

An Innovative Approach to Understanding Employers' Commitment to Diversity, Equity, and Inclusion

Becky Harris

While discussing the global and essential role of women, Global Volunteers (2019) eloquently stated,

Throughout history, the central role of women in society has ensured the stability, progress and long-term development of nations. Globally women comprise 43 percent of the world's agricultural labor force [. . .]. Women are the primary caretakers of children and elders in every country of the world. [. . .] It is the mother in the family who most often urges children of both genders to attend – and stay – in school. The role of women is at the front end of the chain of improvements leading to the family's, the community's long-term capacity. [. . .] Women's formal and informal labor can transform a community from a relatively autonomous society to a participant in the national economy.

From the work done by Women of Diversity Productions (2016, p. 6) we also know that in Nevada, women are increasingly the primary breadwinners in their households. Faced with economic realities and the necessity to provide for themselves and their families, women simply carry on and continue to do what needs to be done as they do their best to ignore harassment and abuse.

To be sure, protections have been put into place. Title VII of the Civil Rights Act of 1964, a piece of landmark legislation prohibiting discrimination based on race, color, religion, sex, or national origin, is supposed to provide protection to members of vulnerable populations.

Interestingly, the prohibition on discrimination based on sex was not part of the language of the original Bill. The prohibition on discrimination based on sex was added as a last-minute amendment, and though augmented over time, the enforcement powers within the Civil Rights Act of 1964 were initially weak. In *Meritor Savings Bank v. Vinson*, Justice Rehnquist explained it this way:

The prohibition against discrimination based on sex was added to Title VII at the last minute on the floor of the House of Representatives [. . .] the bill quickly passed as amended, and we are left with little legislative history to

Becky Harris
University of Nevada,
Las Vegas
becky.harris@unlv.edu

guide us in interpreting the Act's prohibition against discrimination based on 'sex'.

Despite more than 50 years, since these protections against sexual harassment and sexual misconduct have been in place, in the United States, allegations and/or evidence of sexual misconduct is in the news far too frequently (e.g., Palmeri and Smith, 2022; Associated Press, 2019a; Associated Press 2019b; The Daily Times, 2019; Schmidt, Nerappil & Vozella, 2019; Anderson, 2018; Schmidt, 2018; Daniels, 2018; and Redden and Lee, 2016).

In 2017, the Nevada Legislature passed Assembly Bill 423, a bipartisan bill and first of its kind piece of legislation, establishing a pilot program for the administration of a survey meant to capture data on gender equality in the workplace. Though some Nevada businesses willingly completed the survey, the data capture was not as robust as had been intended and meaningful insight into women as a cohort in the Nevada workforce remained elusive.

Having learned from the shortcomings of the assembly bill and having a more defined scope, a second effort at better understanding the Nevada workforce made its way through the 2021 Nevada Legislature as Senate Bill 267 (SB 267). SB 267 creates an opportunity for Nevada businesses to lead the way on diversity, equity, and inclusion for women and women of color. SB 267 authorizes UNLV to administer a survey to businesses, state and local government and the Nevada System of Higher Education to evaluate how effectively entities are implementing diversity, equity, and inclusion initiatives. Though survey data will be disaggregated to protect the confidentiality of the entities that participate, we anticipate collecting rich data about both Nevada's workforce and Nevada's working conditions which should enable the development of best practices that can be shared to improve work environments throughout Nevada as well as attract and retain top talent within Nevada!

That the secession is "real" is documented in various news outlets. Alisha Gupta (2020) has a particularly poignant article in the New York Times about the difficulties women face as they attempt to balance employment, working from home, caregiving and other responsibilities. As the world continues to navigate its way through the COVID-19 pandemic, it is becoming increasingly clear that women are becoming disproportionately impacted. McKinsey's *Women in the Workplace* (2021) concluded that there is a

[...] rare opportunity to change the workplace for good. Doing so will require pushing for bigger gains in representation of women, recognizing and rewarding women's contributions as people-focused leaders and champions of diversity, equity, and inclusion, and doing the deep cultural work necessary to create a workplace where all employees, feel like they belong.

Never has the need for resources for women and underrepresented populations been more significant as employers continue to downsize and entire industries have been shut down (Lockhead & Denzer, 2020). Often considered "hidden workers" because they don't possess the qualities of an ideal candidate, women, immigrants, veterans and seniors find it difficult to transition into the workforce (Fuller et al., 2020).

As reported by the Wion (2021), one research team has tabulated the cost of lack of gender diversity and inclusion, and determined it will take 257 years to close the gap if nothing changes. They further found that not doing so has cost the world USD 70 trillion since 1990. The report by economists at BofA Securities also notes that full gender equality globally can increase the world GDP by up to USD 28 trillion by 2025 (Wion, 2021). Additionally, the loss of human capital wealth due to gender inequality alone is estimated at USD 160.2 trillion (Wion, 2021).

Implementing the tools to assist those with diverse backgrounds to gain entry to the workforce, retain employment and succeed will help reduce the need for social services and unemployment benefits from the state and federal governments, provide housing and food security for families, and provide the diversity needed to rebuild a stronger economy

(Fuller et al., 2020). The good news is that women have been making gains in the workforce both in terms of representation as well as pay equity, over the past few decades. However, McKinsey's Women in the Workplace (2021) points out that

Although we have seen important gains since 2016, women are still significantly underrepresented at all levels of management. And on top of this, women continue to have a worse day-to-day experience at work. Women are more likely than men to have their competence questioned and their authority undermined, and women of color and other women with traditionally marginalized identities are especially likely to face disrespectful and "othering" behavior.

