



Personnel Committee

April 28, 2023

Minutes

The meeting was called to order at 11:09 a.m. by Governor Gaffney in the Student Center Ballroom. Secretary Miller called the roll. A quorum was present.

Committee Members Present: Governors Barnhill, Gaffney, Kelly, Land, Stancato; Noreen Rossi, Faculty Representative and Pramod Khosla, Faculty Alternate Representative; Hayden Johnson, Student Representative and Cordelia Krajewski, Student Alternate Representative

Also Present: Governors Atkinson and Busuito, and President Wilson; Provost Kornbluh; Vice Presidents Chamblee, Clabo, Ezzeddine, Hafner, Lindsey, Massaron, Poterala, Ripple, Schweitzer, Stemmler, and Wright, Secretary Miller

APPROVAL OF MINUTES, JANUARY 26, 2023

ACTION: Upon motion made by Governor Land and supported by Governor Kelly, the minutes of the January 26, 2023 meeting of the Personnel Committee were approved as submitted. The motion carried.

Update On Wayne State Diversity, Equity, And Inclusion (DEI) Initiatives

Governor Gaffney called on Marquita Chamblee, Associate Provost for Diversity, Equity and Inclusion (DEI), and Wayne State University's Chief Diversity Officer, to present the update.

AVP Chamblee advised that while the Office of Diversity, Equity and Inclusion unit is small, that it is mighty, and reviewed an organization chart for the unit.

The DEI Council is one of their key initiatives. It is a university wide entity of representatives from all the schools, colleges and divisions, the Academic Senate, the union, and Student Senate, among others. Their work is conducted through five key working groups that meet biweekly or monthly; the DEI Council meets monthly. The Council structure also includes an Executive Committee that sets its agenda. It has been meeting since 2021.

The council's Strategic Planning Working Group has been very active in creating a template for the schools and colleges to use as a guide to develop DEI plans. The schools and colleges are currently working on their DEI plans and will have them submitted by the end of the semester. They will be reviewed to see what the schools and colleges have planned for their activities for the next three to five years.

The Student Equity Working Group continues to work on ways to remove student success barriers. The group recently completed work on a project to mitigate the impact of WF grades on students.

The Hiring and Retention of Diverse Employees Group has been active since 2020. The Group works on succession planning, processes, and protocols to improve University hiring practices and professional development areas for staff. This group initially began under the Social Justice Action Committee. They are one of the largest working groups, with a structure that includes several subcommittees.

In terms of the other workgroups, the Communications Working Group has been actively updating the department's website. AVP Chamblee thanked Alex Boesch, the Office of Diversity and Inclusion's Intercultural Training Director and one of the Co-chairs of the Communications Working Group, who has maintained the website. The Metrics and Evaluation Group provides data for the committees and the Executive Committee of the DEI Council is developing a policy that will establish the Council as an entity recognized at the university level and solidify the role of the Council on a more permanent basis.

Schools and colleges are all working on their strategic plans, and some are developing DEI plans independently of the strategic plan, supported by the OSCME, the Council and others. Some schools and colleges are developing or hiring individuals who serve as point people for DEI. The School of Medicine has a Vice Dean for Diversity, Equity and Inclusion and the Law school recently hired an Associate Dean for Diversity, Equity and Belonging. VP Chamblee noted the importance of having someone in place whose primary and paid responsibility is to support DE and I in the schools and colleges.

DE and I operations work through collaboration. Important initiatives are occurring and include volunteers who spend significant amounts of time to make things happen for DE and I for the campus. The Campus Climate Concerns Working Group is working on a process for allowing reports of incidents of bias. There are no clear processes in place.

The University's first Campus Climate Survey was completed in 2018. A new survey will launch in fall of 2023. A working group has been volunteering their time in developing the survey and analyzing the data from the previous one.

There are planning groups for events such as the Juneteenth celebration and those plans will be shared with the campus community. The National Day of Healing from Racism events are being planned by OMSE. The Office of Multicultural Student Engagement leads several planning teams to help coordinate events for students from historically marginalized backgrounds. AVP Chamblee advised that collaboration drives the progress being seen in DE and I.

