



POST-EVENT RESOURCES - Key Slides

Prepare Yourself:

Be ready to Defend Your DEI Programs

A Special Working Forum for

D&I and HR Leaders Group & Guests

Presenters: Effenus Henderson & Barbara Deane, Co-Directors, ISDI

March 7, 2024



ISDI

**INSTITUTE FOR SUSTAINABLE
DIVERSITY & INCLUSION**



Purpose of this Forum

- Guide DEI and HR Leaders in a discussion to understand the current pushback on DEI.
- Provide guidance on crafting internal strategies to reinforce and sustain commitment to DEI.

Quick Reminder: Why DEI?

- **Creating a better, equitable world for everyone** (*GDEIB*)
- **Advancing an inclusive culture** (*GDEIB*)
- **Improving organizational effectiveness** (*GDEIB*)
- Developing an inclusive workplace requires an ongoing commitment to diversity and inclusion (D&I) to address inequalities in organizational systems, policies, processes and practices, as well as people's conscious and unconscious biases and behaviours. (*ISO International Standard 30415*)
- Ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, provide decent work, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests. (*17 Sustainable Development Goals. United Nations*)



Background on the Recent Attacks

AN OVERVIEW

The Context for Anti-DEI Activism

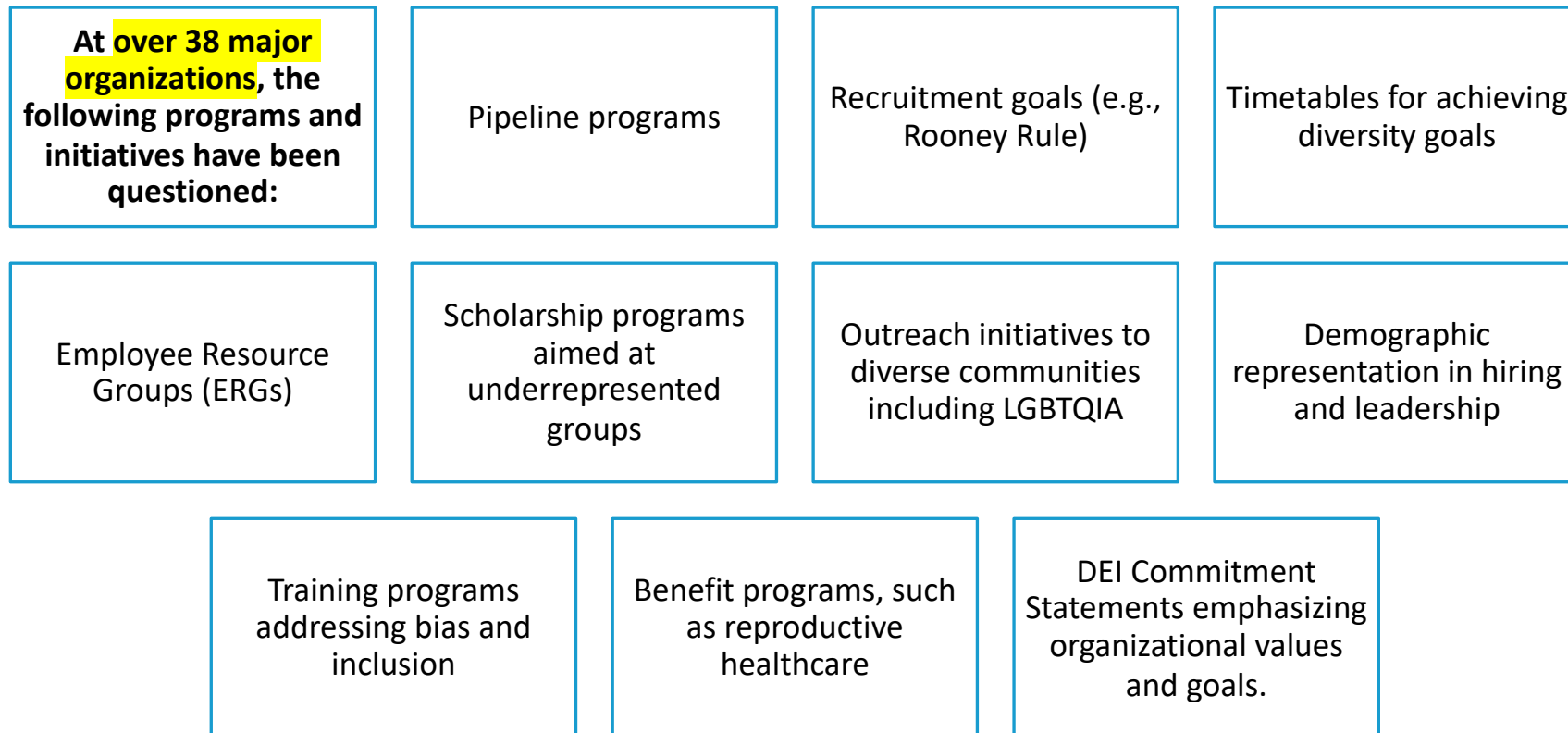
- **Context:** DEI represents broader civil and human rights issues which the Far Right opposes.
- **Strategy:** Well-financed efforts by conservative donors (e.g., Koch Brothers, Singer Foundation) and activists such as Christopher Rufo and Ed Blum to eliminate DEI initiatives.
- **Thought leadership:** Coming from institutions such as Claremont Institute, Manhattan Institute, Goldwater Institute, Heritage Foundation.
- **Objective:** Return to pre-civil rights era, protecting white privilege and eliminating public policies, agencies, and programs focused on DEI.
- **Targets:** Corporate, educational, governmental, library, and non-profit sectors.
- **Ultimate Goal:** To create a pattern of practice across an array of organizations that could support a case for eliminating DEI programs to be argued before the Supreme Court

