

# Supervisor's Toolkit: EEO/AA Compliance

- U of I Affirmative Action Plan
- Recruitment & Hiring Compliance
- Other Resources



**University  
of Idaho**

## **Employment Equity & Compliance**

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## Purpose and Mission

The Office of Employment Equity and Compliance supports the University of Idaho's compliance with federal and state laws regarding discrimination and harassment, affirmative action, and equal employment opportunity.

Employment Equity and Compliance works with U of I administrators, search committees, and external partners, by:

- **Promoting a learning and working environment** free from discrimination and harassment.
- **Explaining and clarifying university policies and procedures**, and federal and state laws and regulations regarding equal employment opportunity and affirmative action.
- **Supporting diversity in recruitment and hiring** by assisting administrative and academic departments in meeting these goals and adhering to Affirmative Action guidelines.
- **Compiling and analyzing information and data** for the university's Affirmative Action Plan, organizational analysis, and strategic planning efforts.
- **Advising campus constituents** on areas of progress and areas that require ongoing attention regarding affirmative action and equal employment opportunity.

### Links to Other Online Resources

- a. [Affirmative Action Plan Executive Summaries](#)
- b. [Search Committees](#)
- c. [EO/AA Coordinators](#)
- d. [Compliance](#)
- e. [Additional Resources](#)

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# Affirmative Action and Equal Opportunity FAQs

As a Hiring Official, Manager or Search Committee Member, you should familiarize yourself with Affirmative Action/Equal Employment Opportunity. These FAQs set forth commonly asked questions that you may receive from applicants or employees interested in knowing more about their rights in the workplace:

## 1. What is Affirmative Action?

Affirmative Action is a practice that must be taken by covered employers to identify conspicuous imbalances in their workforce and take positive steps to recruit and advance qualified women, minorities, persons with disabilities and covered veterans.

## 2. What are my responsibilities as a supervisor?

The University of Idaho recognizes that the cooperation of hiring officials, managers, and search committees is required to reach the full potential of affirmative action planning. General expectations are outlined below:

- Assist UI's EO/AA Officer in identifying problem areas and helping eliminate any barriers to equal employment opportunity.
- Collaborate with the UI's EO/AA Officer, to periodically review hiring and promotion patterns and training programs.
- Review applicants and employees' qualifications in a nondiscriminatory manner regarding hiring, promotion, transfer, and termination and assist in documenting these efforts.
- Adhere to the University's policy of equal employment opportunity for all employees and ensure the policy is understood, supported, and adhered to by the employees they supervise.
- Take action to prevent the discrimination and harassment of employees based on protected status (race, color, religion, sex, gender identity, sexual orientation, and pregnancy, national origin, age (40 or older), disability or genetic information) or due to a perception that an individual might have been the beneficiary of the University's affirmative action efforts.
- Learn about the various [types of discrimination](#) prohibited by the laws enforced by the Equal Employment Opportunity Commission (EEOC).

## 3. Who benefits from Affirmative Action Programs?

Everyone benefits from affirmative action programs. They promote diversity and inclusion among individuals of different race, color, sex, religion, national origin, etc. Diversity helps us learn more about our differences and similarities that will ultimately bring us closer together.

## 4. Does Affirmative Action mean we are applying different standards toward non-minorities?

No, it means we are applying one standard toward all people. Affirmative action does not encourage hiring candidates who are less than qualified. Affirmative action is recognizing your community and making sure the University and its employees are representative of that community.

## 5. What is an Affirmative Action Plan?

An Affirmative Action Plan (AAP) is a written management tool designed to ensure equal employment opportunity and is required to fulfill part of the University of Idaho's responsibility as a federal government contractor. The AAP is mandated by [Executive Order 11246](#). The AAP's purpose is to ensure that all qualified applicants and employees receive an equal opportunity for recruitment, selection, advancement, and privilege associated with employment.

The AAP functions as a systematic approach toward the achievement of University of Idaho's affirmative action goals and nondiscrimination in the workplace. The AAP is prepared annually, consisting of statistics and narratives for minorities and women, individuals with disabilities and protected veterans, as mandated by the [Office of Federal Contract Compliance Programs \(OFCCP\)](#). [Code of Federal Regulations 41 60-2.10](#).

