

# Screening/Interviewing Committee Briefing

Office of Human Resources  
Chabot-Las Positas Community College District



# Overview

- Committee Member Responsibilities
- Confidentiality & Conflicts of Interest
- Equal Employment Opportunity (EEO)
  - The Law
  - Role of Human Resources
  - Protected Classifications, Pre-employment Inquiries, Candidates with Disabilities
  - Unconscious Bias
  - Committee Conduct
- Committee Proceedings
- Training will remain valid for 2 years.

# Committee Member Responsibilities



- Support the mission, vision, and values of the College and the District.
- Actively facilitate and participate in the process.
- Participate in discussion and development of screening criteria and interview questions.
- Evaluate candidates in accordance with the agreed-upon criteria.
- Be fair and consistent in applying the evaluation criteria.

# Committee Member Responsibilities



- Participate in all interviews of the candidates.
- Recommend finalists.
- Maintain confidentiality before, during, and after the process has been completed.
- Notify the Committee Chair or HR if you discover a breach of confidentiality or any unfair/biased practice occurring.

# Confidentiality

- The hiring process is a highly sensitive process.
- It is critical that everyone maintain the highest degree of confidentiality in order to:
  - *Preserve the integrity of the process*
  - *Protect the privacy of the applicants*
  - *Protect the reputation of the Chabot – Las Positas*
  - *Provide a “safe space” for committee member participation*

# Conflicts of Interest

- HR understands that these may not arise until after applicants are released.
- It is your responsibility to recognize potential biases or conflicts of interest.
- Relatives (blood/marriage/adoption)
- Close personal friends or a like/dislike of someone so compelling that you cannot remain fair or impartial.
- Failure to disclose a conflict of interest can provide credibility to a complaint of an unfair hiring practice by a candidate. <sup>6</sup>

# Confidentiality/Conflict of Interest

- Failure to disclose a conflict of interest, a breach in confidentiality, or personal bias toward a candidate may result in removal from the Committee and/or participation on future Selection committees.
- Failure to maintain confidentiality may result in a personnel action taken against an employee and may subject you and the District to liability.
- Immediately notify the committee chair or HR if confidentiality is breached or a conflict of interest arises.

# Prop 209

- **Proposition 209** is a California ballot proposition which, upon approval in November 1996, amended the state constitution to prohibit state governmental institutions from considering race, sex, or ethnicity, specifically in the areas of public employment, public contracting, and public education.



# Equal Employment Opportunity Law

CA Title 5 § 53003(c):

Screening/selection committee shall be trained on:

- a) federal and state law, including Title 5;
- b) the educational benefits of workforce diversity;
- c) the elimination of bias in hiring decisions; and
- d) best practices in serving on a selection/screening committee.

# Equal Employment Opportunity Law

## CA Title 5 § 53021:

- (a) Except as otherwise provided in this section, community college districts shall actively recruit from both within and outside the district work force to attract qualified applicants for all new openings...
- (b) (1) “In-house or promotional only” recruitment shall not be used to fill any vacancy for any position described in subdivision (a) except when the position is being filled on an interim basis for the minimum time necessary to allow for full and open recruitment; ...

