August 27, 2025

Via U.S. Mail and Electronic Mail

Yana Garcia
Secretary for Environmental Protection
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
CalEPA Headquarters Building
1001 I Street
P.O. Box 2815
Sacramento, CA 95814
cepacomm@calepa.ca.gov

> Re: Investigation of Employment Practices of the California Environmental Protection
> Agency Pursuant to Section 707 of Title VII of the Civil Rights Act of 1964.

Dear Secretary Garcia:

The Department of Justice (Department) is opening an investigation to determine whether the California Environmental Protection Agency (CalEPA) is engaged in a pattern or practice of discrimination based on race, color, sex, and national origin in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII). It is the responsibility of the Attorney General of the United States to enforce the provisions of Title VII with respect to state and local government employers. The Attorney General has delegated authority to investigate compliance with these provisions to the Assistant Attorney General of the Civil Rights Division.

Title VII prohibits an employer from discriminating against an individual based on race, color, religion, sex, or national origin. *See* 42 U.S.C. § 2000e-2. When the Attorney General has reasonable cause to believe that a state or local government employer is engaged in a pattern or practice of discrimination in violation of Title VII, it is the Attorney General's responsibility to take appropriate action to eliminate that violation, including presenting the matter to the appropriate court for civil proceedings. *See* 42 U.S.C. § 2000e-6(a).

Our investigation is based on information that CalEPA may be engaged in employment practices that discriminate against employees, job applicants, and training program participants based on race, color, sex, and national origin in violation of Title VII. Specifically, CalEPA's "Practices to Advance Racial Equity in Workforce Planning" indicates that your agency may be using protected characteristics such as race, color, sex, or national origin to "increase[] equity in [your] hiring, promotion and retention practices and policies."[1] For example, this document provides that CalEPA will:

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[1] *Practices to Advance Racial Equity in Workforce Planning*, California Environmental Protection Agency, https://calepa.ca.gov/wp-content/uploads/2021/11/Practices-to-Advance-Racial-Equity-in-Workforce-Planning.sw_.jh_.pdf.

- Apply "a racial equity lens to every phase of workforce development" to achieve race-based workforce outcomes.[2]
- Use "value statement practices" by adding "racial equity / core value statement[s]" to ensure "[p]otential job candidates will be aware of values held by the hiring agency, which helps normalize and advance racial equity."[3]
- Engage in "screening practices" that account for "cultural competency and lived experience."[4]
- Ensure that interview panels "reflect racial, ethnic, gender and other diversity as much as possible."[5]
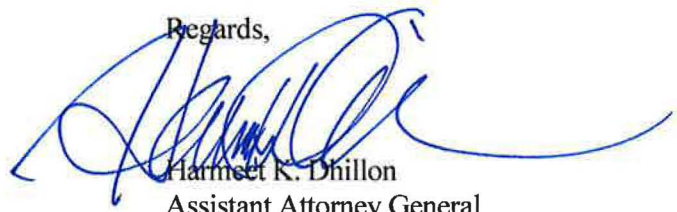
The California Air Resources Board (CARB), a division of CalEPA, appears to have put these principles into practice through its "Racial Equity Framework" to "shift the culture at CARB from one of white privilege to an actively anti-racist and more inclusive culture that values and affirms Black lives."[6] Through this effort, CARB aims to "develop a commitment to the breadth (all functions) and depth (throughout hierarchy) of institutional transformation" to advance race-based decision-making within the agency.[7] CARB refers to these efforts as "organizing / woke."[8]

Accordingly, I have authorized a full investigation to determine whether CalEPA is engaged in a pattern or practice of discrimination as set forth above. We have not reached any conclusions about the subject matter of the investigation. We intend to consider all relevant information, and we welcome your assistance in helping to identify what that might be. We would appreciate your cooperation in our investigation.

I have assigned Acting Deputy Assistant Attorney General Eric Sell to this investigation. Mr. Sell will be in contact with you shortly to set up a mutually agreeable date and time to discuss the parameters of this investigation, including the scope of information that we will be seeking from you. He may be reached by email at Eric.Sell@usdoj.gov.

Thank you for your cooperation.

Regards,

Harmeet K. Dhillon
Assistant Attorney General
Civil Rights Division

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[2] *Id.* at 9.

[3] *Id.* at 12.

[4] *Id.* at 17.

[5] *Id.* at 18.

[6] CARB Racial Equity Framework and Model for Change, California Air Resources Board, at 1, https://ww2.arb.ca.gov/sites/default/files/2023-04/
CARB%20Racial%20Equity%20Framework%20and%20Model%20for%20Change_ADA.pdf.

[7] *Id.* at 11.

[8] *Id.* at 10.

cc:

Office of the Attorney General
State of California Department of Justice
Attn: Public Inquiry Unit
P.O. Box 944255
Sacramento, CA 94244-2550
piu@doj.ca.gov

Eric A. Sell
Acting Deputy Assistant Attorney General
United States Department of Justice, Civil Rights Division

U.S. Attorneys' Offices (California)
Civil Chiefs:
  Pamela Johann (Northern District)
  David M. Harris (Central District)
  Edward A. Olsen (Eastern District)
  Katherine Parker (Southern District)

Andrea R. Lucas
Acting Chair
Equal Employment Opportunity Commission

Practices to Advance Racial Equity in Workforce Planning

Purpose of this "Living" Document

The purpose of this document is to lift up promising practices that may be applied in support of increasing equity in our hiring, promotion and retention practices and policies. The intended audience includes HR and EEO managers, hiring officials, recruitment specialists, and anyone interested in ideas to support more equitable hiring and workforce promotion and retention practices. In 2021, following one additional internal opportunity for review, the document will be shared more broadly with members of the Capitol Collaborative on Race and Equity and other organizational members of the Government Alliance on Race and Equity (GARE).

About the CalEPA Racial Equity Team

A team of about 20 staff and managers representing all of CalEPA's Boards, Departments and Offices (BDOs) participated in a learning year with GARE in 2018—taking part in regular training, conducting a self-assessment of the organization and developing the CalEPA Plan to Achieve Racial Equity. In 2019, a 20-person CARB cohort and a 20-person cohort representing all other BDOs focused on more training, data gathering and implementation. The team is guided by executive sponsors representing most of the BDOs. Yana Garcia, Deputy Secretary for Environmental Justice, Tribal Affairs and Border Relations is the founding Executive Sponsor for the team.

The sub-team on Workforce Equity, initially led by Kevin Olp and currently by Lily Wu, Staff Toxicologist at Office of Environmental Health Hazard Assessment, is made up of members from all BDOs.

In 2019, the Workforce Equity team, in response to a request from Water Boards Member and Executive Sponsor Laurel Firestone, began an effort to compile recruitment, hiring, and interview practices designed to help strengthen our workforce by broadening the scope of outreach to target applicants; hiring candidates with more diverse skill sets; and increasing objectivity in hiring. Also included are longer-term practices focused on retention, training and development (promotion). The practices are provided as five different interventions focusing on recruitment, hiring, screening, interviewing and long-term initiatives that have been used by other members of the GARE network (https://garemembers.racialequityalliance.org/home), including the California Coastal Commission and Housing and Community Development (HCD), which are part of the Capitol Collaborative on Race and Equity.

Process to Develop, Refine and Maintain this "Living" Document
We acknowledge and appreciate the extensive and excellent feedback on this document provided by the CalEPA Racial Equity team, and the human resources and

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program managers and staff of CalEPA's BDOs. All BDOs were invited to provide feedback after the Workforce Equity sub-team co-leads (Kevin Olp and Lily Wu) met with executives and HR staff of the BDOs during the summer of 2019. Feedback was collected and incorporated.

Additional feedback or practices on the current version may be emailed to the Workforce Equity lead, Lily Wu. This report is a "living document" that is adjusted incrementally. Revisions and additions are made as new information is gained through the application of these processes and practices.

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Why Racial Equity at CalEPA?

Racial equity means closing the gaps so that race is not a factor that predicts one's success, while also improving outcomes for all. We know that across most outcomes, racial inequities cut across other forms of marginalization (such as gender, sexual orientation, age) in ways that are deep and pervasive. While CalEPA has made many advances in support of our mission to protect the health and environment of all the people of California, environmental injustice leaves many communities behind. These communities bear a disproportionate burden of pollution and are most often communities of color, and *yet are disproportionately underrepresented among the staff of the government agencies working to address these important human and environmental health disparities*. Learn more about CalEPA's commitment to racial equity through this short video.

The California Communities Environmental Health Screening Tool (CalEnviroScreen) was developed by the Office of Environmental Health Hazard Assessment (OEHHA), one of CalEPA's offices. CalEnviroScreen identifies California communities that are disproportionately burdened by, and vulnerable to, multiple sources of pollution, by census tract. (Figure 1).
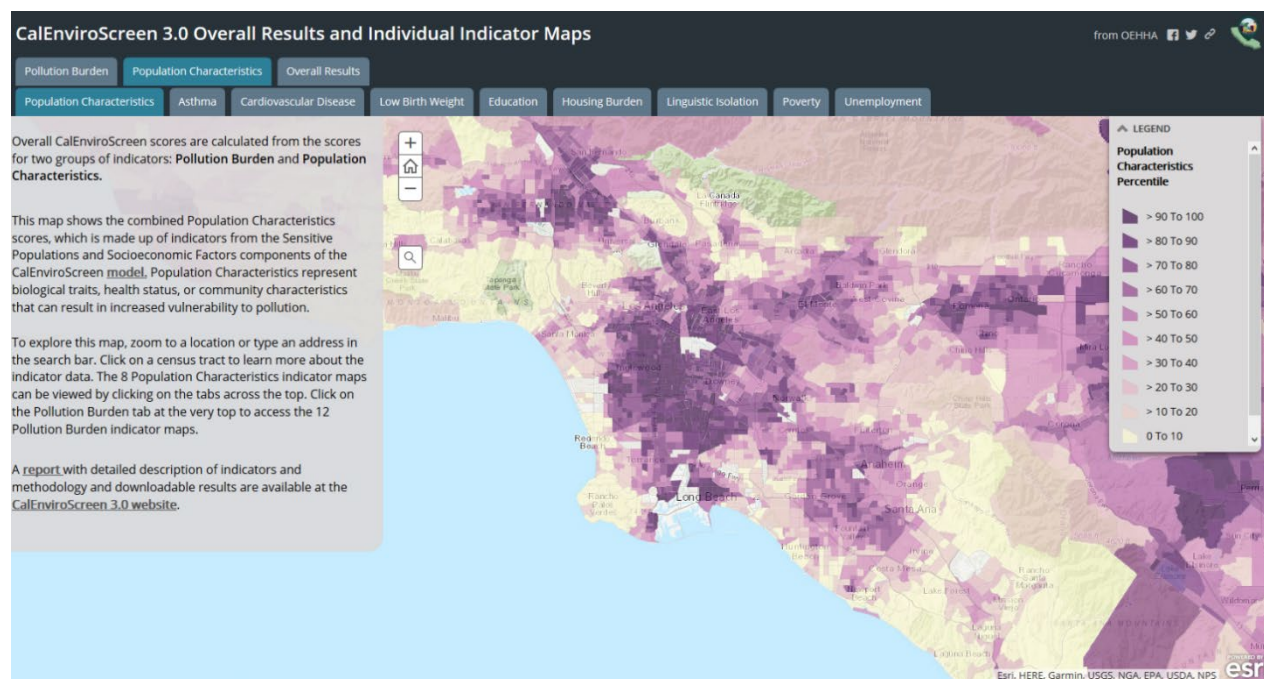
Figure 1. Screenshot of CalEnviroScreen. Available at https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30

There is an undeniable geographic overlap between communities that are economically disadvantaged, environmentally burdened, and communities of color (Figures 1 and 2). In light of this fact and in alignment with Governor Newsom's priorities, CalEPA and its

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Practices to Advance Racial Equity in Workforce Planning

BDOs have committed to advancing racial equity in our workforce to better serve California's communities (Appendix A). Learn more about CalEnviroScreen scores and race, ethnicity and age in the [Analysis of Race/Ethnicity, Age, and CalEnviroScreen 3.0 Scores](#).
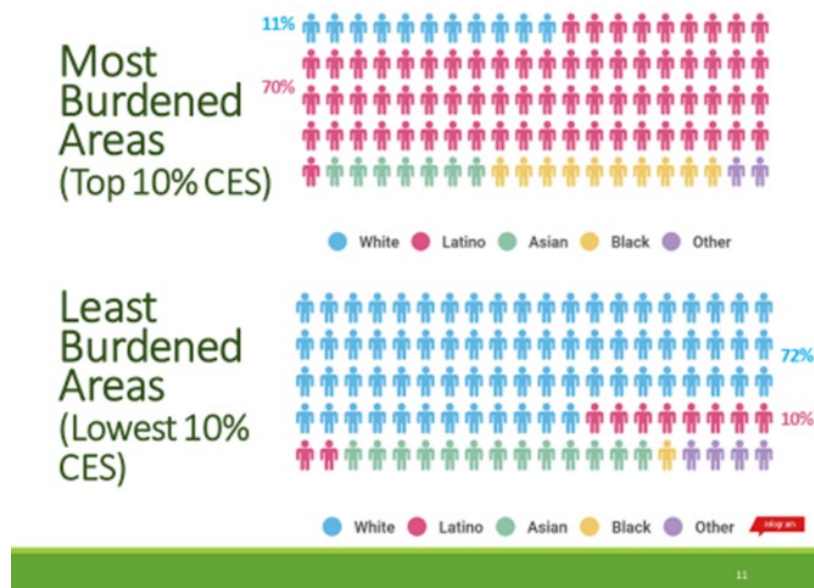
Figure 2. CalEnviroScreen Mining for Data on Children, Poverty, and Other Social and Environmental Factors. Children's Environmental Health Symposium. April 2017.

Through effective community engagement, building trust and working relationships through a trauma-informed lens (empathetic understanding of challenges endured by different communities of color), more is achieved in correcting historical environmental burdens and its associated effects on the environment and public health. A diverse workforce, representative of those we serve, with a variety of lived experiences, knowledge of local communities, and understanding of how to build trust in neighborhoods are critical preconditions for CalEPA to address contemporary environmental issues.

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CalEPA has an exceptional opportunity to work in the spirit of Governor Newsom's Diversity Initiative to take proactive steps to reduce racial disparities in representation within our workforce in the short-term. The next few years mark a period of large turnover in staff at CalEPA and its BDOs as the workforce baby boomers retire. Several BDOs have expressed difficulty in hiring, and retaining the talent needed to perform work (Appendix B). By recruiting and training more broadly for staff replacement, CalEPA's workforce can have the diverse perspectives needed to serve the diverse communities within California (Appendix C).

> "California doesn't succeed in spite of our diversity — our state succeeds because of it, I am deeply committed to building an administration that reflects California's diversity, and it's a goal I hope to advance at every level of state government."
>
> **Governor Gavin Newsom**

Equity and California's Merit Principle

The requirement that only a person's ability to do the job be considered when making decisions is known as "the merit principle" and the process of hiring and promoting people is called the "Merit System". At its core, the principle is meant to ensure that only a person's ability and qualifications to do the job, without regard for factors such as political affiliation, ethnicity, or gender, for example, are considered when making hiring and promotion decisions in California civil service. Additionally, the California Constitution does not allow any discrimination against, or the grant of any preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. State hiring rules and best practices have been created to ensure that hiring and promotional decisions are based on merit, and not inappropriate factors. However, state hiring rules and best practices do leave room for taking new steps to reduce or eliminate practices that perpetuate institutional racism while still ensuring that decisions are based on merit.