AVP Chamblee then moved on to intercultural education. In May 2022, Alex Boesch became the first intercultural training director at the university, and has done significant work in developing workshops and on a variety of topics related to DE and I, and additional work with the healthcare professions. AVP Chamblee advised that a new law requires all healthcare professionals to be trained in implicit bias, and that Mr. Boesch has completed work with some of the University's healthcare professionals in this area. On another project, Mr. Boesch has also completed work in the learning and development series, a ten-session program with a variety of topics open to people from around the campus, offered both virtually and in person. Pre and post evaluations, particularly for the implicit bias training, indicate significant movement in individuals' understanding of personal bias and professional bias, and how it affects them and their work. The sessions are having an impact and will be expanded. Mr. Boesch also conducted one-on-one sessions on inclusive teaching, met with departments to talk about DE and I, and has had a significant impact in the past year.

In other areas, Stephanie Hawks, Senior Director for the Office of Multicultural Student Engagement (OMSE), is developing a board presentation on work being done in her area. Her office, formed in 2015, serves and supports students from historically marginalized backgrounds. The office also hosts conversations with student leaders and is working on leadership development for student leaders to get a sense of what is happening with students and issues of concern.

Other areas where OMSE has been working include assisting with a call-in campaign to get underrepresented students to register or enroll in their classes, where they connected with dozens of students to encourage them to register. The outcome was a fairly significant increase in the number of students who were able to register on time. The office is hosting the Black Graduation Celebration of Excellence and participates in other celebrations organized to allow students to feel proud of their accomplishments towards graduation. Further programming includes Heritage walks and planning pride activities.

The Social Justice Action Committee (SJAC), produced a report in March of 2021 and a number of the recommendations, particularly the short-term ones, have been accomplished. An updated report that discusses the progress of each of those recommendations is pending. The report will include the hiring and retention of diverse faculty and the pathway to faculty program, which is an opportunity to help diversify the faculty.

AVP Chamblee advised that DEI is one of the University's strategic priorities and continues to make progress. The offices of Diversity, Equity and Inclusion, OMSE and others are going to continue to double down and do the work to make sure that Wayne State stays the destination of choice for people from diverse backgrounds.

Governor Kelly asked about the progress of third-party resources on search committees and whether current search committees have such a resource. VP Chamblee noted that there are ongoing conversations on the topic of diversity advocates. Provost Kornbluh added that the Office of Equal Opportunity provides training to search committees on how

to conduct a search and dealing with implicit bias, and that discussions will continue with the Deans and the DEI Council. He noted that efforts are made to ensure that disciplinary committees are paying attention to DEI. He advised that the work of DEI is not the responsibility of any one person. They have also made efforts to have every member of these committees receive training to better understand implicit bias; it is an ongoing question as to whether having a diversity advocate on the committee moves the needle forward or whether it is a better option to have everyone on the committee held accountable. He advised that a lot of work has been done to ensure that faculty searches are diverse, and he noted that effort is reflected in University hiring. Governor Barnhill advised that he is interested in being engaged in a continuing dialogue about the sorts of policy and resource support that might be required from the board. VP Chamblee responded that the goal is in educating the campus community about the importance of DE and I and engaging people around DE and I. The Board can support these efforts by providing opportunities to present progress and findings, with continued conversation and access around these issues.

President Wilson advised that there are efforts being made to better institutionalize the role of the DE and I Council and to publicize the charge of the committee in order to prevent the Council from impinging on other roles. He added that those conversations will be completed before the end of his tenure at the University.

Professor Rossi commented that exit interviews should incorporate not just underrepresented minorities, but all people who exit, to provide comparison information. She noted that the issues can be broad and across all individuals, and that interviews are inconsistent across schools and colleges. Internal interviews do not always reveal everything because of many other pressures.

Governor Gaffney asked whether Mr. Bosech's assistance is available to all the schools and colleges. AVP Chamblee advised that he has made himself available to everyone with a broader scope than just the anti-bias training. Governor Gaffney asked if DE and I is an important part of student success and a student feeling welcome, which he believes is true. AVP Chamblee agreed, noting that it is well documented and that the impact of inclusivity on student success is connected. The success of historically marginalized students is enhanced by creating that sense of belonging for them and a sense of connection to the campus community. She advised that it is also true for staff and faculty. Governor Gaffney thanked AVP Chamblee for all of her hard work and offered congratulations on her retirement.

2022 EQUAL OPPORTUNITY STATUS REPORT

Governor Gaffney introduced Amy Lammers, Associate Vice President, Equal Opportunity for the next presentation.

Ms. Lammers began by noting that the report serves as the principal report on the state of equality of opportunity and employee diversity at Wayne State University, and advised

that several policies and practices have been implemented to achieve full equity for women and minorities at the University.