As Nevada businesses continue to look for ways to recruit and retain top talent, we look forward to celebrating the efforts made by Nevada's employers that are leading in diversity, equity, and inclusion. To that end, any Nevada employer wishing to contribute to the UNLV survey on diversity, equity, and inclusion is welcome to do so. The survey questions follow in the article appendix.

Please click on this link to begin participating in this innovative and exciting project! Questions can be directed to NevadaDEISurvey@UNLV.edu. We look forward to you joining us in this groundbreaking effort.

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Appendix
Gender Inclusion Survey Questions

1. Provide the name of the business or organization, mailing address and website.
2. Provide the name, phone number and email address for the person completing the survey for the business or organization.
3. Businesses/organizations often operate in several different states. How many of your employees are (Please enter as a whole number.)
 - a) Located in Nevada?
 - b) Women located in Nevada?
 - c) Women of color in Nevada?
4. Publicly traded companies use Boards to oversee their businesses. Are you a publicly traded company?
 - a) Yes
 - b) No
5. If you are a public traded company, how many people are
 - a) On the Board of Directors?
 - b) Women on the Board of Directors?
 - c) Women of color on the Board of Directors?
6. An executive position is defined as an executive that has attained a position of at least vice president, senior vice-president, executive vice president or the equivalent position. How many people are
 - a) Employed in executive positions?
 - b) Women employed in executive positions?
 - c) Women of color employed in executive positions?
7. A management position is defined as at least a manager or higher. How many people are
 - a) Employed in management positions?
 - b) Women employed in manage positions?
 - c) Women of color employed in management positions?
8. Does your business or organization have employee development initiatives enacted for administrative or skilled staff that provide pathways to career advancement?
 - a) None
 - b) Tuition reimbursement
 - i) Yes
 - ii) No
 - c) Professional development
 - i) Yes
 - ii) No

- d) Paid conference attendance
 - i) Yes
 - ii) No
 - e) Business interest groups
 - i) Yes
 - ii) No
 - f) A public commitment for gender inclusion
 - i) Yes
 - ii) No
9. A formal salary equity study is also sometimes called a “pay equity analysis” or a “compensation equity study.” Has your business/organization undertaken a pay equity analysis?
- a) Yes
 - b) No
10. If the answer to Question 7 is yes, were there any discernible pay differences?
- a) Yes
 - b) No
11. How many of the 20 highest paid individuals in your business or organization, as determined by salary, bonuses, and other incentives such as stock options, are
- a) Women?
 - b) Women of color?
12. Regarding your hiring practices, does your business or organization
- a) Participate in diversity job fairs?
 - i) Yes
 - ii) No
 - b) Have a diverse hiring committee?
 - i) Yes
 - ii) No
 - c) Assess candidate skill sets without regard to gender?
 - i) Yes
 - ii) No
13. Regarding anti-harassment, which includes sexual harassment, does your business/-organization
- a) Have an existing anti-harassment policy?
 - i) Yes

- ii) No
- b) Currently offer formal anti-harassment training
 - i) Yes
 - ii) No
- 14. Regarding cultural training, does your business or organization:
 - a) Currently provide diversity and inclusion training?
 - i) Yes
 - ii) No
- 15. If the answer to Question 13 is yes, does the cultural training provided include
 - a) Implicit bias?
 - i) Yes
 - ii) No
 - b) Unconscious bias?
 - i) Yes
 - ii) No
 - c) Microaggressions?
 - i) Yes
 - ii) No
 - d) Fostering an inclusive environment?
 - i) Yes
 - ii) No
 - e) Improving Engagement?
 - i) Yes
 - ii) No
- 16. Regarding workplace policies and benefits, does your business or organization offer?
 - a) Employer-paid family leave
 - i) Yes
 - 1. How many weeks do you provide?
 - ii) No
 - b) Variable work schedules for caregivers
 - i) Yes
 - ii) No
 - c) Options to work from home

- i) Yes
 - ii) No
- d) Childcare
- i) On-site or co-located with the employee's place of work
 - 1. Yes
 - 2. No
 - ii) Off-site
 - 1. Yes
 - 2. No
- e) Employer paid childcare subsidies
- i) Yes
 - ii) No
17. Are there any policies or benefits your business/organization is currently pursuing but has not yet implemented?
- a) Yes
 - i) List the policies you are pursuing but have not implemented.
 - ii) List the benefits you are pursuing but have not implemented.
 - b) No
18. With respect to healthcare benefits, does your business or organization's healthcare insurance policies cover:
- a) Birth control?
 - i) Yes
 - ii) No
 - b) Maternity?
 - i) Yes
 - ii) No
 - c) In Vitro Fertilization?
 - i) Yes
 - ii) No
19. Regarding your business/organization's employee retention:
- a) How many employees left your organization in 2021?
 - b) How many positions are currently vacant?
 - c) List the positions that are currently vacant.
20. Do you give permission to publicize your survey responses?
- a) Yes
 - b) No
21. Please type your name and title below to acknowledge that you are authorized to complete this survey on behalf of the business or organization.