leveraged for the collective good.

**Inequity:** When policies and processes create fewer opportunities for historically marginalized groups that are systemic, avoidable, and unjust.

**Underutilization or Underrepresented:** Employment of members of a race, ethnicity, gender, or other group at a rate below their availability (representation in the labor market).

## IV.  Duties and Responsibilities

**State Personnel Director, Department of Personnel & Administration**: The Director has the ultimate responsibility for statewide EDI initiatives subject to Executive Order D2020-175, Equity, Diversity, and Inclusion in State Government. This includes:

- Integrate EDI into all parts of personnel and program management;
- Develop and review policies and procedures to guide and direct state agencies in creating inclusive workplace cultures and implementing equitable hiring and retention practices; and
- Ensure compliance with relevant federal and state constitutions, statutes, and regulations.

**Statewide Chief Human Resources Officer (CHRO)**: The CHRO, as directed by the State Personnel Director, has day-to-day responsibility for the implementation of an EDI program for those employed by the state. This may include:

- Fulfill delegated responsibilities from the State Personnel Director;
- Develop and monitor the state's universal written policies with regard to EDI;
- Communicate and implement the state EDI program internally and externally;
- Develop EDI metrics for use by the principal departments; and
- Partner with the Colorado Equity Alliance and other appropriate EDI resources, to collaborate with agency/department Human Resources Directors and identify, create, and recommend related training programs, develop tools and technology solutions, and assist with the creation and implementation of EDI initiatives.

**Department Heads**

- In accordance with Executive Order D2020-175, report annually overall EDI efforts and specifically for those groups that have been identified as underutilized or underrepresented. Develop department dashboard measures to monitor the success of EDI efforts.

- Ensure agency representation on the Colorado Equity Alliance, and utilize their resources, tools, and guidance to advance equitable and inclusive outcomes for state employees and applicants.
- Lead by example and hold all agency employees accountable for ensuring equity, diversity, and inclusion throughout the recruitment process when any employment opportunity exists, particularly in leadership and promotional positions; additionally, ensure implementation of EDI hiring and retention practices as outlined in "All Supervisors/Hiring Managers/Leaders" and "Human Resources" responsibilities below.
- With regard to employees with physical and mental impairments, ensure accessibility to all agency buildings, systems, vital documents, community meetings, and other resources available as outlined in DPA standards, and support progressive facilities and environment planning to create a welcoming, inclusive and most of all, accessible workplace for all staff and customers.
- Provide training and education opportunities related to supporting and promoting EDI and foster a culture of dignity, empowerment, and inclusion. Support the creation of employee affinity and learning groups to enable grassroots learning and growth; use feedback from these groups to inform agency policy, procedure, and community engagement.
- Build trusting, long-term relationships with community partners by engaging communities in building and developing department priorities that affect them, and by supporting community priorities.
- Course correct as necessary to support and promote EDI.

**Human Resources**

- Design recruitment strategies to actively engage the community and attract a diverse pool of candidates, especially where underutilization exists. Annually assess those recruitment strategies.
- Ensure that recruitment strategies, at a minimum:
    - Advertise employment opportunities to the largest practicable number of persons necessary to ensure that all members of Colorado's population have an equal opportunity to compete for entry into the state personnel system. Focus additional resources on reaching out to groups and organizations who represent traditionally underrepresented communities, such as communities of color, LGBTQ+ membership organizations, and disability rights coalitions, among others.
    - Ensure any recruitment literature, printed and electronic, is relevant and accessible to all.

- ○ Implement periodic reviews and monitoring procedures to ensure that no discriminatory practices exist and to determine whether the regular flow of applicants is diverse and reflective of our community.
- ○ Ensure minimum qualifications and special requirements necessary to perform any job satisfactorily are fair, equitable, and do not unlawfully or unintentionally exclude individuals on the basis of a protected class. Specifically, agencies should examine drivers license, degree, and experience requirements to ensure they are truly necessary to perform the position. If they are not necessary to perform the position and if they may prevent applicants from diverse backgrounds from applying, the requirements should be eliminated. Substitutions for minimum qualifications should be re-examined frequently to attract the broadest possible group of applicants who can meet minimum qualifications.
- ○ Ensure that every job announcement uses DPA's recommended language addressing the agency's commitment to equity, diversity, and inclusion and includes specific information (name, phone number, and email) for the agency Americans with Disabilities Act (ADAAA) coordinator.
- Develop a system for being more intentional and conscious of bias during the hiring, promoting, and/or evaluation process in order to minimize potential for inequity or underutilization. Train hiring teams on equitable practices, including, but not limited to, setting a salary and/or hiring range for all public job descriptions, considering and listing all relevant substitutions for minimum qualifications (including lived experience), redacting identifying information on resumes, not seeking prospective employees' wage rate histories, and not relying on salary/wage rate histories to determine salary/wage rates for prospective employees. Offer DPA-provided resources to employees for identifying individual personal bias through objective testing.
- Track data within the agency on how current strategies shift diversity at each stage of the hiring process to understand if a barrier exists at any stage. If data is available, request and review aggregate applicant pool data for demographics and use the data to establish target goals for improving EDI.
- Provide guidance and training to agency supervisors to ensure they understand their responsibility to foster equity and inclusivity in all aspects of the employee life cycle post-hire, specifically, in development opportunities, compensation, and in performance management.
- Establish target goals, reporting, and accountability systems that support and promote EDI (e.g., increase in engagement scores around collaborative and inclusive workspaces, fair and equitable advancement opportunities, and feeling recognized, safe, and respected in the workplace).