The report includes data and analysis of all employee groups, with majority focus on full-time employees, for the year 2022, using the accepted EO1 job categories of race and ethnicity. Currently, those categories are Black, Asian, Hispanic or Latino, American Indian or Alaskan Native Pacific Islander and Native Hawaiian, and White, and using binary gender of only male and female. She advised that the terminology has remained unchanged since 1997 and that the university is required to use these categories to be able to file its annual affirmative action report with the Office of Federal Contract Compliances programs and to respond to audits. For the first time in 25 years, new categories were recently proposed, including Middle Eastern and North African and more diverse options for Hispanic and Latino employees to self-identify, which, once approved later this year, will be added to the report.

Ms. Lammers then reviewed a series of slides providing an executive summary of her report. In 2022, the University employed 6,805 employees. Of those, 4,494 were full-time employees. Minorities represented 43% and women represented 56% of the entire population. Further breakdown indicated that minority women represented 26% and minority men represented 17% of the population. The 5-year comparison of all full-time employees indicated that there was a slight decline in the number of women and minorities since 2011.

In 2023 University employees declined by 51, but the number of both minorities and women increased. From 2020 to 2022 there was an increase of 2% in representation of minority employees, and an increase in the number of women, 2%, for the period 2018 to 2022. These data indicate that despite a very challenging job market, the University is continuing to hire and retain more women and minority employees.

The University is exceeding or meeting the standards based on regional availability of certain minority groups. The University is at 5.5% above regional availability for Black employees, 9.2% above availability for Asian employees, and slightly below the regional availability for Hispanic and Latino employees, by 1.6%.

Next, AVP Lammers turned to the breakdown of all employees by job classification groups. These groups include faculty, executive, managerial, other professional, technical paraprofessionals, clerical and secretarial, skilled crafts and service and maintenance. She advised that minorities and women are well represented at all levels of university employment and are best represented at the clerical/secretarial rank, the other professionals and the university's service and maintenance employees.

The report includes a comparison of Wayne State to Michigan public universities. The most recent data for public institutions is from 2021. In 2021, Wayne State ranked first, compared to other schools in the employment of minorities, with more than 15% separating it from the next closest comparator. The University has held this ranking since 2009.

Ms. Lammers continued with data on the level of women employment compared to fellow Michigan publics where Wayne State ranks third, 2.5% behind its closest competitor. In a similar comparison, Wayne State ranks 4th for women in management occupations, at 58.3%. Wayne State ranks first for the number of minorities in management occupations compared to other Michigan schools.

The 5-year comparison of faculty employment, including the representation of women and minorities each year, indicated a slight decline in the last few years. In looking at the representation of women and minorities in this category, however, showed gains of 1% or less each year, in a competitive job environment.

AVP Lammers advised that section I.B of the report includes faculty employment broken down by tenure-track and non-tenure track faculty. Further breakdown by rank and representation of minorities and women in each group indicated that minorities are well represented throughout the ranks, increasing from 29% to 39% at the highest rank of full professor. Women are equally well represented throughout the ranks.

Non-tenure track faculty have a good distribution of women and minority faculty and the data provided includes the employees identified as lecturer - this position was reclassified in 2021. There was an addition of 14 new faculty to the non-tenure track group, mostly at the assistant and the associate professor rank. The new title is called teaching faculty, and they are included in this report for the first time this year.

Next, AVP Lammers provided an overview and summary of the activity in the Office of Equal Opportunity. They have conducted training sessions in a variety of areas, including faculty hiring committee training and basic training sessions on discrimination and sexual harassment by request for various departments and units.

The Office of Equal Opportunity processes complaints of harassment and discrimination, through an internal complaint process, pursuant to the University's non-discrimination policy and from external agencies charged with civil rights enforcement such as the Equal Employment Opportunity Commission, the Michigan Department of Civil Rights and the Office for Civil Rights of the US Department of Education.

In 2022, the office processed 25 complaints, the same total as in 2021; there were more formal complaints in 2022 and fewer inquiries. Given the size of an institution such as Wayne State University, with 24,000 students and over 6800 employees, this is a very small number of total complaints. Governor Gaffney asked about the number of trainings that the office does in a month or a year. Ms. Lammers advised that the total number of trainings in the Faculty Hiring Committee area was 72 last year. Trainings will begin to be offered more regularly on a quarterly basis or once each semester and through the online system in the year ahead.