For example, the Governor's initiative offers a model of operating within the merit system by focusing on increasing the diversity of candidate pools based on "geography, racial and ethnic representation, sexual orientation and gender identity, professional experience, and disability status". As noted in the quotation from the Governor, diversity in our workforce actually makes us more successful—it makes us better able to "do the job". Thus, merit, as a concept, should be fully inclusive of the knowledge, skills and abilities to serve and engage a diverse public, navigate cross-cultural differences based on such things as immigration status, language barriers and other experiences of oppression, and address environmental injustice. For the majority of CalEPA employees, "doing the job" effectively requires an understanding of equity, whether it is learned on the job or gained through lived experience.

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Practices to Advance Racial Equity in Workforce Planning

Applying a racial equity lens to every phase of workforce development means we examine practices and policies that may reflect institutional racism—policies that regardless of intent, may result in outcomes that favor whites over people of color, and recommend and adopt practices that are more equitable. A review of the demographic make up of the CalEPA workforce calls for such an examination. CalEPA employs many state classifications such as broadly-ranging technical staff in engineering, sciences, lawyers, and administrative staff. A review by the CalEPA workforce equity and data teams of demographic data from the state's 5102 annual submissions reveals that in each BDO, there are racial ethnic and gender disparities in representation across the workforce (Appendices D, E, F, G and H). Review of the CalEPA-specific data show a trend in decreasing diversity in many classifications from entry-level to full journeyman-level and beyond to management (Appendix F and G). These disparities leave our workforce less equipped to address changing environmental conditions, especially as the largest pollution burdens increasingly remain in disadvantaged communities of color, who have less trust in government due to the government's role in racialized oppression over time.

Finally, our efforts to focus on workforce equity must not be limited to a sole focus on diversity, as reflected solely by workforce demographics. We must also take steps to ensure the culture of our organization is one where everyone feels like they belong and to that end, we recommend the practices be applied not only to those that are external-facing.

An emphasis on policies and practices related to recruitment and hiring is important because of the long arc of workforce development. Retention and promotion are equally critical, particularly in light of dwindling budgets for new hires. This document is designed to help strengthen our workforce through addressing the following opportunities in recruitment, hiring, retention, and promotional practices:

- Broadening the scope of outreach: Limited resources often lead recruitment officers to target fewer universities that are closer to our offices. Some of these colleges have much higher racial disparity graduation rates than the state average, leading to a less diverse candidate pool. There are many institutions of higher learning (ex: community colleges, state colleges and universities) with racially diverse student bodies and networks for providing work experience to students. Continued engagement with institutions of higher learning with relevant degree programs is essential to reaching more diverse candidates for vacant positions.
- Hiring candidates with more diverse skill sets: Implementing hiring practices that value lived experience and knowledge of diverse communities for positions that require regular engagement with diverse stakeholders, Tribes, and the public. Implementing screening practices that lift up candidates who can demonstrate the ability to successfully engage with the public, help build relationships and public trust through demonstrated transparency will be beneficial.

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- <u>Increasing objectivity in hiring</u>: According to a theoretical review published in *American Psychologist* by researchers from the University of California, Santa Cruz, most discrimination in the U.S. is not caused by intention to harm people different from us, but by favoritism directed at helping people similar to us. The review of experiments and survey methods from published scientific research on discrimination over the last five decades, found that the type of discrimination observed generally revolved around intent to help someone rather than intent to harm someone.
  - One common example was distribution of information about jobs and job references to people in one's own network. While these behaviors are not typically associated with causing direct disadvantage to anyone, they are nevertheless likely to be significant and result in hiring of more employees that replicate the current workforce's in-group characteristics.
- <u>Redaction practice</u>: Implementing practices that reduce potential in-group bias, for example redacting personal information about candidates and their educational institutions, have been demonstrated to reduce bias in the screening and interviewing process.

Practices to Advance Racial Equity

The following practices are presented as short-term and long-term interventions to advance racial equity in the workforce. Recruitment, hiring, screening, and interview practices have short-term, immediate actions, which can be implemented to advance workforce diversity and equity. Some practices have demonstrated utility for other members of the GARE network. Actions regarding long-term practices such as training and development (T&D), and paradigm shifts are also presented. Demonstration of utility of long-term practices are difficult as records of T&D are located in confidential employee records and have longer lead times to "see" results. Supporting rationale and examples may be specific to other government jurisdictions (city or county), particularly for long-term practices.

Each concept first states the practice, then rationale, example(s), and possible barrier(s)/limitation(s). Some practices presented in this document have been implemented to date at CalEPA and/or its BDOs; however, some practices have been used by other California state agencies such as the California Coastal Commission and Housing and Community Development (HCD). Practices to advance workforce diversity are included from our own State Water Boards. The intention is to treat this as a "living document" that is adjusted incrementally as needed based on new information gained through these processes and practices, towards the goal of continually improving how we serve California communities and promote racial equity within CalEPA and its BDOs. In addition, some practices identified in this document as long-term initiatives may require the participation of external entities, such as CalHR, to be implemented.

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Recruitment

Providing opportunities for diverse candidates supports healthy organizations by ensuring varied representation across all employment classifications and providing the building blocks for successful succession planning.

R1 | Posting Practice: Post positions/announce vacancies through additional resources compared to the state's current practices. Collaborate with local institutions of higher learning (community colleges, state colleges, and universities) and community organizations we partner with to develop internship and mentoring programs (example recommendations in Appendix C).
Rationale: (1) More broadly announcing vacancies increases the pool of diverse applicants. A "pipeline" is also created for future candidates. Recruitment should be aimed at qualified individuals from a wide array of sources to achieve a workforce from all segments of society, while avoiding discrimination for or against any employee or applicant. (2) Include a statement on vacancy announcements that indicates the BDO is committed to diversity, equity, and inclusion. Inclusion of such a statement for example, supports interview questions on the topic.

Examples: The California Air Resources Board (CARB) has a process in place to send job vacancy announcements on a continuous basis to the Science and Engineering Multicultural Organizations list (Appendix C). The California Strategic Growth Council routinely includes in all position announcements a value statement related to diversity, equity and inclusion, e.g. "the California Strategic Growth Council (SGC) is recruiting diverse leaders for the exciting position of Senior Administrator. We're looking for skilled professionals committed to helping SGC achieve its vision for healthy, thriving, and resilient communities for all. We encourage candidates from historically under-represented communities and/or experience in equity focused budgeting, grant making, and contracting to apply."
Barriers/Limitations: Time to establish networks to exchange information between local employers and colleges.

R2 | Outreach Practice: Conduct outreach for hiring in a broader scope of areas to ensure that we have outreach in or near environmental justice (EJ) communities. Staff

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of CalEPA and BDOs holding public meetings should have a general idea of vacancies and bring materials for job seekers. CalEPA BDOs which have regional offices could play a larger role in recruitment efforts by receiving notifications of statewide vacancies. Materials describing the work of CalEPA's BDOs could eventually make their way to local high schools and community colleges through relationships made by public participation specialists.

Rationale: Recruiting applicants for science and engineering positions at CalEPA and its BDOs through only elite universities could limit opportunities for people of color, who are often under represented at top-ranked schools. Additionally, recruitment of new staff who have cultural relevance to the issues being addressed and communities being affected will likely yield more successful outcomes.

Examples: (1) When hiring a sanitary or water resource control engineer to work in a predominantly Latino community in the Central Valley to address drinking water issues, the Water Board might focus more outreach and recruitment on Fresno State's Lyles College of Engineering and similar programs with significant local enrollment. In the fall 2018, Lyles College of Engineering had 46% Hispanic/Latino enrollment. UC Merced may also be a target for recruitment efforts, with a 48% Hispanic/Latino population in its School of Engineering. Fresno State University and UC Merced are recognized as Hispanic-serving institutions by the Hispanic Association of Colleges and Universities. (2) Collaborate with existing programs such as the Chan Zuckerberg Initiative (CZI), or UC Santa Cruz's STEM Diversity Programs. (3) CARB is partnering with Innovative Pathways to Public Service for Careers in Public Service Day, which will to provide a fieldtrip/overview of the Monitoring and Laboratory Division (MLD) for the School of Science and Engineering (work is being done to arrange a different division at CARB on a quarterly basis).

Barriers/Limitations: Time to build relationships and expand the network of universities and colleges beyond current practice.

Hiring Package – Vacancy Announcement / Duty Statement

H1 | Value Statement Practice: Add a racial equity / core value statement to any of our positions. Human resources staff who input vacancies into ECOS can populate the "Department Information" field with departmental value statement(s).

Rationale: Potential job candidates will be aware of values held by the hiring agency, which helps normalize and advance racial equity.

Examples:

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Practices to Advance Racial Equity in Workforce Planning

"The Water Boards values diversity at all levels of the organization and is committed to fostering an environment in which employees from a variety of backgrounds, cultures, and personal experiences are welcomed and can thrive. We believe the diversity of our employees and their unique ideas inspire innovative solutions to further our mission to preserve, enhance and restore the quality of California's water resources."
Job Posting: Director, Office of Public Participation
State Water Resources Control Board
JC-161997 – Director
Final Filing Date: 10/18/19
"Department Information"

CARB values diversity at all levels of the organization and is committed to fostering an environment in which employees from a variety of backgrounds, cultures, and personal experiences are welcomed and can thrive. CARB believes the diversity of our employees collectively make up one of the world's most respected environmental organizations. Join CARB and help us improve the lives of all Californians.
California Air Resources Board - on all job postings

"The California Coastal Commission values diversity at all levels of the organization and is committed to fostering an environment in which employees from a variety of backgrounds, cultures, and personal experiences are welcomed and can thrive. We believe the diversity of our employees and their unique ideas inspire innovative solutions to further our mission of protecting and enhancing California's coast and ocean for present and future generations."
Noaki Schwartz
Public Information Officer
California Coastal Commission

"HCD values diversity at all levels of the organization and is committed to fostering an environment in which employees from a variety of backgrounds, cultures, and personal experiences are welcomed and can thrive. HCD believes the diversity of our employees and their unique ideas inspire innovative solutions to further our mission. Join HCD and help us improve the lives of all Californians."
Mauro Lara
Program Manager
CA Housing and Community Development

The PHI Health in All Policies Program is committed to fostering an environment in which employees from a variety of backgrounds, cultures, and personal experiences are welcomed and can thrive. We believe that the lived experiences of our employees and their unique ideas inspire innovative solutions to further our mission of advancing health, equity, and sustainability through government practices. Black, Indigenous, People of Color (BIPOC), LGBTQIA+, people with disabilities are strongly encouraged to apply.

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Barriers/Limitations: Inclusion of a value statement will mean little if it is not reinforced through other aspects of the hiring phase. Not all hiring managers may be aware of institutional racism, which is an outcome when our policies and programs benefit whites over people of color, sometimes inadvertently. There are many sources for implicit bias training; consider offerings that incorporate concepts of white privilege, and institutional and structural racism.

H2 | Desirable Qualifications Practice: Hiring managers could state in vacancy announcements additional desirable qualifications, such as cultural competency, fluency in multiple languages, and/or life experience(s) pertinent to the position's duties as supported in the duty statement. The Exam and Certification Online System (ECOS) has two custom sections that human resources staff can populate with such desirable qualifications, if provided by the hiring manager. Hiring managers might consider ways to substantiate these additional desirable qualifications for some degree of formal education, thus supplementing formal education in the minimum qualifications.

Rationale: Cultural competence (the ability to understand, communicate with and effectively interact with people across cultures) may more often be developed from lived experience as compared to academic coursework. This document outlines several best practices to use, including ensuring minimum qualifications that relate to essential functions of job performance, conducting a job analysis to determine key tasks and competencies required for job performance at entry, considering potential in applicants in addition to their current skill sets, and taking measures to ensure that minimum qualifications are accurate.

Examples: **(1) CARB has included in SOQs for certain positions such examples as** "Describe your knowledge and experience demonstrating your understanding and awareness of multicultural protocols and sensitivity to cultural differences" and "Describe your experience and understanding in the principles and practices of environmental justice and the ability to work effectively with disadvantaged community members, community organizations and environmental justice organizations."

(2) Multnomah County created a [Best Practices document](#) focusing on intentionality and inclusion in crafting minimum qualifications in job descriptions. The county is working on removing any minimum qualifications that are not absolutely necessary and that may turn away qualified applicants who cannot fulfill a long list of formal requirements. The County "is working to ensure that its minimum qualifications only disqualify those who could not perform the job for clear and concrete reasons, rather than posing artificial barriers that could allow potential employees to fall through the cracks." (3) The Department of Pesticide Regulation (DPR) references "lived

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experience" in the values statement included in every job bulletin under the "Department Information" section:

"At DPR, we know the importance of building an organization that is as diverse as the communities we serve. We believe in maintaining a workplace where employees from a variety of backgrounds, cultures, and lived experiences can thrive. Working together, our multicultural team is positioned to better improve the lives of all Californians."

In addition, DPR checked the readability score of their message to ensure that it would be accessible and understandable to most people. The language is rated as 12th grade, which is appropriate for any entry-level state service classification.

Barriers/Limitations: (1) Consistent assessment of a qualitative trait by hiring managers, as opposed to a quantitative assessment such as a grade in a college course. (2) May require changes at CalHR regarding minimum qualifications for classifications.

H3 | Selecting Civil Service Classifications: Encourage hiring managers' use of screening criteria to classify a vacancy as accurately as possible. Cultural competence, EJ experience, etc. are not necessarily topics covered in technical disciplines such as engineering and natural, physical and/or chemical sciences. Cultural competence refers to an ability to effectively negotiate cross-cultural differences in order to accomplish practical goals, both internal and external-facing. Explicit inclusion of cultural competency knowledge, skills or abilities in a vacancy announcement and/or duty statement signals that the agency recognizes that addressing complex environmental challenges requires technical staff whose academic preparation may not have included such training, to demonstrate some minimal level of understanding.
Rationale: Small water systems consolidation is a controversial issue that requires multidisciplinary staff (such as engineers, scientists, and public participation specialists) to facilitate often tense meetings amongst stakeholder agencies and communities. For all involved staff to be most effective in managing these projects, staff need to maintain objectivity and at the same time understand the needs, challenges, goals and perspectives of the stakeholders. Tailoring a public engagement approach with an understanding of residents' concerns (e.g. fear of deportation due to possibility of Immigration and Customs Enforcement (ICE) agents attending public meetings) helps build trust. This is an example of cultural competence at work.
Examples: Sample desirable qualifications in technical staff:
-       Experience working with diverse communities

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- Knowledge or experience in EJ work
- Understanding strategies to incorporate EJ work into their duties
- Awareness of diverse communities and regional demographics
- Ability to engage with the public in layman's terms when providing information, training, etc.
- Bilingual in English and one of California's most spoken languages (Spanish, Chinese, Tagalog, Vietnamese, and Korean).
- Ability to communicate respectfully and with sensitivity

Barriers/Limitations: May be more directly applicable to positions and classifications that are already more representative of California's diverse population than to classifications that are currently less diversely staffed such as technical scientific and engineering positions. Professional associations often advocate for more neutral qualifications related directly to the professional licensing requirements (e.g. engineering).

