

# Diversity, Equity and Inclusion in the Workplace: What Employers Need to Know

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# Recruitment & Hiring

# Title VII of the Civil Rights Act

- Prohibits discrimination based on certain “protected categories,” including race, national origin, and gender.
- Recruitment programs aimed at increasing diversity may violate Title VII if employees are hired *because of* their race, gender or other protected characteristics.



# Legal Risks in Recruitment & Hiring

- Quotas or consideration of protected categories in hiring decisions
- Voluntary affirmative action plans

# Recruitment & Hiring Strategies

- Expand the candidate pool.
- Review job qualifications.
- Analyze job postings.
- Find partners in the community.

# Employee Resource Groups (ERGs)



# What are ERGs?

“Voluntary, employee-led groups that foster a diverse, inclusive workplace aligned with organizational mission, values, goals, business practices, and objectives.”

# Benefits of ERGs

- Employee support
- Employee education
- Professional development
- Recruitment tool



# Legal Risks

- Discrimination under Title VII and state laws.
- National Labor Relations Act.
  - Section 7 protected activity.
  - Misplaced bargaining practices.
- Lawful off-duty conduct.