

EXECUTIVE LEADERSHIP IN THE EEO ARENA

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Agenda

- . What is effective executive leadership in EEO?
- . Why is executive leadership in EEO important?
- . How should we assess executive leadership in EEO?
- . What defines corporate accountability and responsibility when discrimination is found?
- . Practice pointers

What is effective executive leadership in the EEO arena?

- . Consistent positive commitment and support of the EEO process
- . Respect for individuals of different capabilities and backgrounds
- . Fairness and diversity are core values
- . Open and transparent merit based hiring and promotion decisions
- . Proactive and take a firm stand when discrimination occurs

What is ineffective executive leadership in the EEO arena?

- Viewing EEO as a staff function
- Lack of involvement and communication with EEO Director, specialists, and counselors
- Burying your head in the sand—not asking questions, ignoring an increase in complaints, and disregarding findings of discrimination
- Refusing to engage in ADR and viewing settlement negatively

Reprisal Per Se

- Restraint of employee's legal right to engage in the EEO process
- No requirement for adverse action
- Examples: emails or memos warning employees not to file complaints, discussing an employee's complaint with other staff during a conference call, making public comments about employees filing frivolous complaints, warning employees not to assist complaint with her complaint

Why is executive leadership in the EEO arena important?

- Sets the organizational tone: competent organization
- Morale
- The "law"
- Litigation
- Enhances the mission
- Employer of choice

Assessing Executive Leadership

- . Performance plans and objectives
- . Development, execution, and support of EEO initiatives
- . Development of diversity councils
- . Cognizant of No Fear Act data

Corporate Accountability Findings

- . Read the decision
- . Understand why the finding was made
- . Is there a systematic problem?
- . Is there a problem with a specific supervisor or manager?
- . Was there a chance for early intervention?
- . Why wasn't the complaint settled?

Corporate Accountability Findings

- . Were there weaknesses in the investigative record?
- . Was there a lack of communication/exchange of information with agency counsel?
- . Understand the relief ordered: posting, remedial training, monetary relief, backpay, compensatory damages, reinstatement

**Lessons Learned
Findings**

- . Training
- . Disciplinary action
- . Performance based action
- . Demotion for supervisory personnel
- . Removal
- . Alternative discipline

Practice Pointers

- . Corporate ownership
- . Walk the walk, talk the talk
- . Zero tolerance for reprisal
- . Open communication and collaboration