# Equal Employment Opportunity Law

## Education Code §87100(a)(3)

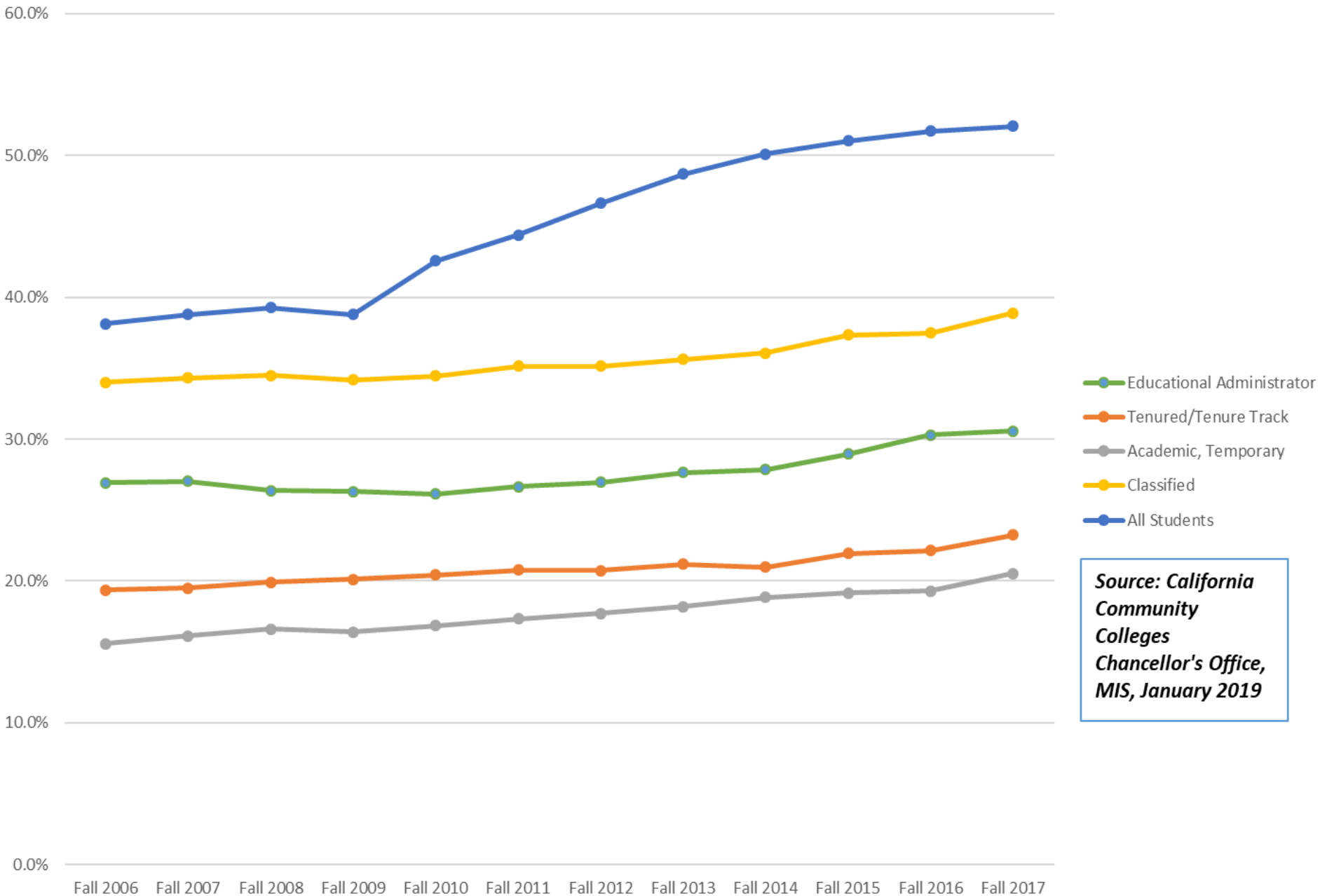
“A work force that is continually responsive to the needs of a diverse student population may be achieved by ensuring that all persons receive an equal opportunity to compete for employment and promotion within the community college districts and by eliminating barriers to equal employment opportunity.”

# Equal Employment Opportunity Law

Education Code §87100(a)(2)

“Academic excellence can best be sustained in a climate of acceptance and with the inclusion of persons from a wide variety of backgrounds and preparations to provide service to an increasingly diverse student population.”

# Under-Represented Minority\* Percentages by Student & Employee Types Fall Terms 2006 - 2017 (Statewide Data)



**Source: California Community Colleges Chancellor's Office, MIS, January 2019**

# Equal Employment Opportunity Law

## CA Title 5 §53024

“The governing board or its designee shall have the authority to make all final hiring decisions based upon careful review of the candidate or candidates recommended by a screening committee. This includes the *right to reject all candidates* and to *order further review by the screening committee* or to *reopen the position* where necessary to further achievement of the objectives of the EEO plan or to ensure equal employment opportunity.”

