



VILLEGAS CARRERA, INC.
Workplace Trainings
& Investigations

Hiring a Racially and Gender Diverse Workforce

August 2022 Newsletter

Congratulations Karen Carrera, Esq.!
Karen Carrera now holds a Diversity, Equity, and Inclusion: Building a Diverse Workforce Certificate from Cornell University. Karen is now available as a consultant on DEI workforce issues. Villegas Carrera Workplace Solutions can help. Karen@vcworkplacesolutions.com

Diversity Equity and Inclusion. I like the sound of that! Here are some Best Practices for Recruiting Diverse Candidates

Many organizations say that diverse candidates are not applying for their jobs. These organizations should re-examine how they market to those prospective employees.

Some job applicants from traditionally marginalized groups may feel that because a company has not considered a diverse set of candidates in the past, they are less likely to apply to that company in the future. For these reasons, it is essential to think strategically about embedding diversity considerations early in the recruitment, talent sourcing, and hiring process.

Job applicants from "marginalized groups" refers to applicants from demographic groups that either currently experience or historically have experienced discrimination, exclusion, and other barriers in employment that have resulted in access to fewer resources and opportunities than other groups.

When recruiting, where you source talent, what



messages you convey in your recruitment materials, and how you recruit all have a critical impact on who will be attracted to the organization, follow through with an application, and eventually accept an offer.

Recruiting in a different geography, changing the messaging of job advertisements, or partnering with organizations, non-profit agencies, labor unions, or schools can provide a greater chance of reaching diverse candidates.

Diversifying the workforce begins with a thoughtful sourcing and recruitment plan that critically examines past practices and changes to find diverse talent through new sourcing channels.

Messaging in the Recruitment Process

A company or organization needs to look at its messaging.

If a company is posting on social media, who is shown? Are the images of older or younger folks? Are they of one race or several racial groups? Your company's messaging shows what it values. Think about who is being drawn in, and more importantly, who is being turned off by the recruiting approach.

Members of marginalized groups have social identity concerns, such as whether the company will value their identity. Candidates from marginalized groups may self-select out of the recruitment process; that is, they will not apply to work at an organization that lacks signals that they will be valued or included based on their social identity.

Look at your recruiting materials. What is the organization communicating about its attitudes toward diversity? Who's represented, and who's missing? What other signals might there be regarding organizational culture, even subtle cues relevant to social identity concerns? How might this analysis help you improve recruitment materials to attract a more diverse talent pool?

To improve recruitment materials, your organization will need to:

First, find ways to highlight existing diversity visually or with text.

Second, provide examples of how your organization values diversity and inclusion.

Remember that inclusion refers to the extent to which job applicants or employees feel welcomed by the organization or experience a sense of belongingness. Diverse candidates should be made to feel like insiders rather than outsiders. Inclusion also refers to the extent to which job applicants/employees feel a sense of being valued for their uniqueness (i.e., psychologically safe to express their authentic self, sensing that their perspectives, background, characteristics, and traits, are valued by others). We all want to feel that we belong and are valued at work.

Job Descriptions

Job descriptions should include a two to three-sentence overview of the company and an explanation of the job's duties, tasks, and responsibilities.

To attract diverse applicants, try to avoid "competitive" words that appeal to men more than women. You want to avoid language that only appeals to a subset of

potential candidates and may turn off others. A long list of qualifications may turn off specific candidates.

Review work experience – does the job really need five years' experience? Does this job really require a master's degree?

Related experience and educational credentials are significant to re-visit because candidates from historically marginalized groups often have less access to the same educational and early career opportunities as others. As a result, unnecessarily raising the bar on these requirements may limit your ability to construct a diverse candidate pool.

Impact of Language

How a company or organization uses language can encourage diversity. If a company explicitly states its Diversity Equity and Inclusion ("DEI") focus in marketing and recruiting materials, it will do better at recruiting diverse talent.

Mentioning accommodations for disabled employees, or specific benefits or perks, may help attract diverse candidates. For example, stating that the company has a paid maternity leave program may attract more women candidates.

If you are trying to recruit diverse talent to your company, use inclusive language in recruitment materials. Intentionally using language that does not marginalize or exclude certain people signals that different groups of people are welcome, valued, and supported at your organization.

By contrast, companies should avoid certain words:

1. Avoid jargon and technical terms; use precise language.
2. Avoid slang that may appeal to certain social groups.
3. Avoid hyperbolic terms like "superstar"– it can turn off historically marginalized groups such as women. Instead, use the words "passionate learner" or "highly motivated."
4. Stay away from over-masculine words; they can be less appealing to women.
5. Avoid words such as "recent college graduate" – this can imply that you discriminate based on age.
6. Stay away from gender-specific terms and coded language. E.g., "Salesman" should be "salesperson;" "he" or "she" should be "they."
7. Remove irrelevant information that can lead to bias, such as "youthful energy," "U.S. citizen," or "English speaker."