**6. Are affirmative action goals different than diversity goals?**

Diversity has many meanings and includes individual (personality, learning styles, thought and life experiences) and group/social differences (mental health status, political, religious/spirituality, race/ethnicity, gender, class, gender identity and expression, sexual orientation, etc.). Your diversity goals should be strategic and specific to your college/administrative area. The affirmative action goals are institutional goals that are federally mandated. The goals are developed by comparing our incumbency to internal and external labor market data by occupational job groups. These goals might or might not impact your specific area. The affirmative action goals could serve as a starting point for building strategic diversity goals, but they are not one in the same.

**7. Are affirmative action goals the same as quotas?**

No. A quota is a fixed number or amount of people allocated to a position. Affirmative action goals are reasonably attainable, flexible targets that we should aim to achieve by applying good faith efforts.

**8. Are affirmative action goals required to be met?**

Affirmative action goals are not required to be met because they are not quotas. Hiring goals are guidelines and benchmarks compared to our peer institutions and US census data.

Affirmative action goals are established where the actual representation of women or minorities in a job group (collection of job titles with similar duties, content, compensation, or opportunity level) is less than would be reasonably expected based on internal and external labor market availability. Goals measure progress toward achieving equal employment opportunity.

The affirmative action plan must show that good faith efforts were carried out in advertisement, recruitment, promotions, training, and terminations. Failure to meet such goals will not result in sanctions if we can show clear efforts were made to achieve the goal.

**9. What are Good Faith Efforts**

Good faith efforts are actions we take to reach out to members of protected classes during recruitment, particularly if affirmative action goals have been identified through the AAP process. These efforts are not about setting aside certain positions for a specific group or working to meet hiring quotas. The goal is to extend our efforts to reach qualified, high-potential individuals who might not otherwise be considered for a position.

The University of Idaho benefits from good faith efforts because they improve our chances of diversifying our workforce and protect us from potential accusations of discriminatory hiring processes.

**10. What is a Protected Class?**

A Protected Class is a category of persons covered by provisions of regulations or statutes. In preparing Affirmative Action plan statistics, the protected classes include:

- Female
- Racial/Ethnic Minorities (African American, Asian/Pacific Islander, Hispanic, American Indian/Alaskan Native)
- Protected Veteran

- Individuals with Disabilities

### 11. Who is considered an underrepresented minority at the University of Idaho?

Underrepresented minorities include African American, Asian/Pacific Islander, Hispanic, and American Indian/Native American.

### 12. What are applicable AA/EEO Laws

- [Equal Employment Opportunity](#) laws prohibit specific types of job discrimination in certain workplaces. There are two federal agencies which deal with EEO monitoring and enforcement, the Equal Employment Opportunity Commission, and the Office of Federal Contract Compliance Programs.
- The [Equal Employment Opportunity Commission](#) is an independent federal agency that promotes equal opportunity in employment through administrative and judicial enforcement of the federal civil rights laws and through education and technical assistance. Applicants and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations may be assisted by the EEOC.
  - The [Office of Federal Contract Compliance Programs](#) oversees employers holding federal contracts and subcontracts and protects workers, promotes diversity, and enforces the law. It is their responsibility to ensure contractors are complying with the legal requirement to take affirmative action and not discriminate based on race, color, sex, sexual orientation, gender identity, religion, national origin, disability, age, or status as a protected veteran.
  - [Executive Order 11246](#) prohibits discriminating in employment decisions based on race, color, religion, sex, sexual orientation, gender identity, age, or national origin. Federal contractors are also required to take affirmative action to ensure equal opportunity is provided in all aspects of their employment. Lastly, E.O. 11246 prohibits contractors from taking adverse employment actions against applicants and employees for asking about, discussing, or sharing information about their pay or the pay of their co-workers.
  - [Section 503](#) prohibits discrimination against job applicants and employees based on disability. This means that employers cannot discriminate against you when making decisions on hiring, firing, pay, benefits, job assignments, promotions, layoffs, trainings, and other employment related activities.
  - [Title VII of the Civil Rights Act of 1964](#) prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment based on race, color, religion, sex, or national origin. This law is enforced by the [Equal Employment Opportunity Commission \(EEOC\)](#).
  - [VEVRRRA](#) requires employers to take steps to recruit, hire and promote protected veterans. It is illegal to discriminate against protected veterans when making decisions on hiring, firing, pay, benefits, job assignments, promotions, layoffs, training, and other employment related activities.