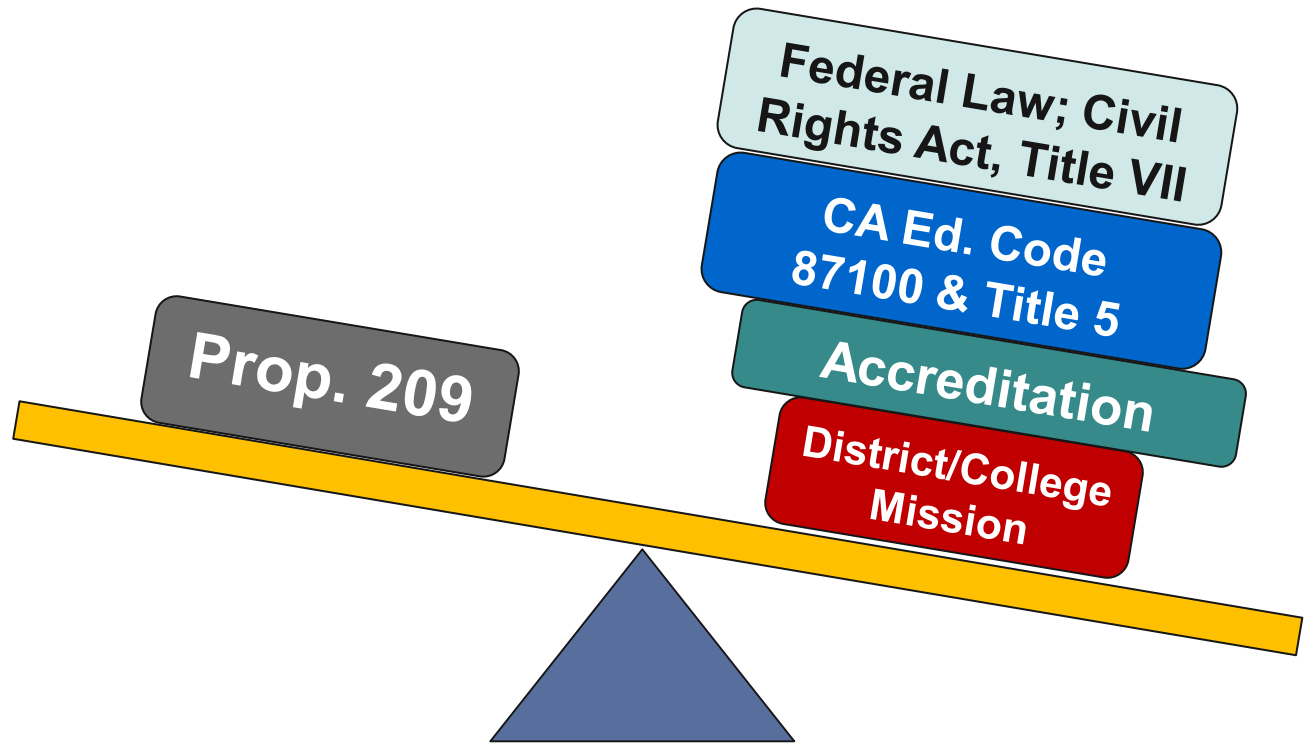
# Equal Employment Opportunity Law

## Government Code Section 11139.6

The legislature finds that the California Constitution “does not prevent governmental agencies from engaging in inclusive public sector outreach and recruitment programs that...may include focused outreach and recruitment of minority groups and women if any group is underrepresented...” including:

- Advertising/Job Announcements in Media “that provide information in languages other than English and whose primary audience is residents of minority and low-income communities.”
- Job Fairs, Events Drawing Significant Participation By Minorities/Women/economically Disadvantaged.
- Other measures are listed, but list is not exclusive.

# Prop 209 - EEO Laws





# HR's Role

- Approve screening criteria, interview questions, and any optional demonstrations or practical exercises.
- HR monitors the applicant pool at every step for EEO compliance.
- Monitor the hiring process to ensure that no candidate is unlawfully discriminated against.
- Ensure full participation of all Committee members.
- Stop the process if appropriate!
- Reinitiate recruitment if necessary.

# Protected Classifications Federal & State

- Race/Ethnicity/Color
- Religion/Creed
- National Origin/Ancestry
- Sexual Orientation
- Age, Gender or Gender Identification
- Disability/Medical Status/Pregnancy
- Marital Status
- Military and Veteran Status

# Pre-Employment Inquiries

**Personal questions should not be asked by anyone.**

**Questions related to the following shall not be asked:**

- ANY Protected Classification
- Political Affiliation

# Candidates with Disabilities

- It is unlawful to ask an applicant questions about his/her disability before a job offer is made. Even if the Committee becomes aware of an applicant's disability during the hiring process, the Committee may not ask about its nature or severity. These questions can only be asked after a job offer is made.
- The appropriate approach:
  - **WRONG:** “Can a blind person do this?”
  - **RIGHT:** “Can you perform the functions required for this position with or without reasonable accommodation?”
- **Interactive Process**

# EEO/Questions from Candidates

- If candidates ask questions of the Committee, responses to these inquiries need to be consistent from candidate to candidate.
- If a candidate asks you, as a member of the committee, a question about the process outside of the interview, politely refer them to Human Resources.

# Guidelines for Conduct

Every committee member should hear the same discussion.

# Guidelines for Conduct

- During Screening and Interviewing:
  - Do not advocate for a candidate.
  - Do not voice opinions against candidates.
  - NEVER collaborate to develop individual scores.
- Advocacy and expression of opinions occurs appropriately within the context of considering the final scores and determining which candidates to forward (or not forward) to the next level in the process.