In summary, if your company is looking to recruit diverse talent, look at your recruiting materials and ask yourself the following questions:

- How are my talent sourcing methods impacting the diversity of the pool of candidates I can attract?
- Are the language or requirements in my job descriptions discouraging members of underrepresented groups from applying?
- What elements of my initial screening process might be fostering biases?
- How can I measure the effectiveness of my overall recruitment process for attracting diverse candidate pools?

Based on *Building Diverse Talent Pools*, Cornell University lecture.

**Karen Carrera, Esq. is now
a member of the Diversity,
Equity, and Inclusion Task**



**Force, Town of Tiburon,
appointed by the Tiburon
Town Council, June 2021.**

**California's Mandatory Retirement Savings
Program. The Deadline is here. Sign Up to avoid
possible penalties!**

CalSavers Retirement Savings Program (CalSavers) is a state-run retirement savings program for private-sector employees whose employers do not offer a retirement program. The program was slowly introduced to employers over the last two years, providing a deadline based on employer size. California law required employers to offer and facilitate employee access to CalSavers, by June 30, 2022.



Since its inception, all California businesses have been eligible to participate in the CalSavers program; however, June 30, 2022's, deadline encompassed all employers with five or more employees. Employers with more than 100 employees had a prior registration deadline of September 30, 2020. Employers with more than 50 employees had a previous registration deadline of June 30, 2021. An employer that already sponsors, or begins to sponsor, a traditional retirement plan ahead of the deadline does not have a CalSavers participation requirement.

Additionally, Californians can enroll as individuals if they do not have access to a retirement savings plan through an employer.

The California legislature did not intend the CalSavers program to be a traditional retirement plan. Instead, it is a state-run program to help employees begin thinking about and saving for retirement. It aims to remove many complexities involved in sponsoring a traditional retirement plan.

Penalties for Non-Compliance

An eligible employer that, without good cause, fails to allow its employees to participate in CalSavers, will be required to pay a fine of up to \$250 per eligible employee. Further non-compliance will incur an additional penalty of \$500 per eligible employee. www.calsavers.com.

**Remember all employers must provide harassment and
discrimination prevention training to employees and
managers within six months of hire, and every two years
thereafter. VC Workplace Solutions conducts these
trainings in person or over Zoom, in English and**

Spanish. Call or email us to schedule a training to stay in compliance with California law.

How to Make Time Go Faster at Work:

1. Stop looking at the clock.
2. Create a predictable routine.
3. Achieve flow. A flow state, also known as "being in the zone", is the mental state in which a person performing some activity is fully immersed in a feeling of energized focus, full involvement, and enjoyment in the process of the activity.
4. Break time down into blocks.
5. Split your least pleasant tasks.
6. Put something on in the background, like music or a podcast.
7. Do things you genuinely enjoy.
8. Practice a mental challenge.
9. Plan something fun or relaxing to do after work or during lunch, like going to the gym, a swim, or meeting a friend or co-worker for a walk. This will give you something to look forward to.



Partially written by the author but also adapted from: <https://emailanalytics.com/how-to-make-time-go-faster/>.

-

Karen Carrera holds a certificate from AWI-CH to conduct workplace investigations.

Karen Carrera serves on the DEI Task Force for the Town of Tiburon, California.



How to Practice Gratitude

In this time of great distress, where it seems like anyone anywhere can buy a gun, women no longer have a federal right to choose what to do with their own bodies, and the planet is warming, here are some ways to practice gratitude at work and at play:

As Jon Kabat-Zinn says, "The little things? The little moments? They aren't little." Saying thank you, holding the door for someone, these little moments can change the tone of your whole day.

One of the most powerful ways to rewire your brain for more joy and less stress is to focus on gratitude. Here are 10 simple ways to become more grateful:

1. Keep a Gratitude Journal. Establish a daily practice in which you remind

yourself of the gifts, grace, benefits, and good things you enjoy. Recalling moments of gratitude associated with ordinary events, your personal attributes, or valued people in your life gives you the potential to interweave a sustainable theme of gratefulness into your life.