Screening by Human Resources / Hiring Managers

S1 | Statement of Qualifications (SOQ) Practice: Include a full range of questions related to diversity, equity and inclusion in SOQ as consistent with duties of the position.
Rationale: Requiring a response to a SOQ about cultural competency, with other job application materials, may give a candidate who is otherwise on the margin for obtaining an interview a reason to be interviewed. Example SOQs can be developed and appended to this practices guide.
Examples: (1) The California Air Resources Board has included the following in selected Statements of Qualifications: Describe your experience and understanding in the principles and practices of environmental justice and the ability to work effectively with disadvantaged community members, community organizations and environmental justice organizations; Describe your knowledge and experience demonstrating your understanding and awareness of multicultural protocols and awareness of cultural differences; Describe your experience fostering diversity and inclusion in the workplace; (2) Portland State University strives to become an institution that is recognized nationally and internationally for the accomplishments of its faculty, the reputation of its programs, and the preparation of its students as world citizens. Consequently, all its employees are required to demonstrate cultural competencies. (3) The City of Portland, Oregon has an Office of Equity and Human Rights as part of its local government. The City requires applicants to answer a supplemental question that must be turned in with their application.

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How a candidate frames a response to qualifications focused on equity may reveal important information about the applicant's attitudes, beliefs and experiences related to the qualification.

Barriers/Limitations: Hiring managers need to carefully consider a range of responses in advance to construct consistent scoring criteria across candidates.

S2 | Screening Practice: When forming the screening criteria, broaden the focus on applicable knowledge, skills, and abilities to include points in the Screening Criteria Scoring Key pertaining to cultural competency and lived experience. Developing the right criteria is a balance between standards that are high enough to ensure good quality candidates move forward, but not so strict that a lot of qualified candidates would be unnecessarily screened out. In the Scoring Criteria Scoring Key, the total possible score in the category of experience and education should weighted equally, and the metrics to earn "credit" in each category should be similar.

Rationale: Engineers and scientists are generally not required to have credentials in cultural competencies during their educational training, as the topic is a social science. Duty statements for engineers and scientists that better identify the percentage of time that incumbents spend performing community engagement as well as technical duties would better inform the hiring manager and applicants about the nature of the work performed by the CalEPA BDOs and their staff.

Examples: DPR's Classification and Pay Unit is checking screening criteria and recommending changes on items that could be barriers. One example is requiring or awarding extra points for additional degrees that are not supported by the minimum qualifications of the classification. Example, the Environmental Scientist classification requires only a bachelor's degree. Requiring or giving extra points for additional degrees beyond this could be a barrier for people who had less access to education, but could nonetheless perform the duties of the job. Those advanced degrees are actually more appropriate for the promotional classification, Senior Environmental Scientist. DPR is also using opportunities to assist management with their screening criteria by recommending skills-based criteria instead of experience-based criteria, which could make a huge difference for who passes and who does not. Example: "Experience in a professional office setting providing reception services" vs "customer service skills/experience".

Barriers/Limitations: Hiring managers need to anticipate the cultural competencies needed in performing certain work and may not be able to do so without racial equity and/or implicit bias training. Train-the-trainer curricula are in development.

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S4 | Redaction Practice: Before the hiring manager and hiring panel receive the applications, human resources should redact candidate names and/or names of schools from applications. This is also known as "blind" screening.

Rationale: Implicit biases can influence how hiring managers perceive applicants' qualifications and suitability for the job, which can prevent them from identifying the most qualified candidate(s). For example, research studies have shown that resumes with names indicating that a candidate is a person of color and/or immigrant yield fewer callbacks than identical resumes with traditionally white names. The National Bureau of Economic Research showed job applicants with white names needed to send about 10 resumes to get one callback; those with African-American names needed to send around 15 resumes to get one callback. Precedent exists for the redaction of other types of information, such as confidential information, as required by California Government Code § 249.6. Redaction of Confidential Information on Candidate Documentation.

Example: Although the practice of redaction isn't new, it may have merit, if done properly. At certain points along the hiring process, where implicit bias might affect the progression of an applicant's documentation, identifiers (such as name, school(s) attended, and mailing address) can be coded so a hiring manager might not have bias in selecting candidates to interview. Human resources staff may make initial contacts with candidates for interviews to set up appointments for interviews thereby increasing the likelihood the first impression a candidate makes on a hiring manager is more likely the first conversation.

Barriers/Limitations: If there isn't a diverse candidate pool, blind screening will not be helpful. Manual redaction is a more labor intensive means of delivering application packets to hiring managers, but is possible, particularly on a pilot basis for selected classifications where disparities are the most significant. Lengthens the screening process for HR staff and hiring managers, which may not be feasible under time pressure.

Interviews

I1 | Panel Practice: Interview panels should reflect racial, ethnic, gender and other diversity as much as possible.

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Rationale: Diverse interview panels can reduce the effects of in-group favoritism and bias, which leads panelists to favor candidates who belong to their own racial or ethnic group. Including different groups of people and perspectives in the hiring process, including people of color, can lessen the impact of in-group bias in hiring.

Examples: In 2014, Intel implemented a requirement that every interview panel for new hires must include at least two women and/or people of color. By 2016, 45% of new hires were women and/or people of color, up from 32% in 2014. Similarly, at Cisco, diverse interview panels increased the odds of making it through the interview process by 50 percent for Hispanic women and 70 percent for African-American women.

Barriers/Limitations: This practice may add a significant workload to certain staff (because of racial or ethnic representation) and could disproportionately burden them with new responsibilities and time commitments beyond the scope of their salaried work, if not implemented mindfully. This practice will have limited success if the person of color is a "token" interviewer.

I2 | Question and Simulation Practice: Include interview questions and simulations about advancing racial equity and navigating community engagement challenges, if required by duties of the position.

Rationale: The ability to communicate and engage with a variety of communities and stakeholders is often critical to the effectiveness of technical staff in the CalEPA BDOs, and the ability of those staff to approach certain issues with appropriate sensitivity is accordingly critical to the success of those BDO's EJ and similar programs. Because of this, authentic community engagement and similar experiences and knowledge on the part of the job candidates should be given appropriate weight within the interview process.

Examples: Sample interview questions:
- How do you see yourself contributing to our work on advancing racial equity? (Listen to see if the candidate has past experiences that will add to or enhance the jurisdiction's efforts.)
- Please describe a situation in which you worked on a project with people who were from backgrounds other than your own. What was challenging for you in this work? What did you do to make your work together successful? (Listen to see if the candidate has reflected on the opportunities and challenges of creating inclusive workplace cultures.)
- How would you determine the demographics of an area where you are working on a drinking water consolidation project? How would this information determine your approach to the project and to engaging the affected communities?

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- Define environmental justice (EJ).
- An example of a good question might be a hypothetical question that reflects the reality of the work – "An important part of this job is engaging with communities affected by [specific to BDO's] actions and authorities. At times, the diverse communities of California can have different challenges, needs, priorities, goals, etc. Imagine you have been assigned to contact a rural community of 5,000 residents to discuss [relevant example for CalEPA BDO, e.g.: water system consolidation]. Your supervisor doesn't have a lot of information about the specifics of the community, except to tell you that a lot of the community members don't speak English and don't generally respond to letters in the mail. Please describe your strategy for engaging with this community, including any research you would do, resources you might use, and metrics you might develop to measure your success."

Barriers/Limitations: Interviewers must share commitments to racial equity and have cultural competency skills in order to evaluate a candidate's skills/responses and determine a candidate's readiness to engage with communities of color. To assist interviewers, sample questions can be developed and appended to this document to assess a candidate's knowledge, skill, and ability (KSA).

I3 | Feedback to Interviewees: Consider a practice of offering interviewees who are not selected the opportunity to receive feedback on their interview. Such offers could be made such that they would be available for a limited time after final hiring decisions are made and not be left open.

Rationale: Candidates who reach the interview stage but are not selected may wonder how they could have done better, not only in the interview but on the overall application. Constructive, timely and targeted feedback, focused on highlighting areas of necessary growth could support the interviewee. Such feedback is often most useful if delivered shortly after the interview.

Examples: Sample interview protocol: At the close of every interview, let the interviewee know that there will be an opportunity to request verbal feedback during a certain period following final notification by requesting a meeting with the selecting official.

Barriers/Limitations: It may not be feasible to do this for every hire. Hiring officials may decide to offer this only to internal candidates in support of retention goals. Hiring officials may be uncomfortable at the thought of having to provide feedback. Training is available on providing feedback and on difficult conversations.

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I4 | Implicit Bias Training: Ensure that hiring panels understand implicit bias.
Rationale: Implicit biases can influence how interviewers perceive and evaluate candidates that are not in the interviewer's in-group.
Examples: The State Water Resources Board made a commitment in 2019 that at least one member of each hiring panel would either receive training on implicit bias and/or an orientation on racial equity (inclusive of bias concepts).
Barriers/Limitations: Implicit bias training is currently available on a contract basis so funds need to be set aside.

Training and Development (T&D) / Retention

Investing in training that furthers personal and professional growth, supporting individual development plans and providing equitable opportunities for leadership experiences and projects can help employees grow and prepare for more challenging and rewarding future positions. The retention of employees has multiple benefits for organizations. Building a pool of talent with experience and knowledge of the many areas of our work is critical to providing exemplary service, but also has fiscal benefits based on the cost of replacing employees who separate from the organization. We must look beyond our entry levels of employment, where diversity is usually well represented (Appendix F) and create a path of opportunity for all staff to be included and show their full potential. The 2019 state 5102 data show for CalEPA, good racial/ethnic diversity among (F1) office / administrative staff, (F3) scientists, and (F4) engineers, however less racial/ethnic diversity is seen in (F2) legal professionals and management (F5, and Appendix H). Overall, the disparities in individual demographic compositions by discipline and rank and file vs. management are muted in the total CalEPA workforce (F6). Particularly in the current climate of budget shortfalls, when new hires will be limited, we must focus on retaining and developing the existing workforce.

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TD1 | Training and Development: Equitable opportunities for Training and Development (T&D) assignments provides an opportunity to broaden skills and experience. A T&D assignment can improve the ability to perform the duties of a current assignment, help prepare for future promotions, or facilitate entry into a new occupational field. Ensuring that implicit bias is not impacting supervisors' decisions to make such assignment is crucial. A department may evaluate representation for a particular job classification to determine if a more conscious approach to making T&D assignments is warranted.

Rationale: T&D is an important part of a department's overall employment, succession, and workforce planning efforts. This practice is a mutually beneficial endeavor for the state agency as well as employee as internally trained staff have the most relevant experience.

- Government Code section 19401 requires each State department to have an effective upward mobility (UM) program for employees in low paying occupational groups, such as the environmental scientist series.
- Government Code section 19402 requires state departments to annually develop goals and timetables which include the number of employees in low-paying occupations expected to progress to entry-level technical, professional, and administrative positions and to furnish this data to CalHR each year.

Examples: All T&D assignments, such as acting-out-of-class, are submitted with a Request for Personnel Action (RPA), whether or not the employee remains in their current position or is filling a vacant position. If filling a vacant position, that position is reclassified to the employee's current classification (STD 607 required).

Barriers/Limitations: The state of California does not have a standard T&D form used by *all* state agencies. The lack of consistency contributes to uneven participation by state agencies and unclear paths to promotional opportunities for state employees.

TD2 | Individual Development Plan (IDP): The purpose of the Individual Development Plan (IDP) is to establish personal objectives and develop a plan for achieving professional growth, career mobility and/or future career changes.

Rationale: Departments shall notify each eligible employee of the opportunity to submit an IDP at least annually for full-time employees and for permanent-intermittent employees who work seven hundred fifty (750) hours or more annually. An employee is not required to participate in the IDP process. If an employee elects not to participate, this decision will not be held against him/her.

Examples: When employees have clear goals and performance expectations, they understand how they add value to their organization and are more productive, energized, and engaged. Planning work, setting expectations, observing individual performance, developing the capacity to perform, evaluating performance, and

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recognizing successful performance are so very important. Below is an example of how an associate governmental program analyst (AGPA) may plan to develop additional skills.

STATE OF CALIFORNIA — DEPARTMENT OF PERSONNEL ADMINISTRATION
INDIVIDUAL DEVELOPMENT PLAN
FOR FUTURE JOB PERFORMANCE OF PERMANENT EMPLOYEES

STD. 637 (REV. 7-94c)

EMPLOYEE NAME (Last, First, Middle Initial) SAMPLE	DATE OF THIS PERFORMANCE DISCUSSION	
CIVIL SERVICE TITLE AGPA - 1	POSITION NUMBER	LAST PERFORMANCE DISCUSSION DATE
STATE DEPARTMENT NAME SAMPLE	DEPARTMENT SUBDIVISION SAMPLE	EMPLOYEE'S HEADQUARTERS

PERFORMANCE OBJECTIVES — Goals for further improvements in job performance during the next year in order to meet or exceed standards for the employee's present job or to develop employee skills.	PLANS FOR ACHIEVING OBJECTIVES — Specific methods by which the employee can work toward accomplishing his or her performance objectives (in-service training courses, college courses, rotation, special work assignments for training purposes, etc.).
Develop Data Management and Reporting Skills	1. Classes - Excel Basics and Excel Intermediate (OTD or CalHR) 2. PACE E-learning Excel Intro and Formulas 3. Assignment - create and maintain ABC tracking spreadsheet
Enhance Analytical Writing Skills	1. Class - Writing for Analysts (OTD or CalHR) 2. Review Resources - OTD Tips and Tools Page - Completed Staff Work - Review Issue Memo Format and Writing Standards tips 3. Assignment - write issue memo for ABC project
Develop ability to provide briefings and short update presentations	1. Class - Presentation Skills (OTD) 2. Review OTD Web Resources - Presentation Skills Program 3. Assignment - Two presentations at Branch meetings

Barriers/Limitations: State agencies are inconsistent in the use of IDPs. Each department or agency is ultimately responsible for the overall commitment to career development; accountability to fill non-entry level positions in a timely manner may help provide impetus to develop existing staff.

TD3 | Affinity Groups: Affinity groups are a way in which an organization can be intentional about identifying opportunities for people to grow closer, to share experience(s) they need perspective on, to be co-learners together, and have some time and space to just "be". Also known as special emphasis programs at the federal level or employee resource groups in the private sector, the groups can serve to raise awareness about representation in the workforce and provide peer coaching such as through mock interviews.

Rationale: By creating safe spaces for people to converse, a dialogue can occur about shared experiences and shared learning that can be helpful for making informed decisions and building relationships toward a greater good.

Examples: (1) The State Water Resources Control Board approved CalEPA's first affinity group: LBGTQ + Employees of CalEPA in 2020. Plans are underway to support

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other groups. (2) Los Angeles County's Department of Public Works has numerous employee affinity groups which are champions of the diverse groups they represent. They work hard to increase awareness and appreciation of differences; promote cross-cultural learning; and enhance team spirit and unity. Los Angeles County's Public Works employee affinity groups conduct outreach activities in the community, offer scholarships, and create a safe environment for employees to explore their ethnic heritage, network, and share their culture with the rest of the DPW family. Membership in Employee Affinity groups is open to all employees.