# Guidelines for Conduct

- Committees are to consider and rate only the information gathered in the application review and interview processes.
- Never share *personal* or *professional* experiences involving candidates.
- Never share information acquired about candidates from other sources (Google, LinkedIn, Facebook etc).
- This can create bias and influence the judgments of other Committee members.
- You also subject yourself to personal liability.
- Reference checks will be conducted at a later stage in the process.



# Unconscious Bias



- An (unconscious) inclination or prejudice for or against one person or group
- Feelings (unconscious) we have towards other people and groups
- Attitudes or stereotypes that affect our understanding, actions, and decisions (unconsciously)
- Our brains making quick (unconscious) judgments and assessments of people and situations, influenced by our background, cultural environment and personal experiences

# Unconscious Bias



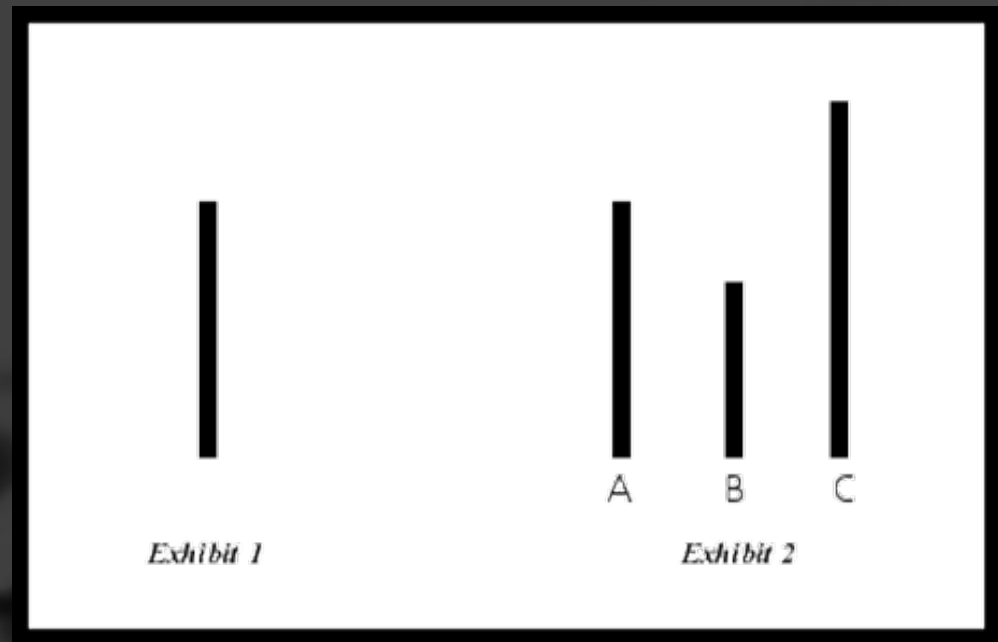
- Many people feel most comfortable interacting with others that are just like themselves.
- “Good Fit” (No connection to qualifications)
  - Name
  - Residence
  - Schools Attended
  - Previous Employers
- Interviews
  - Dress
  - Speech or Speech Patterns
  - Physical Appearance

# Unconscious Bias

- Conformity Bias
- Beauty Bias
- Affinity/Similarity Bias
- Halo Effect
- Horns Effect
- Contrast Effect
- Attribution Bias
- Confirmation Bias

# Conformity Bias

- A Form of Peer Pressure
- Conforming to the Group
- Feeling that the opinion of the majority (or certain individuals) is leaning one way, you go along rather than voice your own opinion.

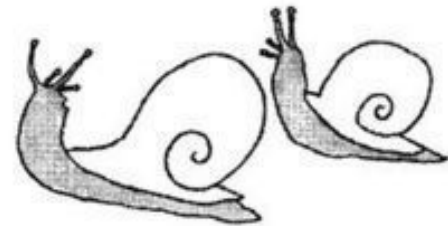
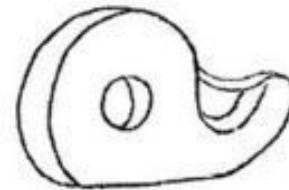


# Beauty Bias

- Most Handsome/Beautiful
- “Looking the part”
- CEO example

# Affinity/Similarity Bias

- A person we may feel we have an affinity with, such as attending same college, grew up in the same town, or they remind one of someone you already know or like.
- Tendency to warm up to people like ourselves
- Micro-affirmations



S. GROSS

*"I don't care if she is a tape dispenser. I love her."*

# Halo Effect

- We see one great thing about a person and we let the “halo” glow of that significant thing affect our opinions of everything else that person does.

