



Minnesota Department of
HUMAN RIGHTS

JOINT COUNSELOR TRAINING – TALENT PIPELINE

Presented by: Kevin Lindsey

Minnesota Department of Human Rights

Uneven Pain - Dr. Algernon Austin

“While every metropolitan area has experienced some negative economic consequences from the Great Recession, not all areas have suffered equally . . . The black-white unemployment ratio was highest in Minneapolis . . . [where] the black unemployment rate was three times the white rate. In many instances, disparities are visible in unemployment rates when we compare racial subgroups with the same level of education.”

The Coming Jobs War - Jim Clifton

“The coming world war is an all-out global war for good jobs A good job is a job with a paycheck from an employer and steady work that averages 30+ hours per week Nothing would change the current state of humankind [in the world] more than the immediate appearance of 1.8 billion jobs.”

Overview

- Currently, there are approximately 100,000 unfilled job openings for all occupations in the metropolitan area.
- The overall number of working age adults in the metropolitan area is decreasing in relation to the number of projected job openings.
- Communities of color in the metropolitan area have some of the lowest high school graduation rates in the United States.

Overview

- Bias and the impact of criminal collateral consequences limit the employment opportunities of job applicants from communities of color.
- Communities of color will comprise more than 40% of the adult workforce population in the region by 2035.

MDHR- Multiple Roles

- How do we investigate charges of discrimination?
- How do we encourage contractors to provide opportunities?
- How do we use education to promote opportunities in government and the private marketplace?
- What is our role as a member of the Cabinet?

Diversity Assessment

The Department found the following:

- 1) **Dominant paradigm** – compliance is the equivalent of being inclusive
- 2) **Demographic Change** – failure to appreciate the scope and impact of demographic change
- 3) **Recruiting** – recruiting alone will not create a diverse and inclusive workforce
- 4) **Unique Cultures** – agencies have unique and distinct cultures
- 5) **Good programs** that could be replicated exist but are not widely known
- 6) **Senior leadership matters**



Diversity and Inclusion Council

Council & Committee Structure



Government as ... Employer

- Can government impact unemployment and economic disparities by being an inclusive employer?
- How does government move from being a compliance driven employer to being an inclusive employer?



Overview – Rehabilitation Offenders Act

In 2015, the Department became responsible for enforcing a portion of the Criminal Rehabilitation Offenders Act, referred to as “ban the box” by some in the public, concerning private employers.

Under ban the box, the Department ensures that private employers don't use criminal background information until after they interview a candidate unless there is a statutory obligation for the private employer to review such information.

The Department has initiated more than 100 investigations into violations of the ban-the-box law.

Education Outreach

The Department has partnered with Emily Baxter of We Are All Criminals and Josh Esmay of the Council on Crime and Justice to provide training to employers on collateral consequences, compliance with ban-the-box and compliance with the use of criminal background checks when making hiring and promotion decisions.

Diversity Assessment – Recruiting (Subtle Bias)

Professor Devah Pager

White applicant w/o criminal history

White applicant w/ criminal history

Black applicant w/o criminal history

Black applicant w/ criminal history



Workforce Alignment – Agency Collaboration

The National Governor's Association (NGA) has created a talent pipeline policy academy. Minnesota is participating in the academy through the efforts of the following agencies:

- Department of Employment/Economic Development
- Department of Education
- Department of Labor & Industry
- Department of Corrections
- Department of Human Rights
- Office of Higher Education



Workforce Alignment – Key Area of Focus

Minnesota's NGA academy agencies are focused on creating talent pipelines in the following industry clusters:

- Construction
- Professional/Technical Service
- Health Care
- Manufacturing
- Natural Resources

Workforce Alignment – Pipeline Development

Minnesota's NGA academy agencies are focused on creating employment opportunities for the following targeted populations:

1. People of color,
2. Youth,
3. Individuals with disabilities,
4. Individuals without post-secondary education or credential and
5. Individuals with a criminal history.



Workforce Alignment – Broad Objectives

The Department, in serving on the NGA academy, seeks to:

- Provide enhanced technical assistance for employers on strategies to increase hiring and retention of targeted populations.
- Raise awareness of community partners on interagency efforts and strategies to increase hiring and retention of targeted populations.
- Encourage greater data collection collaboration to increase hiring and retention of targeted populations.

Enforcement Efforts – Audit Emphasis

The Department has the ability to influence the behavior of contractors through what it decides to prioritize in the area of enforcement and to provide technical assistance.

- The Department changed its focus from issuing certificates to auditing contractors.
- In the past six months, the Department has initiated more than 350 workforce audits.
- The Department is currently focusing on eliminating bias in recruitment, encouraging contractors to examine their recruiting and retention practices and encouraging contractors to engage more with community and educational partners.

Enforcement Efforts – Bias

- Please provide a copy of all training materials concerning the hiring process which are provided to individuals who interview potential job candidates.
- If you request job applicants to submit to a criminal background check, please . . .
- Please provide a copy of all documents related to your last three (3) hiring decisions. This request seeks, but is not limited to, interview questions, criteria used by interviewers, evaluation forms used, all information provided by candidates that was evaluated by the interviewers, and the names of the individuals who made the hiring decision.

Enforcement

1. In the past four years, the Department has closed approximately 2,400 cases.
 - This compares to 1,080 cases in the prior four year
2. In the past four years, the Department has closed approximately 2,400 cases.
3. In the past three years, the Department has reduced the number of cases over one year old by 95% and the average length of time to investigate a charge has dropped by 170 days.
4. 60% - 65% of charges are employment disputes.



Minnesota Department of Human Rights

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