Attacks intensified in early 2023

- Christopher Ruffo became a Conservative activist in response to Seattle's Race and Social Justice initiative training
- He appeared on Tucker Carlson's Show (Fox News) appealing to then President Trump
- Trump directed all federal agencies to stop all DEI training
- Ruffo identified trigger issues that could be used to galvanize support attacking Critical Race Theory (CRT), "woke," and DEI became a target
- In January 2023, the Manhattan Institute, where Ruffo now works, published, "Abolish DEI Bureaucracies and Restore Colorblind Equality in Public Education." The report, which can be seen as a "template" for state legislatures to follow, presents 4 proposals with detailed instructions for reforming public universities:
 1. Abolish DEI bureaucracies,
 2. End mandatory diversity training,
 3. Curtail political coercion,
 4. End identity-based preferences.

Focus of the Attacks Now

The attacks on DEI efforts have primarily been focused on educational institutions, corporations, and governmental agencies, with the intent of marginalizing DEI and Civil Rights Support. Several far right organizations view these efforts as discriminatory rather than good faith attempts to promote equity and inclusion.



Why We Should Be Concerned

Understanding the strategies employed to undermine specific elements of DEI efforts is crucial for DEI and HR leaders for several reasons:

Awareness of Threats: Recognizing the tactics used to attack DEI initiatives helps leaders anticipate and prepare for potential challenges and opposition.

Protecting Progress: By understanding how various components of DEI are targeted, leaders can take proactive measures to safeguard and defend against attacks, ensuring that progress towards diversity, equity, and inclusion is not derailed.

Effective Advocacy: Armed with knowledge about the vulnerabilities within DEI programs, leaders can effectively advocate for resources, support, and policies to counteract opposition and sustain momentum towards inclusive practices.

Strategic Planning: Awareness of potential weaknesses in DEI initiatives allows leaders to strategically plan and allocate resources to strengthen those areas, mitigating risks and enhancing the effectiveness of diversity and inclusion efforts.

Maintaining Organizational Culture: By addressing challenges to DEI components, leaders can uphold and reinforce a culture of equity, respect, and inclusivity within their organizations, fostering a positive and supportive environment for all employees.

Statement from U.S. EEOC Chair Charlotte A. Burrows, in response to the Supreme Court decision in *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College* and *Students for Fair Admissions, Inc. v. University of North Carolina*



“Today’s Supreme Court decision effectively turns away from decades of precedent and will undoubtedly hamper the efforts of some colleges and universities to ensure diverse student bodies. That’s a problem for our economy because businesses often rely on colleges and universities to provide a diverse pipeline of talent for recruitment and hiring. **Diversity helps companies attract top talent, sparks innovation, improves employee satisfaction, and enables companies to better serve their customers**”.



However, the decision in *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College* and *Students for Fair Admissions, Inc. v. University of North Carolina* **does not address employer efforts to foster diverse and inclusive workforces or to engage the talents of all qualified workers, regardless of their background. It remains lawful for employers to implement diversity, equity, inclusion, and accessibility programs that seek to ensure workers of all backgrounds are afforded equal opportunity in the workplace.**

A new phrase: Universal Human Dignity

- University of Florida eliminates all DEI positions (New York Times, March 2, 2024)
- Three senior Univ. of Florida officials said, “... the school will continue our commitment to “**universal human dignity**. As we educate students by thoughtfully engaging in a wide range of ideas and views, we will continue to foster a community and trust and respect for every member of the Gator nation.” (NPR, March 4, 2024)
- *“DEI is toxic and has no place in our public universities. I’m glad that Florida was the first state to eliminate DEI and I hope more states will follow.”* (Gov. Ron DeSantis, Florida)
- What does this phrase, “Universal Human Dignity” mean? How is it different from Diversity, Equity & Inclusion? And how will it be achieved?
- **Dignity** is one of the approaches to differences identified in the “Global Diversity, Equity & Inclusion Benchmarks” (2021).