# Recruitment and Outreach to Women, Minorities, Protected Veterans, and Individuals with Disabilities

The University is committed to running open competitive searches aimed at attracting qualified, diverse applicant pools. In addition to traditional and technology-based advertising venues, we must engage in “active recruitment” to build our applicant pools. All active recruitment strategies should be noted and retained as part of the search documentation.

The University of Idaho uses auto-enabled centralized advertising (at no additional charge for departments) for faculty and staff job vacancies through Job Elephant. Visit [UI Advertising Requirements](#) for more information.

# Recruitment and Outreach Resources

Here are some ideas and resources to consider that can facilitate diverse recruitment efforts.

## Panels

- Enlist a committee of several faculty and/or staff members to review your department's postings for correct language, compare existing data to that of the applicant pools and help ensure a genuine effort is given during the search process.
- Form a committee of peers and stakeholders to reach out to others in their field as possible applicants for upcoming vacancies.

## Postings

- All postings are required to include the University of Idaho EO/AA statement. [See our guidance](#) including short, medium, and long versions of the statement.
- A link to the PeopleAdmin posting should always be included to ensure the candidate participates in the Self-IDportal. Cannot divide words

## Programs

- Foster mentoring programs for women and minorities to formalize ad hoc or informal mentoring that may be taking place and to devote time and energy to create a matching program for future candidates.
- Develop a guide to outline how a future specialist in each field may be trained, mentored, and complete the training necessary to be credentialed. This loosely written document offers a way for an interested candidate to become eligible for consideration. Candidates may also be matched with a mentor or guided by a professional already in their field of choice.

## Strategies

- Establish relationships with community organizations
- Notify organizations of job openings
- Build personal connections (face-to-face, phone conversations, etc.)
- Invite potential applicants to University of Idaho events, open houses, tours of facility
- Attend job fairs that target diverse candidates
- Actively recruit students from college organizations that serve targeted groups
- Advertise in diverse and targeted magazines and newspapers

## Diversity Recruitment Resources

Diversifying your applicant pool requires recruiting talent from a variety of resources. The following organizations and associations, arranged by minority category, can assist you in expanding your targeted search for qualified and diverse candidates.

This list is not intended to be all-inclusive but to serve as a guide for expanding recruitment efforts to create the most diverse applicant pool possible. Please note that some resources offer position listings free of charge; others charge fees. Additionally, keep in mind that individual websites and listserv owners are subject to change



without notice.

### **African American**

[Black Perspective](#)  
[Diverse Issues in Higher Education](#)  
[Historically Black Colleges and Universities \(HBCU\) Connect](#)  
[The Journal of Blacks in Higher Education \(JBHE\)](#)  
[American Association of Blacks in Higher Ed](#)  
[National Forum for Black Public Administrators](#)  
[NAACP Recruitment Resources](#)  
[National Black MBA Association](#)  
[National Association of Black Accountants](#)

### **Asian/Pacific Islander**

[Association for Asian Studies](#)  
[National Association of Asian American Professionals](#)  
[Organization of Chinese Americans](#)

### **Hispanic/Latino**

[Hispanic Association of Colleges and Universities](#)  
[Hispanic Outlook in Higher Education](#)  
[Hispanic Today](#)  
[Latinos in Higher Ed](#)  
[Society for the Advancement of Chicanos and Native Americans in Science](#)  
[Voice of Hispanic Education](#)  
[Hispanic Alliance for Career Enhancement \(HACE\)](#)  
[Hispanic Network Magazine](#)  
[Jobs and Careers for Latino Professionals](#)  
[Careers for Latinos and Bilingual Professionals](#)