- Ensure the agency has (1) a reasonable accommodation policy that is reviewed on an annual basis, (2) a dedicated ADAAA coordinator, with formal training on providing accommodations to agency employees as specified by DPA, and (3) training for agency supervisors to ensure they are adequately trained on the appropriate process for accommodating those with disabilities. Additionally, the agency must be in compliance with the [Americans with Disabilities Act as Amended (ADAAA) Universal Policy](#).
- Ensure all onboarding materials are available in accessible formats and recruiting personnel are formally trained on disability employment needs and the agency's accommodation practices.

**All Leaders/Hiring Managers/Supervisors**

- Lead by example. Establish a sense of belonging for everyone. Create and sustain a positive workplace culture that clearly conveys the value of an equitable, diverse, and inclusive organization.
- Identify and address the barriers that intentionally or unintentionally create and maintain institutional discrimination, inequity, or exclusion.
- Consider equity, diversity, and inclusion in every step of the hiring process, employee development, and employment cycle.
- Work with Human Resources consultants/partners to develop, maintain, and continually reach out to sources for recruitment in underrepresented populations (e.g., schools, community and professional organizations, stakeholders, etc.). This strategy should be examined with each vacancy; applicant pool demographic information from the last recruitment may indicate if the strategy has been effective in the past.
- In partnership with Human Resources, examine internal data (turnover and promotion rates by demographic group) to identify any disparities in hiring and retention, and to foster an inclusive workplace.
- List only those minimum qualifications and special requirements (e.g. driver's license) truly necessary for an open position. Wherever possible, other comparable experience should be considered in lieu of education requirements, including lived experience directly relevant to the essential functions of the position (e.g. being a member of the community receiving specific services, or having experience as a recipient of a specific state benefit).
- Complete required training regarding EDI, and ensure direct reports do the same. Encourage additional learning and reflection related to these topics and model these actions. Allow employees reasonable work time to participate in employee affinity or learning groups.

- Explore potential underlying, unquestioned assumptions that interfere with equity, diversity and inclusiveness; courageously and respectfully bring to light areas of opportunities to improve, both individually and systemically.
- Offer equitable and inclusive access to growth and leadership development, education and training opportunities, mentoring opportunities, and other resources.
- Take swift and appropriate action(s) to stop any and all discrimination and/or harassment when it is discovered, consulting Human Resources as appropriate.
- Ensure that all personnel practices and procedures, including training, hiring, promotion, and individual development/competency plans are applied equitably and in compliance with Colorado State Personnel Rules and State Personnel System Universal Policies.

**All Employees**

- Co-create with your colleagues a welcoming, supporting, safe, affirming, and respectful work environment; courageously and respectfully bring to light areas of opportunities to improve, both individually and systemically.
- Participate in training regarding EDI with an open mind, and a willingness to work toward self-awareness and reflection. Participate in continuous learning, development, and training, both internally and externally, regarding EDI.
- Recognize that we all carry with us conscious and unconscious bias toward others, and through awareness, strive to remove any influence of that bias on your work for the state and your relationships with colleagues.
- Engage in and support respectful dialogue and courageous conversations (even when uncomfortable) about racism, privilege, dominant culture, oppression, and historical trauma.
- Accept that mistakes will be made, acknowledged, and learned from, and that this cycle is necessary for growth.
- Offer support and encouragement by honoring each individual's values, beliefs, principles, and lived experiences.

## V. Laws / Statutes / Executive Order

Executive Order D2020-175

## VI.    Disclaimer

This universal policy is to assist in standardizing DPA/Division of Human Resources processes and policies. Every attempt is made to keep information updated. For additional information, refer to the Executive Order D2020-175.

Subsequent revisions to rule or law could cause conflicts in this information. If a rule or law conflicts with the information, the law and rules are the official source upon which to base a ruling or interpretation. This document is a guide, not a contract or legal advice. If you need advice or further interpretation, contact your agency's HR unit.