New
development -
March 6, 2024
X (formerly
Twitter)

The American Civil Liberties Union has served a subpoena to **Christopher Ruffo**, to supply his sources and journalistic materials related to his attacks on Critical Race Theory (CRT).

Ruffo is a Conservative activist who landed on CRT as an issue to rouse conservatives.

Chris Ruffo lives here in the Puget Sound region!

Read more about Ruffo and his whole approach in the Fortifying DEI Toolkit.

Breakout Activity - Sample letters

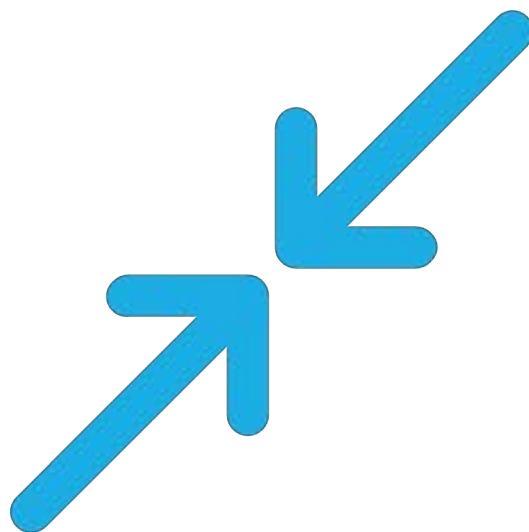
Breakout Group's Instructions:

1. Read one of the sample letters sent by America First Legal to: **Target, Disney, Salesforce, or Kellogg.**
2. Discuss these questions:
 - What are the practices the letter is attacking?
 - What are the implications of a letter like this for your DEIB programs and practices?
 - What should you be doing to fortify and sustain your DEIB efforts so they are not vulnerable to these kinds of attacks?



Communication Strategies

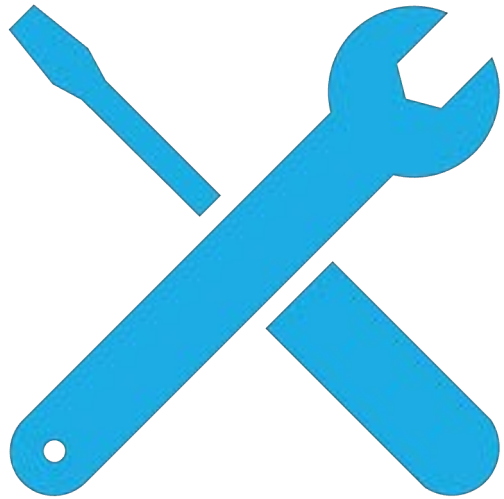
GROUP DISCUSSION



In light of these attacks, what would be elements (or messages) to include in your company's communication strategy?

--internally to employees and managers

--externally to customers, stakeholders, suppliers, other relationships



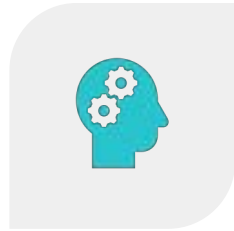
Fortifying DEI Toolkit

TOOLS TO EQUIP YOU TO BE EFFECTIVE IN
RESPONDING TO CONTROVERSIAL ISSUES

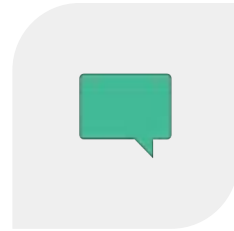
Overview: 5 Types of Tools



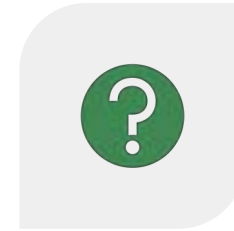
TIPS FOR HANDLING
POLARIZING
CONVERSATIONS



GUIDANCE FOR
NAVIGATING
EMOTIONAL TRIGGERS



TALKING POINTS FOR
ENGAGING IN DIFFICULT
DIALOGUE



QUESTIONS AND
ANSWERS FOR
COMMON QUESTIONS



HOW TO USE DEI
SUCCESS STORIES TO
MITIGATE PUSHBACK

Call to Action: Applying the Toolkit:



Engaging Stakeholders:

Utilize the toolkit to foster engagement among stakeholders.