### **Individuals with Disabilities**

[Ability Links](#)  
[Access, Equity and Diversity – Career Center](#)  
[Disability Jobsite](#)  
[Individuals with Disabilities Education Act](#)  
[Association on Higher Ed and Disabilities](#)  
[Ability Jobs Finding Employment for People with Disabilities](#)  
[Employer Assistance and Resource Network](#)  
[Workforce Recruitment Program](#)  
[Job Accommodation Network](#)  
[Vocational Rehabilitation and Employment](#)

### **Lesbian, Gay, Bisexual, Transgender**

[LGBT Center on Halsted-Advancing the LGBTQ Movement](#)  
[LGBT CareerLink Out & Equal-Workplace Advocates](#)  
[Out Professionals](#)

### **Minority Groups (all-inclusive)**

[Academic360.com](#)  
[Diverse Issues in Higher Education](#)

[Hire Diversity](#)  
[The National Employment Minority Network, Inc. \(NEMNET\)](#)  
[American Association of University Professors- Resources in Diversity and Affirmative Action](#)  
[Insight Into Diversity](#)  
[Equal Opportunity Publication, Inc.](#)  
[Diversity Link](#)  
[Diverse Jobs](#)  
[Higher Education Recruitment Consortium](#)  
[National Registry of Diverse and Strategic Faculty](#)  
[Directory of Ford Fellows](#)

### **Native American**

[American Indian Science and Engineering Society](#)  
[Native American Resources](#)  
[Society for the Advancement of Chicanos and Native Americans in Science](#)  
[American Indian Culture & Research Journal](#)  
[Native American Jobs](#)

### **Older Workers**

[Jobs for Older Workers](#)  
[Senior Job Bank](#)

### **Veterans**

[America's Heroes at Work – Veterans Hiring Toolkit](#)  
[Hire Veterans.com](#)  
[Military New, Education, and Veteran Jobs](#)  
[Veteran Employment](#)  
[Veterans Enterprise](#)  
[Disabled Veterans](#)  
[Hiring Vets Toolkit](#)  
[Department of Labor's Resources for Recruitment and Hiring Qualified Vets](#)  
[DOL Veterans' Employment and Training Service](#)

### **Women**

[American Association of University Women](#)  
[Association of Black women in Higher Education](#)  
[Society of Women Engineers](#)  
[Women in Business and Industry](#)  
[Women In Higher Education](#)  
[Association of American Medical Colleges / Group on Women in Medicine and Science](#)

# Inclusive Language

Using inclusive language in your position announcements provides an inclusive, welcoming, and positive communication with possible applicants. Inclusive language includes being mindful and respectful of the terminology used to describe a variety of socio-cultural groups. Incorporating inclusive language into your position description not only ensures a larger selection of diverse and qualified candidates, but it also reaffirms the University's commitment to diversity.

## General Strategy

1. **Avoid gender-coded words, like “rockstar,” “ninja,” “unicorn,” and “dominate.”** [Studies show that gender-coded words can significantly reduce the number of women applying to your open positions](#), even though this type of bias is usually unconscious.
2. **Limit your position requirements to “must-haves.”** Your hiring manager might have an unending list of qualifications in mind for a given role, but to highlight your commitment to inclusion, it's important to trim the list down. That's because studies show that [while men are likely to apply to jobs for which they meet only 60% of the qualifications, women are much more likely to hesitate unless they meet 100% of the listed requirements](#).
3. **Avoid using unnecessary Institution speak and jargon.** One of the quickest ways to turn off candidates is to include loads of unnecessary jargon in your descriptions. That includes things like *KPIs*, *procurement*, *SLAs*, *P&L*, and so on. While candidates with plenty of experience in a similar role might know what you're talking about, [studies show jargon and corporate language in job postings is one of the biggest barriers keeping talented young people from applying to entry-level positions](#).
4. **Call out inclusive benefits like parental leave.** You already know that benefits like paid parental leave, paid family sick time, and even health insurance [go a long way toward supporting diversity and inclusion, while also boosting retention and morale](#).

# Diversity Tools for Evaluating Applicants

**Diversity, equity, and inclusion-focused interview** questions help search committees evaluate a candidate's understanding of the values and importance of diversity.