2. Remember the Bad. To be grateful in your current state, it is helpful to remember the hard times that you once experienced. When you remember how difficult life used to be and how far you have come, you set up an explicit contrast in your mind, and this contrast is fertile ground for gratefulness.
3. Ask Yourself Three Questions. Meditate on your relationships with parents, friends, siblings, work associates, children, and partners using these three questions: "What have I received from ___?", "What have I given to ___?", and "What troubles and difficulty have I caused?"
4. Share Your Gratitude with Others. Research has found that expressing gratitude can strengthen relationships. So, the next time your partner, friend or family member does something you appreciate, be sure to let them know.
5. Come to Your Senses. Through our senses—the ability to touch, see, smell, taste, and hear—we gain an appreciation of what it means to be human and of what an incredible miracle it is to be alive. Seen through the lens of gratitude, the human body is not only a miraculous construction, but also a gift.
6. Use Visual Reminders. Because the two primary obstacles to gratefulness are forgetfulness and a lack of mindful awareness, visual reminders can serve as cues to trigger thoughts of gratitude. Often times, the best visual reminders are other people.
7. Make a Vow to Practice Gratitude. Research shows that making an oath to perform a behavior increases the likelihood that the action will be executed. Therefore, write your own gratitude vow, which could be as simple as "I vow to count my blessings each day," and post it somewhere where you will be reminded of it every day.
8. Watch Your Language. Grateful people have a particular linguistic style that uses the language of gifts, givers, blessings, blessed, fortune, fortunate, and abundance. In gratitude, you should not focus on how inherently good you are, but rather on the inherently good things that others have done on your behalf.
9. Go Through the Motions. Grateful motions include smiling, saying thank you, and writing letters of gratitude. By "going through grateful motions," you'll trigger the emotion of gratitude more often.
10. Think Outside the Box. If you want to make the most out of opportunities to flex your gratitude muscles, you must look creatively for new situations and circumstances in which to feel grateful. Please share the creative ways you've found to help you practice gratitude.,
11. Adapted from <https://www.mindful.org/how-to-practice-gratitude/>.

Hablamos Español

Villegas/Carrera Workplace Solutions provides bilingual workplace investigation services. We facilitate comprehensive workplace investigations in Spanish with Spanish language workers. As lawyers with decades of experience working with Spanish language workers, we understand the specific language nuances embedded in how Spanish language workers communicate, which results in more precise and accurate investigation reports and trainings.





Congratulations to Virginia Villegas for being named a SuperLawyer for a second year!

Super Lawyers®

~Karen's Delicious Latin Kitchen~

Solterito de Quinoa (Quinoa Solterito)

One of my favorite Peruvian cookbooks is *Peru: The Cookbook* by Gaston Acurio. It contains numerous Peruvian dishes that remind me of my grandmother Manuela's cooking. Recently, I was fortunate enough to visit Peru twice. I went to Mancora in September 2021 to visit my son who was traveling in Peru. In April 2022, I visited Lima and went to the beautiful Astrid & Gaston restaurant housed at the historic Casa Hacienda Moreyra. Astrid & Gaston is owned by Gaston Acurio and his wife Astrid. Their menu consisted of traditional Peruvian dishes as well as modern favorites. The restaurant with its Spanish colonial architecture and gardens was the most beautiful restaurant I have ever seen. The food was fantastic. I am grateful that I was able to visit this wonderful restaurant with my son Tomás.

I decided to try out this recipe for Quinoa Solterito from Acurio's cookbook and share it with my husband, Mark, and he loved it! It blends delicious flavors including Peruvian yellow aji chile along with quinoa, onions, tomatoes, olives, corn, fava beans and queso fresco.

Ingredients:

- 1 1/3 cups cooked quinoa
- 4 ounces queso fresco, cubed
- 1/2 cup corn cooked kernels (or defrosted frozen corn)
- 3/4 cup boiled fava beans (or defrosted frozen favas)
- 1 small red onion, diced
- 1 tomato, diced
- 1 rocoto chile, seeded, membrane removed, and chopped
- 1 yellow chile, seeded, membrane removed, and chopped
- 1 tablespoon chopped parsley
- 1 tablespoon chopped huacatay leaves (or mint leaves)
- 3/4 cup black olives, diced
- 4 tablespoons white wine vinegar
- 5 tablespoons vegetable oil
- 1/2 teaspoon dried oregano
- Salt and pepper



Instructions

1. Place all the ingredients together in a bowl.
2. Mix together well and season with salt and pepper to taste.
3. Serve.

Cooks' Note

I buy Peruvian aji (yellow chiles) and rocoto chiles at Latin markets. They sell them canned or frozen. But if you are unable to find these chiles, jalapeño is a good choice. I substituted mint for huacatay leaves.

Excerpted from [Peru: The Cookbook\(c\)](#), by Gastón Acurio, copyright 2015.

Villegas Carrera Workplace Solutions specializes in Spanish language and bi-lingual trainings and investigations with Spanish-speaking employees. Topics of trainings include diversity and inclusion, and the prevention of harassment, discrimination, retaliation, and abusive conduct (bullying).

Contact us at www.vcworkplacesolutions.com or by emailing karen@vcworkplacesolutions.com. Karen Carrera, Esq. is a member of the Association of Workplace Investigators (AWI).

DISCLAIMER: The information you obtain in this newsletter is not, nor is it intended to be, a substitute for personal legal advice. You should consult with an attorney regarding personal legal advice specific to your own situation. Further, reading, interacting with, or reposting this email or website in any way does not form an attorney-client relationship with Karen Carrera, Esq., or VC Workplace Solutions.

Villegas Carrera Workplace Solutions | 330 Geary Blvd, 2nd Fl. West , San Francisco, , CA 94118