# Horns Effect

- Opposite of the Halo Effect



# Contrast Bias/Effect

- High Volume Evaluation of Docs
- Contrasting applications materials or interview responses against the last person rather than against the actual screening criteria or interview questions

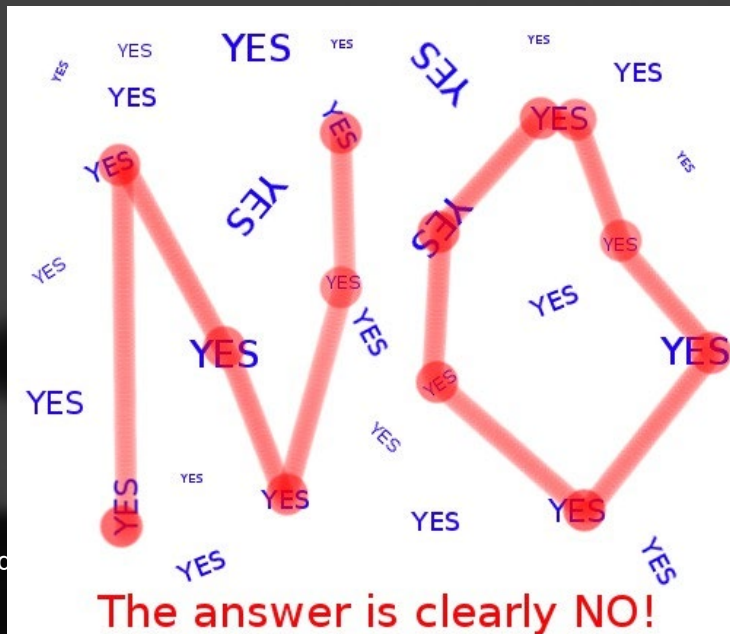
# Attribution Bias

- We attribute our success to skills, but our failures to randomness or the acts of others, BUT...
- We attribute in the opposite manner when it comes to other people.



# Confirmation Bias

- Tendency to search for, interpret, favor, and recall information in a way that confirms one's preexisting beliefs or hypotheses.
- Confirmation biases contribute to overconfidence in personal beliefs and can maintain or strengthen beliefs in the face of contrary evidence.



# Unconscious Bias



- Advantage of committees
  - Constituent Groups
  - Personal Perspectives
  - Variety of needs, values and frames of reference
  - Collective wisdom

# Tips

- Create a timeline with your committee and schedule meetings in advance.
- Develop ground rules for how you will raise contentious issues and handle disagreements
- Keep deliberations about candidates “skill-based” rather than “feeling-based”
- Be cautious of phrases such as “I just don’t like him/her” or “I don’t think s/he is a good fit”
- Concerns about “fit” should be viewed with caution. First level interviews are intended primarily to assess skill level.

# “Starter Phrases”

- “Starter phrases”
  - “Does anyone else share my concern?”
  - “I’d just like to throw this out there.”
  - “Can we discuss/consider....?”
  - “Can you tell me again why you rated this candidate so low?”
  - “Am I missing something about the qualifications of this candidate that makes them unqualified?”
  - “My understanding is that we are screening for qualifications, not fit.”

# Developing Screening Criteria

- Every application must be screened by every member of the committee. A cutoff, based on the cumulative scores, must be used to determine who is invited for interview.
- If the committee will interview all candidates, then paper-screening is not required.
- The Committee will screen applicants based on qualifications that reflect the desirable qualifications, ability to perform duties in the position announcement, and qualifications that exceed the minimum.



# Guidelines for Screening of Applications

- Do not copy, forward or share application materials.
- Do not discuss applicants with anyone (including other committee members) until all screening is completed.
- Use the rating key developed by the committee and apply the screening criteria fairly and consistently among all applicants.
- Maintain confidentiality of all applications.
- No extraneous comments on materials.



# Make Every Question Count

- Every interviewee must be scored by every member of the committee. A cutoff, based on the cumulative scores, must be used to determine who is forwarded for final interviews.
- Questions should require the candidate to draw from their present and past experience as well as education.
- Interview questions are to be job related only. Ask for specific examples.
- Ask questions that require a candidate to really think about their answer and that elicit narrative responses.
- Remember to address any conditions in the work environment that may create challenges.

# Demonstrations and Practical Exercises

- Notify candidates in advance.
- Reasonable Accommodation.
- Establish Scoring Rubric.
- HR must approve any demonstrations and/or practical exercises with the associated scoring rubric.



# • QUESTIONS ?