## **Samples of diversity, equity, and inclusion-focused questions**

1. How have you committed yourself to understanding and aiding in the pursuit of equity and inclusion in your professional and or personal life?
2. What steps have you taken to mitigate your biases in the workplace?
3. Can you tell us about a time where you had to overcome societal constructs regarding your identity to reach a goal? What was the most valuable lesson you received from that experience? How did those around you respond to your efforts?
4. Please share with us a time when you were a part of an event, meeting or setting where there was diverse representation in thought and culture. How did you contribute? What did you take away and apply?
5. Technical: Have you mapped out a plan for DEI training going forward to further your career? What resources do you feel you may need?"
6. Technical: Explain what framework you are using to confront inequities in your workplace. How did you construct that framework? How do you measure its success?
7. What privileges have afforded you the opportunity to apply for this role and how does that influence your outlook on the value of diversity, equity, and inclusion efforts in the workplace?
8. What are some specific things you want to do in the next year to further your development in diversity, equity, and inclusion work?
9. Scenario: You have been asked to be a part of a panel on the topic of diversity and inclusion, but you notice that the panel is anything but diverse in appearance, yet it was diverse in thought. At the end of the discussion the facilitator asks for your feedback. What is your response?
10. Scenario: An employee of yours has expressed concern about an event that is taking place on campus. The event is offensive to many groups, and your employee does not feel safe coming to work that day. What would be your response and or action taken?

Source: [University of Washington](#)

## Acceptable and Unacceptable Pre-Employment Inquiries

The general rule is that all questions asked must be related to the performance of specific job duties. General guidelines, both for job applicants and employers, as to what can or cannot be asked during a job interview regarding anti-discrimination laws pertaining to race, religion, color, national origin, sex, age, disability, or marital status are available on the [Office of Employment Equity and Compliance](#) website.

## Recruitment and Selection Compliance

University of Idaho University utilizes federal money in many ways and follows the rules of the Office of Federal Contract Compliance Programs (OFCCP) for hiring practices. The Office of Employment Equity and Compliance [website](#) offers best practices and frequently used websites and organizations that can attract qualified diverse candidates.

More detailed information about UI's [Search Process](#) is also available online for guidance.

# Search Committee Checklist

Completed	Task	Responsible Party*
<input type="checkbox"/>	Review and update job description for vacant position	Hiring Authority and Human Resources
<input type="checkbox"/>	Open an action in PeopleAdmin for position approval	EO/AAC or Supervisor/Manager
<input type="checkbox"/>	Prepare screening questions	Search Coordinator or EO/AAC
<input type="checkbox"/>	Select search committee and search committee chair	Hiring Authority
<input type="checkbox"/>	Present “Charge” to the search committee to include expectations, confidentiality, and conflicts of interest	Hiring Authority
<input type="checkbox"/>	Prepare a recruitment plan; develop “ground rules,” recruitment approach, and advertising resources	Search Committee
<input type="checkbox"/>	Post the position for required amount of time	Human Resources
<input type="checkbox"/>	Place advertising for the position	Search Coordinator or EO/AAC
<input type="checkbox"/>	Job Seekers apply for position	Job Seekers
<input type="checkbox"/>	Develop set of position-specific interview questions	Hiring Authority/Committee
<input type="checkbox"/>	Review and screen applications for minimum qualifications	Search Committee
<input type="checkbox"/>	Using preferred qualifications, review and select top applicants for initial screening interview	Search Committee
<input type="checkbox"/>	Conduct initial screening interview by telephone or Skype	Search Committee
<input type="checkbox"/>	Schedule and invite candidates for on-campus interviews	Search Committee or Dept Admin
<input type="checkbox"/>	Interview candidates, document candidate responses	Search Committee
<input type="checkbox"/>	Select the top candidate for hire based on pre-established job-related criteria	Hiring Authority
<input type="checkbox"/>	Move top candidate to “Recommend for Offer” and begin hiring proposal in PeopleAdmin	Search Coordinator or EO/AAC
<input type="checkbox"/>	Verify reference list with top candidate and inform him/her those references will be contacted	Search Committee Member
<input type="checkbox"/>	Contact references	Hiring Authority or Committee