Barriers/Limitations: Providing the space (virtual, physical and work time) for bringing affinity groups together within an organization with a level of honesty, realness, and compassion that can cultivate a culture of inclusion.

TD4 | Ombudsman: An ombudsman works independently to provide individuals with a confidential avenue to address complaints and resolve issues at the lowest possible level.

Rationale: Under ideal circumstances, everyone will get along, have cordial working relationships, and have equal opportunities to thrive in his/her/their career. However, in the real world workplace, situations can arise among colleagues and in a hierarchy, where, due to office culture and fear of retaliation, microaggressions may go unreported. A microaggression is a comment or action that subtly and often unconsciously or unintentionally expresses a prejudiced attitude toward a member of a marginalized group (such as a person of color). Over time, repeated microaggressions may indicate a systemic issue that needs addressing. In cases involving personnel, there is often no straightforward path to reporting an issue. Fear of retaliation in a hierarchy by involving human resources, fear of going against the office culture, or fear of losing one's own job are all reasons microaggressions may go unreported and contribute to a larger systemic issue in an institution.

Examples: The California Department of Corrections and Rehabilitation (CDCR), which is a participant in the Capitol Collaborative on Race and Equity, has an Office of the Ombudsman. While CDCR's ombudsman website does not appear to address the CDCR workforce, an impartial entity for resolving human resources issues is generally seen as positive.

Barriers/Limitations: Agency size and budget may prohibit staffing an ombudsman; however, if shared among BDOs the possibility seems feasible. Also, an ombudsman should be well-versed in racial equity issues.

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Promotion / Upward Mobility

Providing timely and constructive feedback helps employees thrive and feel valued. Such feedback, delivered constructively, empathetically and consistently, is one of the most critical of supervisory responsibilities. Failure to provide feedback can serve as a barrier to growth. Understanding and eliminating barriers to promotion and professional development aligns with and supports key elements of retaining a talented and diverse workforce, and reflects whether our organizational culture and practices support thriving employees throughout their careers.

In the Root Cause Analysis (Appendix B), one of the barriers identified by the workforce equity sub-team was the perception that "opportunities are not utilized to create promotional opportunities for staff equitably".

P1 | Feedback: Constructive conversations at regular intervals outside of performance reviews at any and all stages of a person's career can be useful in highlighting both areas of strength that an employee should cultivate as well as areas for growth.
Rationale: A person's career goes through many ebbs and flows over time. From the beginning of one's career, a person generally gets more feedback which tends to wane over time as an individual passes probation and becomes a seasoned member of the staff or lower-/ middle-management. As one transitions from staff-level to management, feedback may be increasingly sparse as more responsibilities are accrued.
Examples: With heavy workloads, staff and supervisor's conversations may focus on more essential topics. As is common in times when resources (including time) are limited, workers are asked to do more with less and so a negative feedback loop may be formed. Non-essential conversations are eliminated, and possibly forgotten as new projects replace completed projects. A consequence may be that a job well-done does not get recognized by management to the staff that completed it.
Barriers/Limitations: Unless an individual is on good terms with their supervisor (or management) asking for feedback may create an uncomfortable situation for both sides. Staff may not feel comfortable for fear of being perceived as dependent or lacking confidence. Management may feel uncomfortable in cases if a project went poorly and requiring a difficult conversation.

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P2 | Project Management Opportunities: Supervisors should consider the potential for implicit bias and/or established relationships with certain employees that result in choice assignments repeatedly going to the same individuals. In many civil service classifications, an individual can top-out of their classification (in terms of pay) well before he/she/they are "topped out" in their work capacity.

Rationale: Being a lead on technical work often goes to individuals with experience. However, without opportunity, experience is often not gained.

Examples: In situations where supervisors have established staff, routines are often created. Staff's talents may be type-casted. Unconsciously, supervisors may request the same type of assignment be completed by certain staff because of previous successful completion. This leaves little to no opportunity for staff development and varied experiences including leadership on a task.

Barriers/Limitations: Supervisors may need to break established routines and mentor staff who are less experienced on certain tasks to create opportunities for learning.

Long-term Initiatives for CalEPA and BDOs

LI1 | Addressing the resource need early: Engage with primary school (Kindergarten through 12th grade) students to educate young minds on the importance of science and engineering (as well as other Science, Technology, Engineering and Math (STEM)) for technical careers at CalEPA.

Rationale: Foster early talent detection in the areas of STEM through existing resources and the adoption of a Youth Aid program, and outreach at high schools where there is a broad diverse student population.

Examples: California Department of Education's K-12 STEM education. The 7th Annual STEAM symposium occurs in December 2019 in Anaheim, CA.

Barriers/Limitations: There is a significant investment of time (staff resource) in today's youth before return can be realized. Collaboration with existing entities such as the Department of Education and California Association of Professional Scientists (CAPS) union could help expedite addressing the resource need early. Educational process interventions in high school and college are also potentially fruitful, many women of color and students of non-white background are discouraged from STEM early but later find a mentor or some reason to engage.

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LI2 | Paradigm shift in hiring outreach efforts: Promote changing current CalHR hiring practices and laws that limit upward mobility and advancement and/or working with the unions to promote advancement through multiple fields.

Rationale: The current state classification system for employees in technical fields (e.g. environmental scientist, senior environmental scientist) are not sufficiently "ranged" in salary scale. In order for technical staff to increase their salaries after years of experience on the job, one needs to follow the management track or be nominally stuck at the same salary (aside from cost of living adjustments (COLA) usually negotiated by unions).

Examples: Environmental Scientist series

ENVIRONMENTAL SCIENTIST
A $3,668.00   - $4,541.00
B $4,457.00   - $5,530.00
C $5,641.00   - $7,013.00

SENIOR ENVIRONMENTAL SCIENTIST (SPECIALIST)
$6,491.00   - $8,075.00

SENIOR ENVIRONMENTAL SCIENTIST (SUPERVISORY)
$8,912.00   - $11,079.00

Barriers/Limitations: Significant investment of time, requires cooperation of multiple entities, and funds in the state budget.

LI3 | Branding Our Work and Organizations: Work with the media industry to promote public and environmental health. Celebrities such as Brad Pitt and Matt Damon are influencers and have been active in providing water to underdeveloped communities. Television ads could also be promoted about the importance of potable tap water and careers in the sciences (similar to stop smoking or vaping ads by Department of Public Health).

Rationale: Millennials are the generation coming of age and entering the workforce in mass as the remaining Baby Boomers retire. The Millennial generation is quickly becoming the world's most active group of consumers, and hence, a major focus of

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marketing and entertainment media across the country. As a digitally connected group, many can be reached with influential personalities.

Examples: Rupa Basu (Research Scientist Supervisor I, OEHHA), appears in "Years of Living Dangerously" with actor Matt Damon to discuss the impact of heat waves on health.

Barriers/Limitations: Lead time to form the relationships for effective collaboration. Using a multi-pronged, reciprocity approach could accelerate benefits for both parties.

LI4 | Apply a Racial Equity Lens to Hiring: Select the entire hiring process or an aspect of it and apply the five-question racial equity lens (a data-driven approach used by members of GARE) to identify areas of improvement.

Rationale: The practices described in this report are taken from GARE members, the literature and practices underway at CalEPA. However, to have a truly comprehensive understanding of the root causes in inequity in hiring, an organization-specific assessment must be conducted so that the most appropriate and effective practices are selected.

Examples: Dane County, Wisconsin, in 2016, applied a racial equity lens to their hiring practices*, Equity Assessment of Current Recruitment/Hiring Practices: An Opportunity to Move Equity Forward* (available upon request). The assessment resulted in 25 recommendations, many of which mirror some of the practices included in this report.

Barriers/Limitations: Applying a racial equity tool requires senior executive level support and the commitment to, either through self-study or training, gain an understanding of the racial equity framework that guides CalEPA's work on racial equity.

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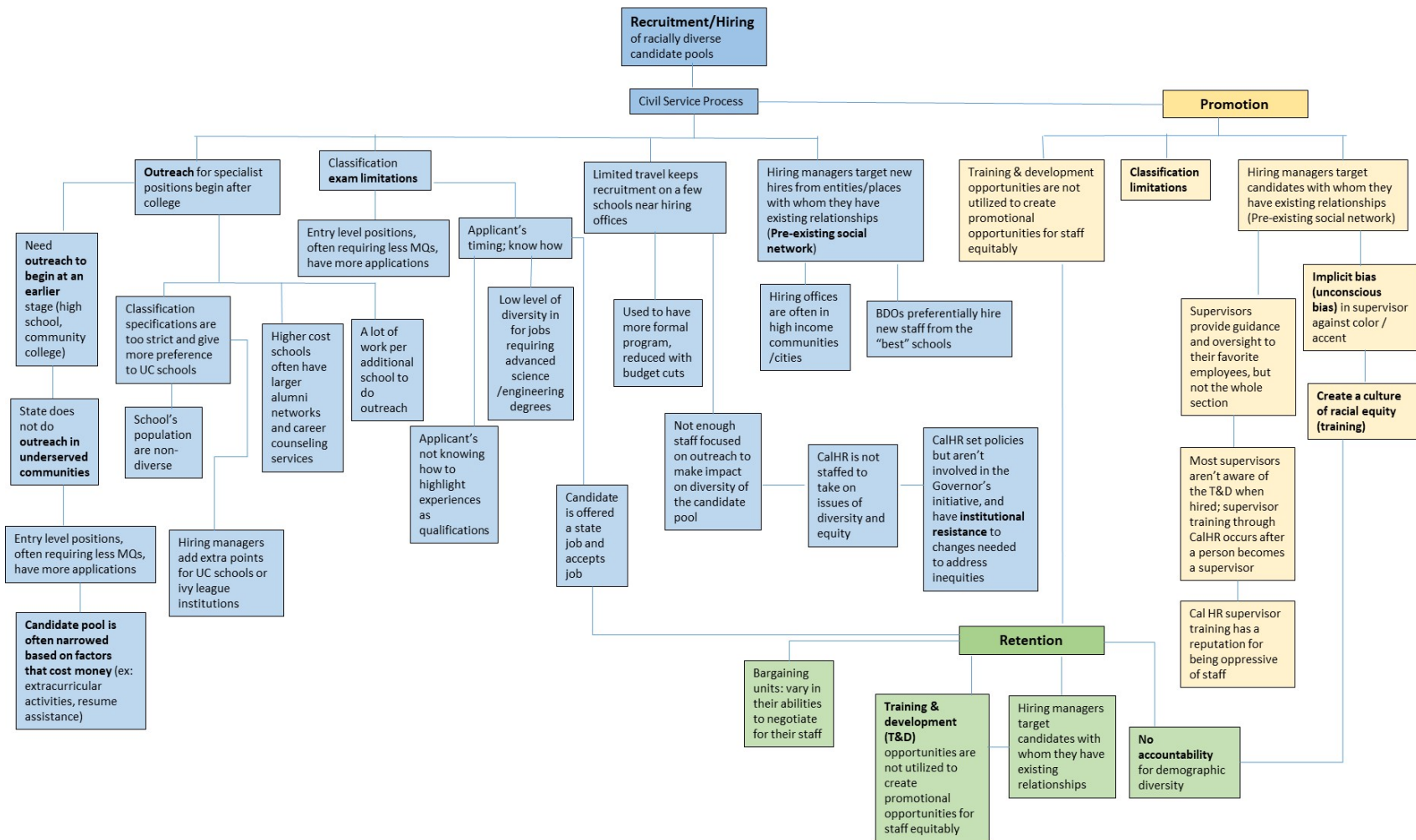## Appendix A: CalEPA Plan of Action for Racial Equity: Executive Summary

Advancing racial equity is a priority for the California Environmental Protection Agency (CalEPA). Recognizing this importance, CalEPA participated in the inaugural 2018 Government Alliance on Race and Equity (GARE) Capitol Cohort. GARE is a national network of government offices and agencies working to achieve racial equity and advance opportunities for all. CalEPA and each of its boards, departments, and offices (BDOs), including the Air Resources Board, CalRecycle, the Department of Pesticide Regulation, the Department of Toxic Substances Control, the Office of Environmental Health Hazard Assessment, and the State Water Resources Control Board participated, as an intra-agency team, in the first inaugural State-wide capital cohort. As part of their participation in year one of the GARE training program, CalEPA's Team Beyond Green, along with many state agency partners, completed an organizational self-assessment on racial equity and developed recommendations. As a result, specific strategies and goals to advance racial equity within CalEPA were identified in the Plan of Action for Racial Equity (PARE).

The PARE includes a racial equity vision statement, and principles and goals to help advance racial equity, shared among sister agencies. The three goals described in the PARE can be summarized as follows: 1. Organizational Commitment to Advance Racial Equity; 2. Language Access Services; and 3. Recruitment, Hiring, Retention, and Promotion Practices. Each goal details a baseline of the current agency status, recommended specific activities, activity leads, milestones, key partners/performance indicators, deliverables and a timeline with a proposed five-year completion goal. Issues of racial inequities are deep and pervasive across California and the country. A commitment to racial equity is reflected throughout policies and practices and reinforced at all levels of the organization. The PARE addresses structural racism by prioritizing a collective racial equity agenda. With its commitment to environmental justice, CalEPA is uniquely positioned to confront these challenges. Major strategies include growing a highly skilled workforce that is representative of the communities we serve, incorporating environmental justice into decision-making processes, language accessibility, and other institutional and cultural shifts.

CalEPA has a continued commitment to all Californians regardless of race, color, creed, national origin, ancestry, sex, marital status, disability, age or sexual orientation. The PARE focuses on race and ethnicity as these intersect closely with the many other identities of employees at CalEPA and its BDOs, and the people of California. CalEPA and its BDOs acknowledge that this intersectionality increases the difficulties and inequities faced by many Californians. The PARE is a living document and roadmap for initiating the advancement of racial equity throughout CalEPA.

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Appendix B: Root Cause Analysis: Barriers Behind Recruiting / Hiring/ Promoting / Retaining a Diverse Workforce [1]

Recruitment/Hiring of racially diverse candidate pools

Civil Service Process

Promotion

Outreach for specialist positions begin after college

Classification **exam limitations**

Limited travel keeps recruitment on a few schools near hiring offices

Hiring managers target new hires from entities/places with whom they have existing relationships (**Pre-existing social network**)

Training & development opportunities are not utilized to create promotional opportunities for staff equitably

Classification limitations

Hiring managers target candidates with whom they have existing relationships (Pre-existing social network)

Need **outreach to begin at an earlier** stage (high school, community college)

Entry level positions, often requiring less MQs, have more applications

Applicant's timing; know how

Implicit bias (unconscious bias) in supervisor against color / accent

Classification specifications are too strict and give more preference to UC schools

Higher cost schools often have larger alumni networks and career counseling services

A lot of work per additional school to do outreach

Low level of diversity in for jobs requiring advanced science /engineering degrees

Used to have more formal program, reduced with budget cuts

Hiring offices are often in high income communities /cities

BDOs preferentially hire new staff from the "best" schools

Supervisors provide guidance and oversight to their favorite employees, but not the whole section

Create a culture of racial equity (training)

State does not do **outreach in underserved communities**

School's population are non-diverse

Applicant's not knowing how to highlight experiences as qualifications

Not enough staff focused on outreach to make impact on diversity of the candidate pool

CalHR is not staffed to take on issues of diversity and equity

CalHR set policies but aren't involved in the Governor's initiative, and have **institutional resistance** to changes needed to address inequities

Most supervisors aren't aware of the T&D when hired; supervisor training through CalHR occurs after a person becomes a supervisor

Entry level positions, often requiring less MQs, have more applications

Hiring managers add extra points for UC schools or ivy league institutions

Candidate is offered a state job and accepts job

Cal HR supervisor training has a reputation for being oppressive of staff

Candidate pool is often narrowed based on factors that cost money (ex: extracurricular activities, resume assistance)

Retention

Bargaining units: vary in their abilities to negotiate for their staff

Training & development (T&D) opportunities are not utilized to create promotional opportunities for staff equitably

Hiring managers target candidates with whom they have existing relationships

No accountability for demographic diversity

[1] These ideas were compiled from the opinions of staff of the CalEPA Beyond Green workforce equity team.