Disseminate pertinent information and tools to garner their interest and active involvement.



Legal Consultations:

Initiate discussions with the legal team regarding DEI strategies and potential legal implications.

Ensure alignment with legal requirements and mitigate any associated risks.



Leadership Dialogues:

Engage in substantive conversations with leadership regarding the organization's DEI stance.

Collaborate on defining and endorsing initiatives that uphold diversity, equity, and inclusion principles.



Talent Acquisition Coordination:

Collaborate with talent acquisition to cultivate a pipeline of diverse candidates.

Emphasize the significance of diversity in recruitment, hiring, and professional development endeavors.



HR Collaboration:

Foster collaboration with HR to perpetuate a welcoming and inclusive workplace culture.

Jointly develop strategies to uphold an environment where all employees feel valued and respected.



Guidance for companies and organizations:

What are the key sources for direction on DEI?

AN OVERVIEW

Key Sources:

- **EEOC:** EEOC identified good faith efforts that were not impacted by the Harvard case in admissions. (Letter provided from the EEOC to companies.)
- **OFCCP** (Office of Federal Contract Compliance)
- **OPM** (Office of Personnel Management, Strategic plans for DEI)
- **SHRM** (Society of Human Resource Management, current promotion: 1M Civil Conversations at Work)
- **ABA:** American Bar Association (Diversity, Equity & Inclusion Center, Series of workshops on path forward after SCOTUS decision to ban race in college admissions, recordings available)
- **Corporate Racial Equity Alliance** (Policy Link, FSG, Just Capital, Aspen Inst.)
- **United Nations** (Universal Declaration of Human Rights, the 17 Millennium Development Goals)
- **Kellogg Foundation:** Expanding Equity: Lessons learned from more than 100 companies working to advance workplace diversity, equity & inclusion (Retrospective Report, Jan 2024)





BE FAMILIAR WITH ALLIES

DEVELOPING COUNTER MEASURES



Allies Developing Counter Measures to the Attacks on DEI

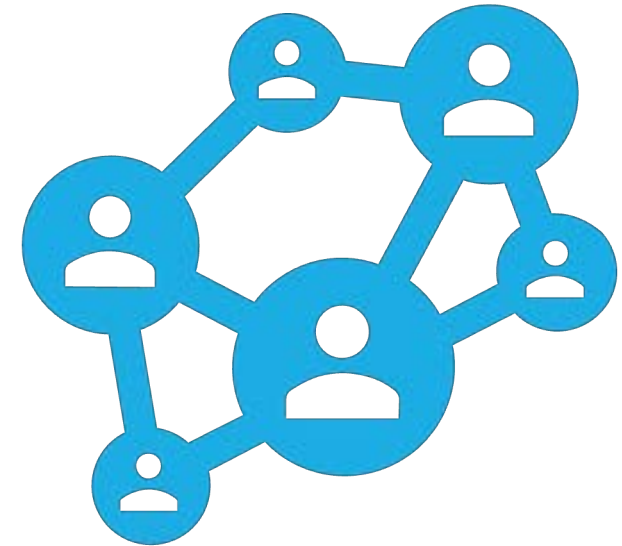
- Inclusion Allies Coalition, <https://inclusioncoalition.info/>
- Corporate Racial Equity Alliance (Just Capital, Policylink, FSG, Aspen Institute)
<https://corporateracialequityalliance.org/>
- Council for Economic Opportunity and Social Justice (a consortium of civil rights organizations coordinated by Global Black Economic Forum and includes the National Action Network, Urban League, Leadership Conference on Civil and Human Rights, etc. (no website at this time))

COMING APRIL 18th:

Diversity Under Attack: How Leaders Can Make a Difference in this Struggle

First of two Strategic Thinking Meetings for the D&I and HR Leaders Group

- **PRESENTERS:** Eddie Pate and Jonathan Stutz, authors of a new book, *Daily Practices of Inclusive Leaders*
- **WHEN:** April 18, 2024
- **TIME:** 9 to 11 am PDT, 12 to 2 pm EDT
- **WHERE:** ZOOM Meeting
- **REGISTER:** <https://us06web.zoom.us/meeting/register/tZYkd-iupjsoGdHey3muslXGI4DYCVyCfcPK#/registration>
- **RSVP email announcement is being sent weekly!**



Summary

The systematic targeting of key DEI components underscores the importance for DEI and HR leaders to understand and address these challenges in order to defend and advance diversity, equity, and inclusion within our organizations.

The realities of the diverse demographic make-up of our nation's population and labor force is not lessening, it only continues to increase.

Creating organizations where all people want to stay and contribute their best efforts is of utmost importance to our organizations' success and sustainability.