- |   |                              |
|---|------------------------------|
| <input type="checkbox"/> Contact top candidate with contingent offer  | Hiring Authority             |
| <input type="checkbox"/> If offer is accepted, request a background check                                       | Search Coordinator or EO/AAC |
| <input type="checkbox"/> Conduct Criminal Background Check  | Human Resources              |
| <input type="checkbox"/> Make a final offer after the background check is completed                             | Hiring Authority             |
| <input type="checkbox"/> Confirm acceptance in writing with an offer letter                                     | Department Admin             |
| <input type="checkbox"/> Notify the unsuccessful candidates and express appreciation for interest in the U of I | Search Committee Chair       |
| <input type="checkbox"/> Move the successful candidate to hired in PeopleAdmin                                  | Search Coordinator or EO/AAC |
| <input type="checkbox"/> Move all applicants and candidates to their final disposition                          | Search Coordinator or EO/AAC |
| <input type="checkbox"/> Mark position closed in PeopleAdmin then mark "Filled."                                | Search Coordinator or EO/AAC |
| <input type="checkbox"/> Gather and properly store documents at least 5 years                                   | EO/AAC or Department Admin   |
| <input type="checkbox"/> Onboard new hire   | Hiring Authority             |

**Compliance note:** Keeping proper records is crucial not just to ensure compliance but also to defend employment decisions in the case of lawsuits. For instance, without a proper record of why a certain person was not hired, it will be easier for that individual to accuse the organization of discrimination.

# Search Documentation Checklist

<b>Included</b>	<b>Documentation</b>	<b>Responsible Party</b>
<input type="checkbox"/>	List of Announcements and Advertisements	See below*
<input type="checkbox"/>	Copy of actual announcements and advertisements	
<input type="checkbox"/>	Documented job description	
<input type="checkbox"/>	All evaluation materials used in the search	
<input type="checkbox"/>	All ancillary documents associated with the search, such as itineraries, resumes/CVs, copies of relevant additional documents acquired during the search	
<input type="checkbox"/>	All supervisor and search committee interview forms/questions, notes, and evaluation instruments	
<input type="checkbox"/>	Waiver/internal search request information, if applicable	
<input type="checkbox"/>	Reference checks forms and notes	
<input type="checkbox"/>	Offer letter and acceptance of offer	
<input type="checkbox"/>	Documentation of background check	
<input type="checkbox"/>	Documentation of rejection(s)	
<input type="checkbox"/>	Employment Contracts, if applicable	
<input type="checkbox"/>	Notification of unsuccessful applicants and interviewees	
<input type="checkbox"/>	Any other necessary documentation, such as reasons for not hiring and reduction-in-force candidate	

\* Responsible Party – The EO/AAC or a departmental employee designated by the hiring authority shall be responsible for retaining the documentation for retrieval for at least 5 years after the search is completed.



# AA/EEO Hiring Audit Process

University of Idaho policy requires that rigorous and comprehensive searches be conducted through open recruitment methods to fill all faculty and staff positions. The Office of Employment Equity and Compliance conducts routine reviews of hiring practices within a college, department, or administrative area.

## Training and Programs

Our present training and program offerings are listed below:

### [Search Committee Training Part 1](#)

Outlines the U of I hiring process, the importance of a diverse search committee and applicant pool, proper interview procedures and guidelines and additional resources for active recruitment and hiring.

### [Managing Unconscious Bias in Recruitment and Hiring Part 2](#)

Addresses stereotypical thinking and biases in the search process that may prevent the advancement of females, minorities, persons with disabilities and protected veterans.

### [Confronting Bias: Thriving Across Our Differences](#)

Find greater meaning, well-being, and productivity by learning how to interact with others across differences and discover how to create inclusive environments where everyone can thrive.

### [Managing Diversity in the Workplace](#)

Team leaders should aim to create an inclusive culture that celebrates differences and fosters the best performance from every team member.

[The Equity and Diversity Unit](#) offers presentations and workshops, which explore various diversity issues, address social justice barriers and stereotypes, and celebrate differences and commonalities among all people and cultures. These learning opportunities teach our community how to respond appropriately when faced with discrimination or harassment and seek to promote the University's commitment to a more inclusive climate of mutual respect and understanding.