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Appendix C: Examples of Science and Engineering Affinity Chapters at Institutions of Higher Education in California

Organization	College / University	Program Type	Degree Level	Location	Email	Website
Multicultural Engineering Program	Cal Poly San Luis Obispo	University Program		San Luis Obispo, CA	mep@calpoly.edu	https://mep.calpoly.edu/
National Society of Black Engineers - Cal Poly SLO	Cal Poly San Luis Obispo	Student Organization	Undergraduate Level Focus	San Luis Obispo, CA	cpnsbe.president@gmail.com	https://sites.google.com/view/calpolyslonsbe/home
Society of Hispanic Professional Engineers - Cal Poly	Cal Poly San Luis Obispo	Student Organization	Undergraduate Level Focus	San Luis Obispo, CA		http://shpe.calpoly.edu/
MESA - American River College	American River College	Statewide Effort	Associate Degree	Sacramento, CA		http://www.arc.losrios.edu/ARC_Majors/Mathematics/MESA/MESA_Program.htm
MESA- Cosumnes River College	Cosumnes River College	Statewide Effort	Associate Degree	Sacramento, CA	CarneyM@crc.losrios.edu	https://www.crc.losrios.edu/services/mesa
MESA- Sacramento City College	Sacramento City College	Statewide Effort	Associate Degree	Sacramento, CA	JauregL@scc.losrios.edu	https://www.scc.losrios.edu/mesa/
MESA - UC Davis	UC Davis	Statewide Effort	Undergraduate Level Focus	Davis, CA	mesaschools@ucdavis.edu	https://mesaschools.ucdavis.edu/

Practices to Advance Racial Equity in Workforce Planning

Organization	College / University	Program Type	Degree Level	Location	Email	Website
American Indian Science and Engineering Society - UC Davis	UC Davis	Student Organization	Undergraduate Level Focus	Davis, CA	aises.ucd@gmail.com	https://aises.engineering.ucdavis.edu/
Society of Women Engineers	UC Davis	Student Organization	Undergraduate Level Focus	Davis, CA	swe.ucd@gmail.com	http://sweucd.org/
Black Engineers Association (BEA) - UC Davis	UC Davis	Student Organization	Undergraduate Level Focus	Davis, CA	ucdbea.programschair@gmail.com	http://ucdbea.com/
Alliance for Diversity in Science and Engineering	UC Davis	National Non-profit		Davis, CA	AllianceInScienceDavis@gmail.com	https://stem.ucdavis.edu/resources/alliance-for-diversity-in-science-and-engineering-ucd-chapter/
Society of Women Engineers - UC Berkeley	UC Berkeley	Student Organization	Undergraduate Level Focus	Berkeley, CA	swe.berkeley@gmail.com.	https://swe.berkeley.edu/
Black Engineering & Science Student Association	UC Berkeley	Student Organization	Undergraduate Level Focus	Berkeley, CA	ucberkeleybessa@gmail.com	http://www.ucberkeleybessa.com/
Latinx Association of Graduate Students in	UC Berkeley	Student Organization	Graduate Level Focus	Berkeley, CA	lagses.contact@gmail.com	https://lagses.berkeley.edu/

Practices to Advance Racial Equity in Workforce Planning

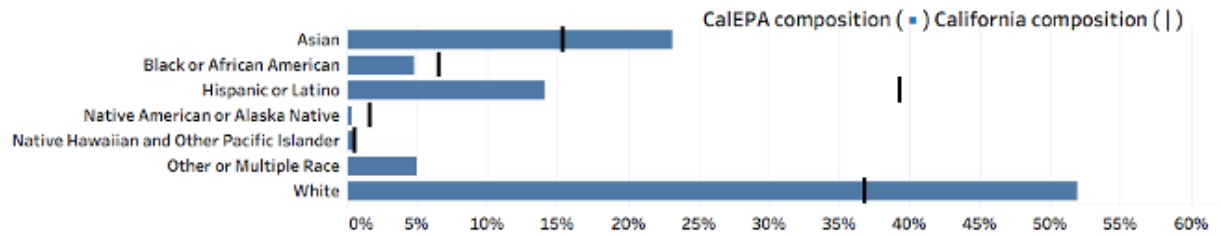| Organization	College / University	Program Type	Degree Level	Location	Email	Website
Engineering and Science						
Pilipino Association of Scientist, architects, and Engineers	UC Berkeley	Student Organization	Undergraduate Level Focus	Berkeley, CA	ucb.pasae@gmail.com	https://pasae.berkeley.edu/
The Society of Black Engineers-Stanford Chapter	Stanford University	Student Organization	Undergraduate Level Focus	Stanford, CA	stanfordsbse@gmail.com	http://sbse.stanford.edu/
Stanford Society of Women Engineers	Stanford University	Student Organization	Undergraduate Level Focus	Stanford, CA	stanfordswe@gmail.com	http://swe.stanford.edu/
Stanford American Indian Science and Engineering Society	Stanford University	Student Organization	Undergraduate Level Focus	Stanford, CA	jhenson@stanford.edu	http://aises.stanford.edu/
Stanford's Society of Latino Engineers	Stanford University	Student Organization	Undergraduate Level Focus	Stanford, CA	stanford.sole@gmail.com	http://sole.stanford.edu/#/
Black Engineering Graduate Student Association	Stanford University	Student Organization	Graduate Level Focus	Stanford, CA	stanford_begsa@lists.stanford.edu	http://stanfordbegsa.wixsite.com/begsa/about
Stanford Native American	Stanford University	Student Organization	Graduate Level Focus	Stanford, CA	SNAGS@lists.stanford.edu	https://web.stanford.edu/group/snags/

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Organization	College / University	Program Type	Degree Level	Location	Email	Website
Graduate Students						
American Indian Science and Engineering Society - CSUS	Sacramento State	Student Organization	Undergraduate Level Focus	Sacramento, CA	csusaises@gmail.com	
National Society of Black Engineers - CSUS	Sacramento State	Student Organization	Undergraduate Level Focus	Sacramento, CA	president.csusnsbe@gmail.com	
Society of Hispanic Professional Engineers - CSUS	Sacramento State	Student Organization	Undergraduate Level Focus	Sacramento, CA	sacshpe.president@gmail.com	
MESA - Sacramento State	Sacramento State	Statewide Effort	Undergraduate Level Focus	Sacramento, CA	mep@ecs.csus.edu	http://www.ecs.csus.edu/mep/index.html
National Society of Black Engineers - UC Merced	UC Merced	Student Organization	Undergraduate Level Focus	Merced, CA	ucm.nsbe@gmail.com	
Center for Excellence in Engineering and Diversity - UCLA	UCLA	University Program		Los Angeles, CA	ceed@seas.ucla.edu	https://www.ceed.ucla.edu/
American Indian Science & Engineering Society - UCLA	UCLA	Student Organization	Undergraduate Level Focus	Los Angeles, CA	uclaaises@gmail.com	

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Practices to Advance Racial Equity in Workforce Planning

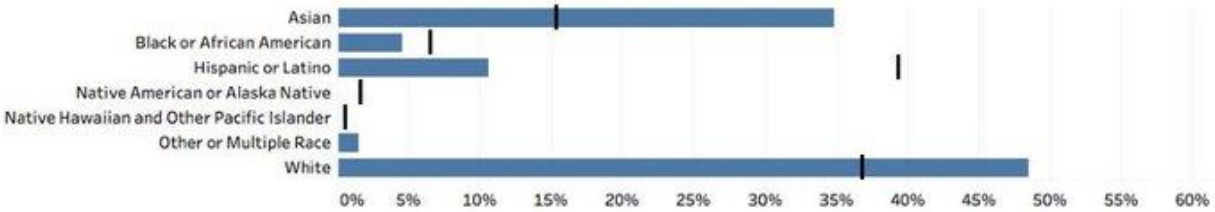| Organization	College / University	Program Type	Degree Level	Location	Email	Website
Arab American Association of Engineers and Architects	UCLA	Student Organization	Undergraduate Level Focus	Los Angeles, CA	aaaea.ucla@gmail.com	
National Society of Black Engineers - UCLA	UCLA	Student Organization	Undergraduate Level Focus	Los Angeles, CA	nsbe.bruins@gmail.com	
Society of Latino Engineers and Scientists - UCLA	UCLA	Student Organization	Undergraduate Level Focus	Los Angeles, CA	uclasoles@gmail.com	http://uclasoles.com/
Society of Women Engineers (SWE)	UCLA	Student Organization	Undergraduate Level Focus	Los Angeles, CA	swe@seas.ucla.edu	http://www.swe.ucla.edu/
UCI California Alliance for Minority (people of color) Participation	UC Irvine	University Program	Undergraduate Level Focus	Irvine, CA	LSAMP@uci.edu	https://camp.uci.edu/
Society of Women Engineers - UC Irvine	UC Irvine	Student Organization	Undergraduate Level Focus	Irvine, CA	swe.uci.web@gmail.com	http://clubs.uci.edu/swe/
Society of Women Engineers - Humboldt State	Humboldt State	Student Organization	Undergraduate Level Focus	Arcata, CA	swe@humboldt.edu	https://clubs.humboldt.edu/club_sites/society-women-engineers
Society of Hispanic Professional	Humboldt State	Student Organization	Undergraduate Level Focus	Arcata, CA	shpe@humboldt.edu	https://clubs.humboldt.edu/club_sites/society-hispanic-

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Practices to Advance Racial Equity in Workforce Planning

| Organization	College / University	Program Type	Degree Level	Location	Email	Website
Engineers - Humboldt State						professional-engineers-shpe
MESA- UC Riverside	UC Riverside	Statewide Effort	Undergraduate Level Focus	Riverside, CA	carlosg@engr.ucr.edu	https://mesa.engr.ucr.edu/
Society of Hispanic Professional Engineers - UC Riverside	UC Riverside	Student Organization	Undergraduate Level Focus	Riverside, CA	shpe@engr.ucr.edu	https://www.engr.ucr.edu/~shpe/index.html
Society of Women Engineers	San Diego	Student Organization	Undergraduate Level Focus		swe@eng.ucsd.edu	http://swe.ucsd.edu/

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Appendix D: 2019 California vs. CalEPA Racial/Ethnic Composition

Data Sources
CalEPA employee demographic data provided by CalHR 5102 datasheet (2019). California demographic data provided by United States Census Bureau (2019).

Appendix E: 2019 California vs. CalEPA Individual BDO Racial/Ethnic Composition

Office of Environmental Health Hazard Assessment (OEHHA)

Department of Toxic Substances Control (DTSC)
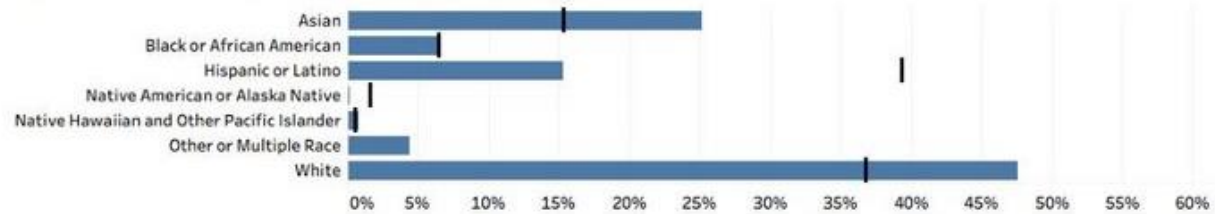
Office of the Secretary
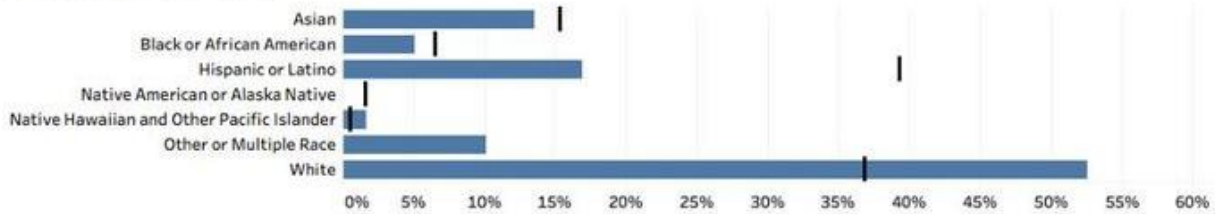
State Water Resources Control Board (SWRCB)
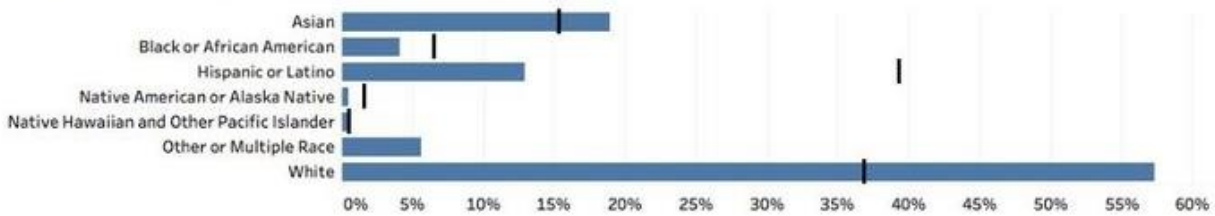
Data Sources
CalEPA employee demographic data provided by CalHR 5102 datasheet (2019). California demographic data provided by United States Census Bureau (2019).