Ms. Lammers summarized the nature of the complaints received, broken down by the protected classification including race, age, retaliation, disability, national origin, familial status, and gender. There was a decline in the number of race complaints and an increase in the number of age complaints. There was also an increase around disability

complaints, with an uptick in the requests for disability accommodations from employees, which the Office of Equal Opportunity also handles. Ms. Lammers noted that once a request is received from an employee, the Americans with Disabilities Act requires obtaining information from the employee, the supervisor and department, review of the job description, and medical information from the treating physician to determine whether a disability is in need of accommodation. A determination is then made regarding appropriate and necessary accommodation. Reasonable accommodation is required to lessen an undue burden on the employer.

AVP Lammers advised that there have been more requests related to pandemic related illness and anxiety and depression, and for the first time this year, this information is included because it comprises large part of report. In 2022, there were a total of 58 requests for accommodations. Eight were either withdrawn by the employee or complete information was not provided to make the determination. Of those that were granted in whole or in part, 37 were requests to help employees with disabilities to be able to perform these essential functions of their jobs.

Added to the report this year, by request of the Board, is more information about the nature of allegations in formal complaints. There were 3 formal complaints based on disability, 2 on race, 2 on age, and 1 on gender. The range of the allegations is wide, and includes areas such as using an emotional support animal in housing to nonrenewal of an appointment for an administrator. Two of these have been closed without a finding of any wrongdoing and the other 6 remain open, which is unfortunately standard for external agencies which are understaffed, with long waits to process these complaints.

Governor Gaffney asked if the cases were open because of the government. AVP Lammers clarified that the Office of Equal Opportunity responds within 2 to 4 weeks of receiving a complaint. The external agencies set a deadline and the Office of Equal Opportunity provides the requested information. The external agencies may conduct interviews and then there is a long period of waiting for response. As a result, the 2022 report will be available next year.

Looking forward, AVP Lammers advised that a new statute, the Pregnant Worker's Fairness Act, was passed at the end of 2022, and goes into effect June 27th of 2023. She noted that the Office of Equal Opportunity will be responsible for enforcement of that statute. The law requires an interactive process and the EEOC is supposed to issue regulations and guidance for implementation. It has not done so as yet, but it did indicate it will start receiving complaints on the effective date of June 27, 2023. Once the Office of Equal Opportunity receives guidance there will be new policy and process developed to meet compliance with the law and to begin to process those requests.

Ms. Lammers concluded the report by advising that in 2022, the Office of Equal Opportunity completed an audit by the Office of Federal Contract Compliance Programs. This was a review of university employment practices and policies and employee data. The task required a large team of professionals in Human Resources to assist, and AVP Lammers thanked everyone involved for their assistance. It was a very successful audit

and the OFCCP issued its report on May 2nd of last year, indicating that they had no adverse findings and found no issues with any of the University's employment practices.

Governor Barnhill thanked AVP Lammers for the work she and her team are doing, and noted that language can be used to reinforce systems and status. He referenced the negative impact of terms such as minority and encouraged more intentional thought around the use of terminology in these reports.

AVP Lammers agreed and advised that much of the terminology referenced are in line with terms used by the Federal Government. Governor Stancato noted that instead of stating the term minority, it would be more helpful to be specific on who was being referenced and that future reports include a more detailed breakdown of all the categories. Ms. Lammers agreed. She advised that information received back from an external agency may not contain detailed breakdowns of persons, unless they specifically allege an issue in their complaint. She will add any internal information available, such as whether the individual is a student or employee.

Governor Kelly asked about the average length of time it takes to close a complaint, both within WSU and those that are external. Ms. Lammers advised that the Office of Equal Opportunity's internal process requires completion in 90 days. In terms of those handled by external agencies, AVP Lammers indicated that the Office of Equal Opportunity responds by the deadlines given by the agency, but the agency does not in turn have a deadline by which they need to respond to the University or to the complainant.

Governor Kelly asked for a breakdown of the 2022 complaints. AVP Lammers advised that one was completed through the internal process and that has been closed and the others are external. She noted that responses from external agencies can take up to 18 months and there may be cases still open from 2020, and that it is troublesome for the complainants left without answers. VP Massaron advised that Governor Whitmer, in her proposed budget, doubled the budget for the Department of Civil Rights, which has been underfunded and did not have enough case workers to manage its load, and that the state is actively working to try to resolve these issues. AVP Lammers concurred, and indicated that her office has also heard from both the EEOC and NDRC about being short staffed. There were no further questions.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:09 p.m.

Respectfully submitted,



Julie H. Miller
Secretary to the Board of Governors