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Appendix F: 2019 CalEPA Diversity by Disciplines
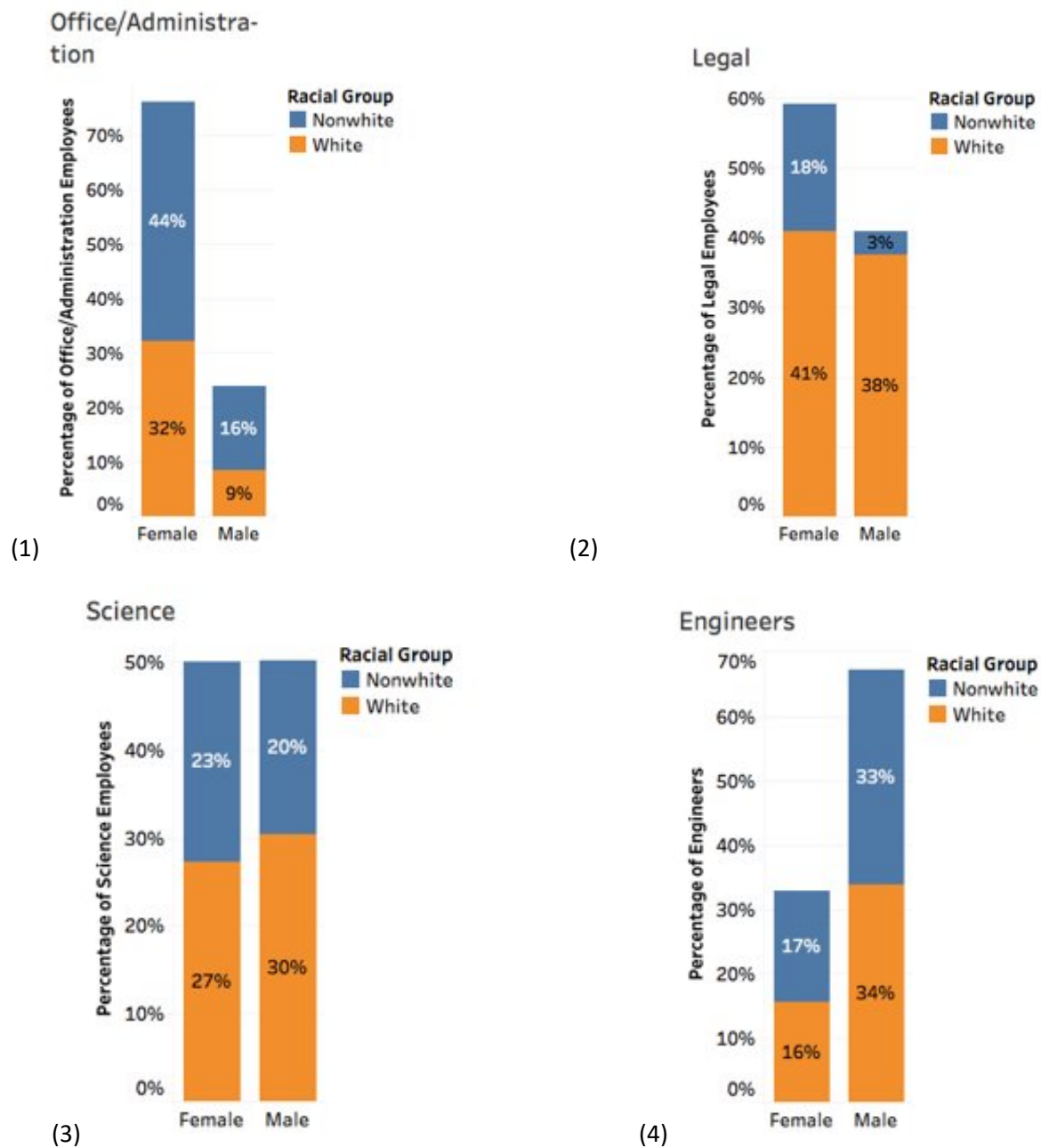
Office/Administration

Percentage of Office/Administration Employees

Racial Group
- Nonwhite
- White

Female: White 32%, Nonwhite 44%
Male: White 9%, Nonwhite 16%

(1)

Legal

Percentage of Legal Employees

Racial Group
- Nonwhite
- White

Female: White 41%, Nonwhite 18%
Male: White 38%, Nonwhite 3%

(2)

Science

Percentage of Science Employees

Racial Group
- Nonwhite
- White

Female: White 27%, Nonwhite 23%
Male: White 30%, Nonwhite 20%

(3)

Engineers

Percentage of Engineers

Racial Group
- Nonwhite
- White

Female: White 16%, Nonwhite 17%
Male: White 34%, Nonwhite 33%

(4)

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(5)

(6)
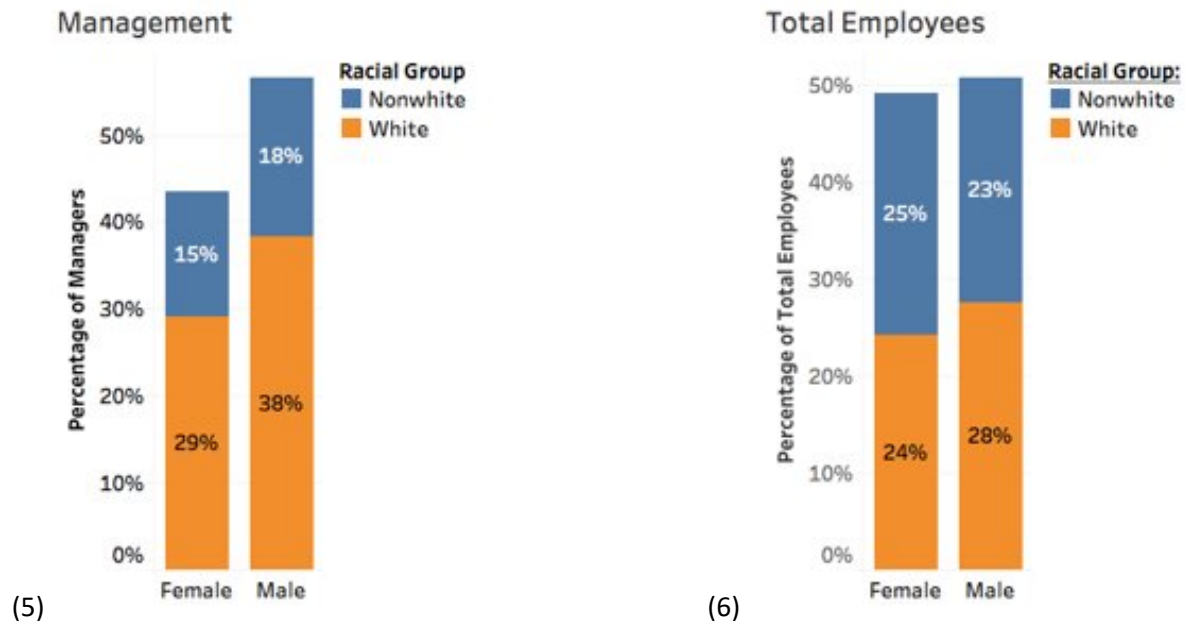
Additional detail of F5 in Appendix H.

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Appendix G: 2019 CalEPA Racial Demographics by Engineering, Science, and Legal Classifications

2019 CalEPA Scientists by Gender and Race/Ethnicity
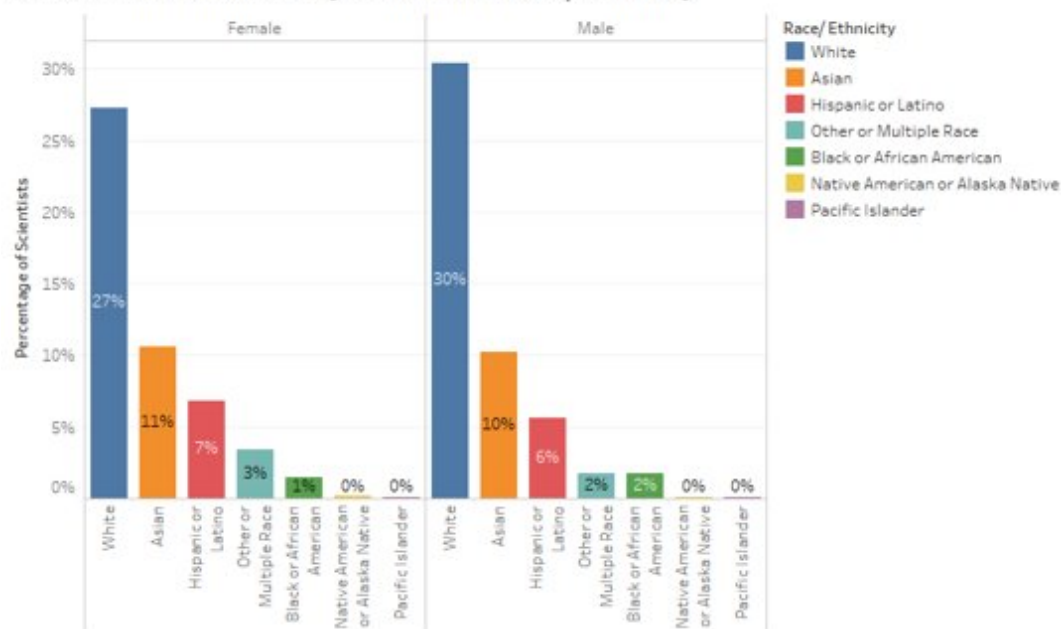
2019 CalEPA Engineers by Gender and Race/Ethnicity
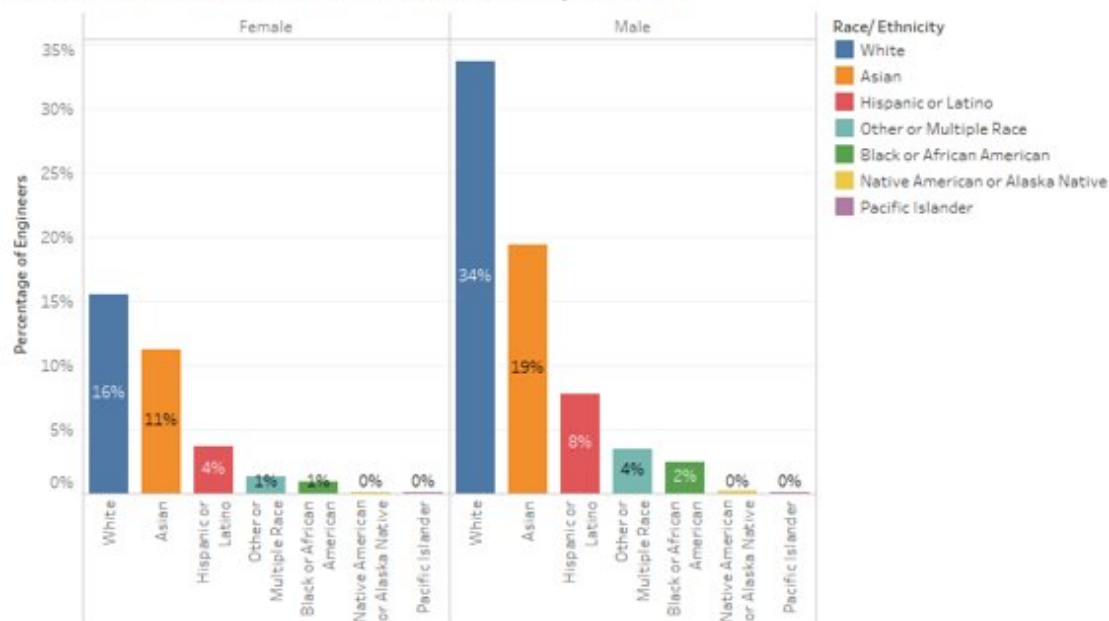
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2019 CalEPA Legal Employees by Gender and Race/Ethnicity
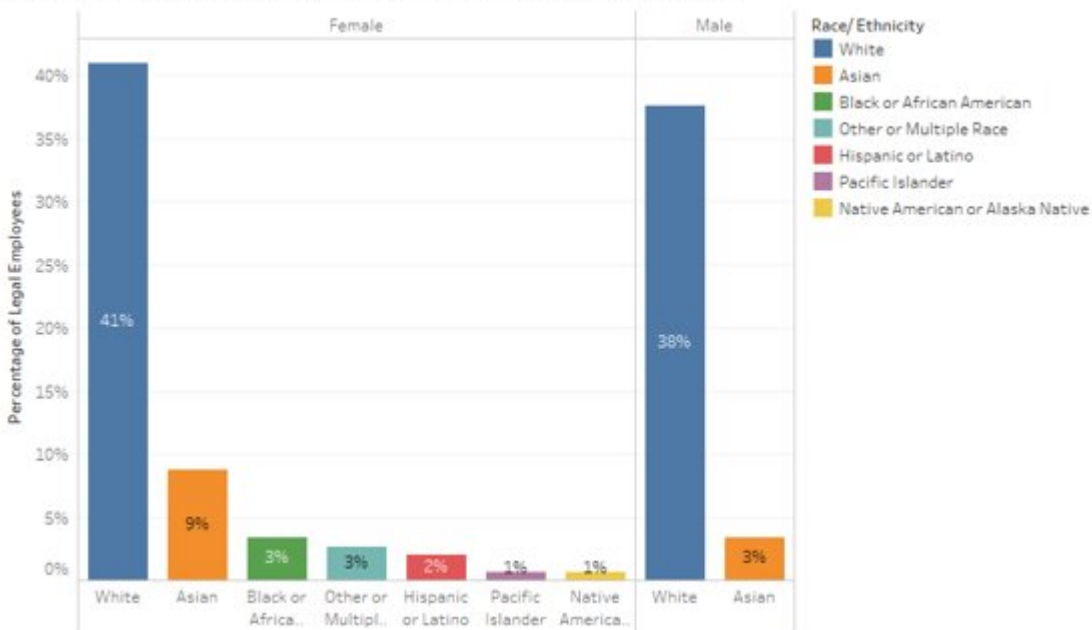
Appendix H: 2019 Racial Composition in CalEPA Management
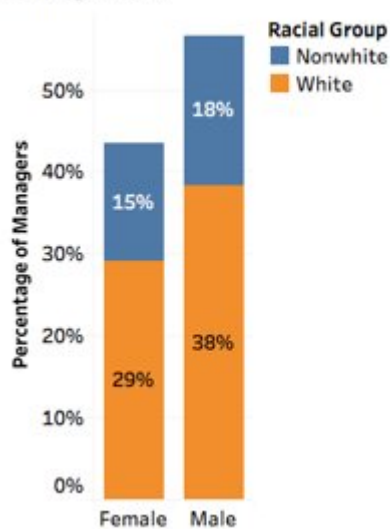
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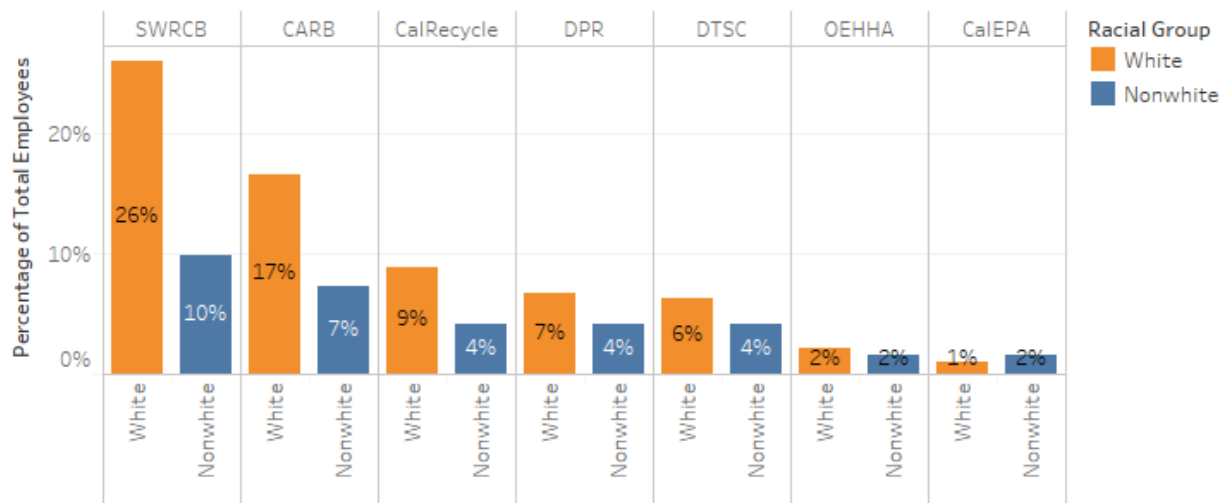
Appendix I: Example Checklist for Adoption of Practices
(used by SWRCB)

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A Checklist of Practices to Advance Racial Equity in Workforce Planning

This checklist accompanies the Practices to Advance Racial Equity in Workforce Planning (here). In 2020 and beyond, the use of this checklist is intended to help measure changes in workforce equity.

Recruitment

☐ Posting - Post positions/announce vacancies beyond traditional methods, such as via social media, print media, and through engagement with communities in the geographic areas where new positions will deploy.

☐ Outreach - Conduct outreach for hiring in or near environmental justice (EJ) communities including local schools (ex: community colleges) that have a more diverse demographic representation of students.

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☐ Share across Boards, Departments, and Offices (BDOs) – CalEPA Recruitment Roundtable has staff from all BDOs within CalEPA; staff could share information on vacancies within common classifications of recruitment.

Hiring Package – Vacancy Announcement / Duty Statement

☐ Value Statement - Add a racial equity / core value statement that must be read and digitally signed before applying to any CalEPA (and BDOs) positions.

☐ Diversity Language in Job Announcement - State in vacancy announcements additional desirable qualifications, such as cultural competence, fluency in multiple languages, and/or life experience(s) such as racial oppression, having a racially and ethnically diverse social network, and/or living in overburdened and vulnerable communities.

☐ Desirable Qualifications - Include on the job bulletin (or similar) language that stresses the importance of cultural competence, fluency in multiple languages, and/or life experience(s). The Examination and Certification Online System (ECOS) has customizable fields, such as "Department Information" and "Desirable Qualifications", for such an entry.

Screening by Human Resources / Hiring Managers

☐ Statement of Qualifications (SOQ) - Include a cultural competence question.

☐ Hiring Manager Advertising - Include cultural competence, ability to engage, bilingual abilities, etc. in the vacancy announcement.

☐ Screening Criteria - Give appropriate but not disproportionate weight to experience for education whenever possible.

☐ Redaction - Before the hiring manager and hiring panel receive the applications, HR staff could manually redact candidate names and/or names of schools from applications.

☐ Implicit Bias or Racial Equity Orientation for hiring managers – At least one individual on the hiring panel has received recent training.

Interviews

☐ Panel - Interview panel racially/ethnically diverse; at least 25% or more of the panel identifies as non-white.

☐ Diversity Question - At least one question asked regarding the importance of advancing racial equity. An example may include questions related to a candidate's relationship to community engagement.

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CARB Racial Equity Framework and Model for Change

Table of Contents

Introduction

On September 4, 2020, a group of Black California Air Resources Board (CARB) employees shared "A Letter and Action Plan for Racial Change at the California Air Resources Board". The letter calls on CARB to implement a list of actions to shift the culture at CARB from one of white privilege to an actively anti-racist and more inclusive culture that values and affirms Black lives. The authors acknowledge challenges faced by non-Black people of color (POC) and note that the recommended actions also should be applied to all non-Black POC at CARB. The letter noted CARB's then-ongoing effort to launch the Diversity and Racial Equity Task Force (DaRE) and provided recommendations to guide the Task Force. The letter also noted that CARB and other government agencies are increasingly using terms like "equity," "diversity," and "environmental justice," without recognizing the importance of having a workforce that reflects these principles.

> *"We hope our words will encourage deep reflection, growth, and meaningful transformation concerning the culture of white privilege in our workplace and our country."*
>
> CARB Black Employees' Letter and Action Plan for Racial Change at the California Air Resources Board.

In addition to the letter mentioned above, in 2020, all California Environmental ProtectionAgency (CalEPA) Boards, Departments, and Offices (BDOs) participated in a racial equity survey. This survey established a baseline for assessing the level of understanding of racialequity within the workforce. Key findings specific to CARB included:

- A high degree of commitment to and realization of the need to advance racial equity,but less agreement that progress has been made.
- A key difference emerged when responses were compared across race and ethnicity.
  For example, significantly more Black or African-American respondents stronglydisagreed that leadership in their Division communicated the importance of addressing racial inequities and achieving racial equity.
- In general, non-supervisors were more inclined to indicate they disagreed or did notpossess knowledge about activities undertaken to advance racial equity.

The letter from Black employees' and the survey findings are only two of multiple experiences that have led CARB leadership to recognize the need to further commit to incorporating equity into CARB's internal procedures, to ensure CARB can achieve its agency mission "to promote and protect public health, welfare, and ecological resources".[1] Other experiences include the shared national experience of participating in or witnessing nationwide protests demanding justice for George Floyd's murder by police in Minnesota in2020, which in part led to the development of the Board's Resolution 20-33 declaring the Board's commitment to racial equity and social justice.

CARB's mission to protect and promote the public health, welfare, and ecological resourcesapplies to all Californians. Ensuring a continued consistent approach to improving equity in all forms—including racial equity—in CARB's internal procedures is critical to ensure all staffteams continue to work in the same direction to achieve that mission.

CARB staff teams recognize and have worked hard to incorporate equity principles and considerations into specific programs during their development or implementation, such as the Office of Community Air Protection implementing Assembly Bill (AB) 617 (C. Garcia, Ch.136, Stats. 2017), the Enforcement Division implementing community-focused enforcement efforts in emissions burdened communities, and the Sustainable Transportation and Communities Division in development of the Advanced Clean Cars II rulemaking. It is essential that such efforts continue to reflect a shared vision to advance racial equity.

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[1] CARB's Mission statement, available at About | California Air Resources Board

Purpose

This iterative Racial Equity Framework (Framework) describes the conceptual framework and model of organizational change that serves as the foundation for CARB's work to advance equity.

This Framework is not an employment policy or government regulation. It does not impose any specific requirements or procedures on CARB staff or work product, or external individuals or entities. It offers a guide for the internal implementation of CARB's racial equity efforts to be an anti-racist[2] organization, including actions recommended in theBlack Employees' letter.

This Framework will provide the many staff teams working on equity throughout CARB with a clear and consistent conceptual foundation to guide their work. The general delineation ofroles and reporting relationships, including across DaRE and the Offices of Environmental Justice and Racial Equity, reflect a coordinated support structure.

The framework is necessary in order to speak to the conscious avoidance of addressing forms of racial inequity as it may come up in CARB's work that reflect a cultural discomfort with talking about race and racism. While such discomfort is common, normalizing the use of a racial equity lens (a set of questions to center equity in assessments of specific projects in our work) is an essential part of the model of change further described in the Framework.Importantly, this Framework, and the future work that it will support, will be implemented ina manner consistent with all applicable federal and State laws relevant to protected classes,including but not limited to race, color, ethnicity, religion, sex, national origin, sexual orientation and gender identity.

To achieve these goals, this document describes three key elements to guide CARB's work:
1. Concepts to support a shared vocabulary and understanding of topics important toimplementing racial equity efforts,
2. CARB's model for organizational change,
3. A Diversity Equity and Inclusion Communication Framework describing how staffteams will coordinate (Figure 1).

The Framework is an iterative document, and its elements will be updated over time to reflect lessons learned from our work to advance racial equity as it is used to guide internal implementation of specific equity-related efforts.

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[2] See DaRE Glossary, Anti-racist definition, "One who is supporting an antiracist policy through their actions orexpressing an antiracist idea. One who is expressing the idea that racial groups are equals and none needs developing, and is supporting policy that reduces racial inequity."

What is the Framework and How Can We Use it?

In this context, the Framework describes racial equity-related concepts and how they fit together. The Framework also describes a model of change common in organizational change efforts, that has been customized to drive anti-racism efforts through the work of the Government Alliance on Race and Equity (GARE), a network of over 300 State and local jurisdictions including CARB.

This Racial Equity Framework should be used in two ways: 1) to support the development of racial equity action plans at the Division and CARB-wide level; and 2) to provide context for CARB's racial equity efforts. This Framework is meant to build a shared understanding of racial equity that will be incorporated into specific actions. The Office of Environmental Justice (OEJ) will work collaboratively with the Diversity and Racial Equity Taskforce (DaRE) and other leaders in the Executive Office and Divisions to develop and implement a racial equity action plan to operationalize racial equity. Divisions are also encouraged to develop their own Division-specific plans using this Framework as a reference.

Figure 3 on page 10 shows how these efforts will be coordinated through work with OEJ, DaRE, CARB Divisions, other CARB equity groups, and leaders and executives. The Framework also supports the curriculum, *Advancing Racial Equity at CalEPA,* a six-hour training on structural racism and racial equity tools.

As described later in this document, equity is both a process and an outcome, and efforts to enhance our engagement practices with equity in mind are also necessary but are outside the scope of this Framework. Other models in development that can guide CARB's equity efforts include the Plan, Implement, Close (PIC) model for community engagement in development by OEJ and the Racial Equity Assessment Lens in development by Office of Community Air Protection. Once complete, the PIC community engagement model and Racial Equity Assessment Lens will be included as references.

Why Do We Need a *Common* Framework for Racial Equity?

A racial equity framework that clearly articulates CARB's vision for racial equity and the differences between individual, institutional, and structural racism—as well as implicit and explicit bias—helps establish a shared understanding of these concepts. From the inception of our country, government at the local, regional, state, and federal level has played a role in the historic and current racial inequities. For this reason, a racial equity framework that clearly calls out government's role to be anti-racist is critical. Failing to communicate a common framework across the entire organization increases the likelihood that equity efforts will not reach their full potential. Sharing a common framework with sister agencies also helps us learn from and leverage each other's efforts. Each CalEPA BDO has established their own BDO-specific work groups or task forces with a focus on racial equity. Together, these sister agencies and the other California state and local agencies that are part of GARE represent opportunities for peer exchange and learning. CARB is not alone in this work.

Why *Racial* Equity / Why Lead with Race?

Race is complicated. It is a social construct, and yet many still think of it as biological. Something that is often ignored or forgotten is that race has been used as a tool to createhierarchy. Racial categories have evolved over time, and yet many think of race as static.
Race is often "on the table," and yet rarely discussed with shared understanding. Race, income, and wealth are closely connected in the United States. However, racial inequities are not just about income. **When we hold income constant, there are still large inequitiesbased on race across multiple indicators for success, including education, jobs, incarceration, health, housing and the environment.** Racial equity means the end of disparities based on race, such that outcomes are improved for all.

For CARB, this means we work toward a future where race no longer predicts exposure tounhealthy air or disproportionate impacts from air pollution and climate. We do not simply

want to close the gap, but to ensure clean air for everyone. We know from an analysis ofCalEnviroScreen state-wide scores that in the highest scoring census tracts—in the communities most impacted by and vulnerable to pollution--89% of the population are people of color, while in the least impacted census tracts, the population is 72% white. Anarrower focus on air quality also reveals disparities on the basis of race and ethnicity.
People of color in the United States are exposed to disproportionately high levels of ambient fine particulate air pollution (PM2.5), the largest environmental cause of humanmortality. A [recent study](#) shows that nearly all major categories of PM2.5 emissions— consistently across states, urban and rural areas, income levels, and exposure levels— contribute to the systemic $PM_{2.5}$ exposure disparity experienced by people of color.

This approach leads with race but is not exclusive to race. Addressing racial inequities prepares us to recognize and deal with inequities based on other forms of marginalization. This also requires an understanding of intersectionality[3] Religious discrimination, sexism andmisogyny, discrimination against gender non-conforming and non-binary gender people, ableism, anti-multilingualism and other discrimination based on important areas of human identity must also be addressed. It is important to

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[3] See DaRE Glossary, Intersectionality definition, "(1) The concept that race intersects with other identities,such as gender and class, and produces complex combinations of powerlessness and disadvantage.
(2 – 4) Intersectionality is a term used to describe how people experience the interconnected nature of different facets of their identities—such as their race, gender, sexual orientation, and class—and how those identities are valued within existing systems of power. Intersectionality can also refer to the interconnected nature of all forms of discrimination or disadvantage against historically oppressed or marginalized groups. (5)"Intersectionality is a lens through which you can see where power comes and collides, where it interlocks andintersects. It's not simply that there's a race problem here, a gender problem here, and a class or LBGTQ problem there. Many times that framework erases what happens to people who are subject to all of these things."

understand that when we disaggregate data by race in each of these areas, we see that race serves as a force multiplier for who is significantly burdened by inequity in our community. The *CalEPA Practices to Advance Racial Equity in Workforce Planning resource guide* addresses recruitment, hiring, retention and promotion, which are all areas where inequities on the basis of race and gender can be addressed.

What are the Foundations of the Framework?

The elements of CARB's racial equity framework derive from approaches used by the [Government Alliance on Race and Equity](#) (GARE) and [Equity in the Center](#). GARE is a national network of State and local governments working together to achieve racial equityand advance opportunities for all. CARB has been a member of GARE since 2018. CARB isalso a member of California's [Capitol Collaborative on Race and Equity](#) (CCORE), a community of California State government entities learning about, planning for, and implementing activities that embed racial equity approaches into institutional culture, policies, and practices.

Equity in the Center is a nonprofit organization whose goal is to shift mindsets, practices, and systems within the social sector to increase racial equity. Equity in the Center is guidedby a robust set of advisors, practitioners and leaders in the field, including representatives of GARE. CARB's DaRE Task Force has worked to apply the Equity in the Center approachtowards an organizational self-assessment in order to provide a baseline of where CARB isas an organization and therefore define future goals consistent with being an anti-racist organization.

What is the Role of Government in Creating and Eliminating Racial Inequities?

The history of government and racism can be told in three phases. In the first phase, government was **initially explicit** in its racial oppression. Government passed and enforcedlaws that determined, based on race:

- Who could vote
- Who could be a citizen
- Who could own property
- Who was property
- Whose land was whose
- Where people could live
- Who could marry whom
- Whose military service would be honored, and whose would not

Because people came together in mass protest and in tactical coalitions to change the lawsin our country, the 13th, 14th and 15th amendments to the U.S. Constitution ended slavery,freed enslaved people, recognized the right to equal protection under the laws

of the U.S., and gave Black men and other men of color the right to vote, respectively.[4] The 19th amendment recognized the right of women, including Black women, to vote. However,state-sanctioned racism continued through the era of Jim Crow. It took the passage of the U.S. Civil Rights Act of 1964[5] and the Voting Rights Act of 1965[6], as well as key court casessuch as *Brown v. Board of Education*[7], to do away with Jim Crow state laws. But they did not do away with racism.

In the second phase, government racism became implicit. Racial neutrality in the law became a preferred approach. After making some progress, data shows racial inequity incertain areas continued to worsen. Not focusing on the role of race in inequitable outcomes can lead to implicit bias in decision making, enabling neutral structures that perpetuate inequities, or missing opportunities to resolve inequities. To make progress inreducing racial inequity and ensure the government meets it obligations to not cause discrimination or disparate impacts, it is necessary to address and acknowledge race as a factor in creating inequity.

> "If we are to disrupt our nation's deep and pervasive inequity in terms of opportunity and results, generate new possibilities for community ownership of government, and establish a new narrative for a truly inclusive democracy, *it is essential to transform government.*" ([GARE Resource Guide: Racial Equity, Getting to Results)](#)

In the third and current phase, efforts to change government from within at the local and state government level represent a movement across the United States. This change- making effort acknowledges structural racism in our system of government and calls for anti-racist government.

This approach means that our work to advance racial equity is not just about a new initiative or program. We are about changing government from within. Thismeans the work is a long-term commitment, as equityis both a process and an outcome. It also means we must focus both on our own growth as individuals, as well as work to ensure that our institutional culture is committed to anti-racism.

What do Key Terms in the Framework Mean?

Equality and Equity

These terms are sometimes used interchangeably, but in fact mean very different ideas. Equity is NOT the same as equality. Equity is about fairness, while equality is about sameness. Equity involves providing people with the appropriate resources and support, fortheir particular situation, to enable them to experience similar opportunities and outcomes as other groups. Equality, on the other hand, involves giving everyone the exact same level of support or resources regardless of their situation. Equality only works if everyone starts from the same place and needs the

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[4] U.S. Const. amends. XIII, XIV, XV
[5] Civil Rights Act of 1964 (Pub. L. 88-352) (Title VII), as amended, 42 U.S.C.§§ 2000e et seq
[6] Voting Rights Act of 1965, 52 U.S.C. § 10101 et seq.
[7] Brown v. Board of Education (1954) 347 U.S. 483

same things.

Process and Outcomes

Equity is both a process and an outcome. A parallel notion to help illustrate this concept comes from California's definition of environmental justice, which was amended by statutein 2018 to include the phrase meaningful involvement. Under State law: "[E]nvironmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.[8] This definition focuses both on procedural justice, including meaningful involvement and outcomes, as expressed by the goal of "fair treatment".

Racial Equity refers to the level of fairness and justice in the systems, processes, and policies of an organization, such that race would no longer be a factor in the assessment ofmerit, the distribution of opportunity or the benefits of regulation, i.e., clean air. Racial equity is achieved when race can no longer be used to predict life outcomes and outcomesfor all groups are improved. When systems and structures are not working well, they are often not working well across the board. Many examples of strategies to advance racial equity benefit not only Black, people of color and Native Americans, but also all communities, including whites.

Levels of Racism

Individual Racism occurs at the individual or internal level and includes negative feelings orbeliefs (whether conscious or unconscious) based on race. Examples include prejudice— being predisposed to judgement on the basis of race, or xenophobia— fear of the "other."

These feelings can be internalized, when people of color take in racist beliefs about their own race or ethnicity. At the level of the individual, these feelings can be explicit—we areconscious of them, or implicit——we are unaware of our preferences toward or against others on the basis of race, ethnicity or any other form of oppression.

Racism at the interpersonal level happens between people, such as through expressions ofracial prejudice, hate and bigotry. Microaggressions can be a form of interpersonal racism.

Institutional Racism happens at the level of an organization—an institution, a workplace, ora sector, such as banking, education, health care, environmental protection, etc. Evidence of institutional racism can be found in policies, practices or decisions that result in discriminatory treatment or effects, even when those policies seem race-neutral or color- blind, meaning that they do not explicitly mention race.

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[8] Gov. Code, § 65040.12, subd.

[Structural Racism](#) is the cumulative total effect of all the forms of racism, amplified across our history and reinforced by social norms of white-dominant society. These levels of racism are interconnected and reinforcing. Police officers are not only acting as individuals but are representing a powerful institution. When we interact with the public as representatives of CARB, we are not only seen as individuals, but also as representatives of our institutions.

A glossary of racial equity terms created by DaRE can be found [here](#); this glossary expands on the terms described in the Framework.

CARB's Model of Organizational Change

CARB will be deliberate and use approaches that are consistent and specifically aligned with anti-racist organizations. Our vision should be the central driving force. Inthe six-part approach to institutional change recommended byGARE, there are three overarching elements: Normalize, Organize and Operationalize (Figure 1).

Figure 1 GARE Model of Organizational Change

Six-Part Strategic Approach to Institutional Change

Normalize
- Use a racial equity framework
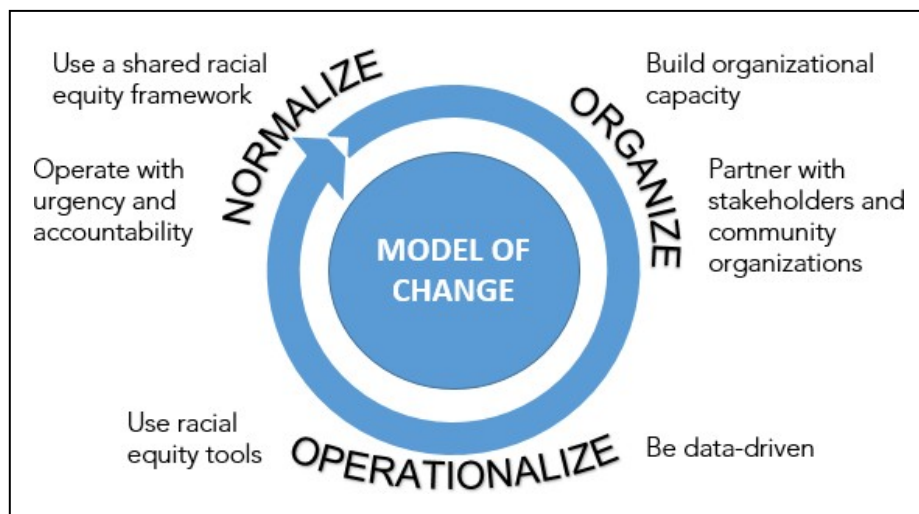- Operate with urgency and accountability

Organize
- Build organizational capacity
- Partner with other organizations and communities

Operationalize
- Implement racial equity tools
- Be data-driven

The GARE Model of Change complements and reinforces another model in use at CARB, within DaRE and referenced in some of CARB's materials, known as the Race Equity Cycle (Figure 2) from Equity in the Center. Like the GARE Model, it also has three overarching elements, called: Awake, Woke, and Work. Elements of both models are described in detailbelow.

Normalizing / Awake

Normalizing racial equity means it is institutionally acceptable to explicitly identifyrace as a focus for our work in government, consistent with State and federal law. We do this by building a **shared understanding of a framework**. We must transitionfrom an organization where race and racism are not acknowledged to one that usesracial equity as a lens for both internal and external operations. When we use racialequity as a lens, it means that we are incorporating race and ethnicity when analyzing problems, identifying solutions,and defining progress.“Awake,” like normalizing, is the stage in which the organization focuses on people (workforce) to ensure that it is comprised of different backgrounds, with the primary goal ofensuring that the workforce reflects the diverse background, talents, and experiences of state residents.

The two key strategies that are part of normalizing are to **use a shared racial equity framework** and to **act with urgency and accountability.** The development of this iterativeracial equity framework and its use in workforce training and to communicate a shared foundation for action plans is a response to this strategy.

We must also leverage the current moment by acting with urgency to prioritize lasting and meaningful change over superficial or "band-aid" approaches that treat equity as the priority of the day. Rather we must commit to equity as an organizational imperative—one that must be acknowledged, addressed and institutionalized in order to protect all the Californians we serve. While such change is hard and takes time, we have seen how quicklynational crises can elevate the conversation. Our challenge is to leverage the current moment by **acting with urgency** to prioritize lasting and meaningful change over superficialor "band-aid" approaches that treat equity as the priority of the day. Rather we must commit to a path of organizational change and build in institutional accountability.

Organizing / Woke

At its core, organizing is about mobilizing for change and transformation. We do this

in twoways: **building our own capacity** and **partnering with others**. Building our own capacity means we cannot solely rely on contractors, consultants or those with "environmental justice" in their job titles to do the work of racial equity. Rather, we must develop a commitment to the breadth (all functions) and depth (throughout hierarchy) of institutional transformation.

In some equity spaces, this is also called "Woke" – this moves us from representation to inclusion, because we all understand that just because we invite others to the table does not mean they are respected, valued or heard. In this space, we are looking to create a culture that requires an adaptive and transformational approach that impacts behaviors andmindsets, as well as practices, programs, and processes.

Organizing to advance equity must come from the bottom up and top down. It is also essential to identify key points of coordination and leadership within the organization. CARB has organized for racial equity by creating the DaRE Task Force and establishing an Office of Racial Equity. Executive Office leadership and the Division Chief Council coordinate across the organization to support this work. DaRE acts as a cross-organizationalteam that centers the work that is focused internally, while the OEJ and Racial Equity focus on our external work.

In 2021, CARB deepened our capacity to identify and address any structural racism througha Train-the-Trainer program. Seven CARB trainer candidates participated in a CalEPA-wide effort that stemmed from work begun in 2019 to refine the racial equity curriculum offered by GARE for CalEPA. Certified trainers can deliver a six-hour training course on structural racism, *Advancing Racial Equity at CalEPA*. CARB has six certified trainers, including four principal trainers that can train and certify future trainer candidates. Trainers not only provide training but serve as in-house informal consultants to guide deeper change efforts throughout the organization, in coordination with DaRE and the Offices of Racial Equity andEnvironmental Justice. CARB's trainers are part of a network of twenty certified trainers throughout CalEPA. We also have strong partnerships across many other institutions and communities. We must further deepen these partnerships if we are to achieve racial equity.

Operationalize / Work

"Operationalize" is characterized by taking steps to deliberately assess our programs, policies and operations with a racial equity lens. By **using racial equity tools**, which are a series of questions, we build a track record of experience. Racial inequities are not random—and in all too many examples of structural racism, are a result of government actions, policies or programs. As such, they will not disappear without concerted and deliberate action. It is important to emphasize that most approaches to anti-racism work, such as those in GARE and Equity in the Center, require this focus on our institutions to effect change. Work on an individual level to increase our understanding and awareness prepares us to critically examine our workplaces, cultures, policies, and practices. This is often where it may seem as if such an approach conflicts with loyalty to the institution. Clearleadership that acknowledges we can and must not only "do better" but be anti-racist can signal that this approach is not only sanctioned but required.

In the framework from Equity in the Center, operationalizing is called Work—organizationshold themselves accountable to address systemic racism and the root causes of inequities,both internally and externally.

In addition to being intentional, we must be **driven by the data**—both qualitative and quantitative. Measurements must take place at two levels—first, to measure the success of specific programmatic and policy changes, and second, to develop baselines, set goals, andmeasure progress towards goals—goals that should be deeply informed by community priorities, needs and values.

Public-facing equity-data focused tools developed by the CalEPA Racial Equity Team, inwhich CARB participates, include:

- An interactive StoryMap, Pollution and Prejudice, that explores the history of redlining for California cities.
- The StoryMap contains the CalEPA Redlining and Environmental Justice Tool, which demonstrates the association between historically redlined neighborhoods and present-day CalEnviroScreen (CES) cumulative impact scores. Also links to regulated facility information in the context of redlining and CES scores. Also see:
- Not Even Past (University of Richmond's Digital Scholarship Lab and the National Community Reinvestment Coalition) maps redlined cities and social vulnerability across the U.S.
- In U.S. Cities, the Health Effects of Past Housing Discrimination are Plain to See, News article by media outlet NPR.
- A data visualization tool to disaggregate workforce demographic data by Board, Division, or Office (BDO) and within BDO, in addition to classification, race, ethnicity and gender to better understand the demographics of the workforce.
- State of California Workforce Data - Data tables in machine readable structure about the demographics of state employees categorized by department, job title, race and gender. (California Open Data Portal).

Operationalizing racial equity also includes being able to **use racial equity tools** such as a racial equity lens, which is a set of questions grounded in civil rights disparate impacts assessment. Disparate impact assessment is addressed within Title VI of the Civil Rights Actof 1964, which ensures that programs accepting federal money are not administered in a way that discriminates on the basis of race, color or national origin (https://www.justice.gov/crt/fcs/T6Manual7).

Using a racial equity lens means asking how our actions will benefit and potentially burden communities, including estimating impacts /benefits on the basis of race, ethnicity or other relevant categories. It means considering alternatives, with a focus on which would do the most to address existing disparities and which might have unintended consequences. The questions that make up the racial equity lens include but are not limited to:

- Who will benefit from or be burdened by the proposal or program?
- What are the strategies for advancing racial equity or mitigating unintended consequences?
- How will you ensure accountability, communicate and evaluate results?

CARB has been taking on the challenge of developing such a protocol to guide key

CARB decision-making using a racial equity lens, known as the proposed Racial Equity AssessmentLens (REAL). The work continues and will include engagement with external equity leaders.

Summary of Progress to Date

While there is no perfect place to start, continuous movement (progress) is necessary. Below are some things that CARB has done and continues to do to inform its racial equitywork.

Normalize/Awake
- Share the iterative CARB Racial Equity Framework
- Establish shared understanding of the history of racism in the United States
- Establish a shared vocabulary through DaRE's Racial Equity Glossary of Terms
- Establish a shared understanding of the racial equity baseline for CARB
    - CARB Racial Equity Employee Survey Summary of Findings, 2020
    - *DaRE Awake-Woke-Work Workplace Culture Assessment;*
- *Guidance for Racial Equity Conversations*
- 90-Day Challenge/Brown Bags/Speaker Series/Heritage Month Acknowledgments
- Annual reports to the Board on progress to advance racial equity

Organize/Woke
- Launch DaRE
- Take part in 2020 Racial Equity Survey
- Launch multiple division-specific equity work groups
- Identify race equity champions at the Board and senior level
- Create Office of Racial Equity
- Certify in-house trainers on structural racism, and launch training delivery

Operationalize/Work
- Develop Interim Community Engagement Guidance
- Disaggregate available workforce data by race and ethnicity to identify areas of inequity (see links in resource section above)
- Launch Diverse Hiring Panels memo/Redaction Project
- Racial Equity Code of Conduct
- Draft the Racial Equity Assessment Lens

Moving Forward

This Framework, released for internal comment on March 2, 2022, and released as a draft tothe public on May 19, 2022, is the first step in an iterative process to develop and implement CARB's model of organizational change to further incorporate equity. It is one ofthe next steps in implementing the Resolution, responding to the 2020 Letter from Black Employees, and coordinating ongoing equity efforts across CARB. As the Framework is implemented, the Office of Environmental Justice and the

Executive Office working with the Divisions, will track lessons learned and update the Framework as needed to support the effective and meaningful advancement of racial equity throughout CARB.

References

GARE has developed a [Racial Equity Toolkit](#) which offers a simple set of questions that helps governments proactively eliminate racial inequities and operationalize racial equity. Equity in the Center has a publication entitled [Awake to Woke to Work](#) that provides insights, tactics, and best practices to shift organizational culture and operationalize equity.

These and other key references are listed below.

[Advancing Racial Equity and Transforming Government: A Resource Guide to Put Ideas intoAction](#)

[GARE Resource Guide: Getting to Results](#)

[Awake to Work to Work: Building a Race Equity Culture](#)

[CARB Racial Equity Survey Findings, Final Report](#)

[Legal resources include but are not limited to:](#)

> [U.S. Const., amends. XIII, XIV, XV.](#)
>
> [U.S. Civil Rights Act of 1964, Titles VI and VII](#) [Cal. Const., art. I, §§ 3, subd. (b)(4), 7, subd. (a)Cal. Const., art. I, § 31](#)
>
> [California Gov. Code, §§ 12900 et seq., 11135 et seq.](#)