



T R U S T

news

Ngā Rongo Pānui a te Rōpū Tiaki Whakaōrite Whiwhinga Mahi

The Newsletter of the Equal Employment Opportunities Trust

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EEO Trust Mission Statement

'The purpose of the Equal Employment Opportunities Trust is to promote to New Zealand employers the implementation of EEO principles in the workplace as a means of improving their effectiveness, efficiency and competitiveness through the successful management of diversity'

Recruitment Door-opening or gate-keeping?

The key to good business is good staff. Your competitors can copy your product or service, your location, or business strategies, but they can't copy your people. "Getting the best person for the job each time you recruit," says Trudie McNaughton, Executive Director of the EEO Trust, "makes the difference between adequate performance and the best performance possible. And if you don't recruit that person, someone else will."

In times of high unemployment and large numbers of job applicants, the recruitment process is traditionally seen as an exercise in controlling the flood-gates so that precious time is not wasted in the selection stage interviewing a welter of unlikely candidates. However, the basis on which you restrict your recruitment can mean that you close doors on the very people who may be best for you. The way the job description is written, the wording of your advertisement, and the media you choose to advertise in, may effect the types of candidates you attract.

EEO in recruitment is not an optional extra. It ensures that your recruitment catches a wider range of appropriately skilled people. Selecting from this pool means that you maximise the possibility of getting the right person for the job. It increases the diversity in your workplace, making your organisation more flexible and responsive to change and customer needs. It has a positive impact on productivity - employees know they are valued as individuals and treated fairly based on merit, making them more willing to go the extra mile. It is good for staff relations and morale, meaning that absenteeism and turnover are reduced. And it makes for good PR, which makes the recruitment process easier and more productive each time, in a self-reinforcing virtuous cycle.

"We know from the results of last year's EEO Trust Index that those associated with the EEO Trust are far more likely to practice merit-based recruitment," says Trudie McNaughton. "They are twice as likely to have an EEO plan, including strategies for recruitment and selection, or be in the process of developing one, than those who are not members of the EEO Trust." In terms of training, according to the 1997 Index, 49% of EEO Trust members provided managers with training in avoiding bias in recruitment, 25% provided such training for other staff members. The figures for non-EEO Trust members were 49% and 19% respectively. Clearly,

a number of employers have improved their internal policies in this area, but there is still some way to go in the implementation. In 1996/97, of 177 employment-related complaints received by the Human Rights Commission, 20 concerned pre-employment discrimination. The most common grounds for complaint related to age, marital status and disability.

Psychiatric disability is one area where misconceptions and fears abound, creating barriers to recruitment and other employment processes. Mike Gourley of Learning Unlimited, a Wellington-based agency dealing with mental health issues, says, "Employers need to know that people with psychiatric disabilities are everywhere. They're customers of their business, they're the friends and family of existing staff, there's a good chance there's some who are already staff - and they're a pool of potentially skilled people. If employers let fear and prejudice get in the way, they're likely to miss out on customers, on staff loyalty and retention, and on a set of skilled people. It's not to say there aren't difficult or impossible situations presented by people who are unwell. But if as a business you're already tuned into these issues, you'll stand a better chance of coping with those situations. Get it right for people with psychiatric disabilities, and you get it right for everybody." Learning Unlimited has developed a mental health employment promotion kit designed to enable employers to recognise psychiatric issues and address them appropriately, so that staff potential and business success can be maximised.



Wong Liu Sheung, an Auckland-based cultural diversity consultant, points out that another visible target for discrimination is often the ethnically different, in particular the recent immigrant whose English language is not as fluent as the members of the interview panel. "It is important," she says, "to acknowledge the limited and narrowly defined assumptions of judgements made about such people. Immigrants in New Zealand are mainly highly educated because of immigration criteria, with a strong understanding of written English. Yet many find that employers are often unwilling to break their own framework of employment.





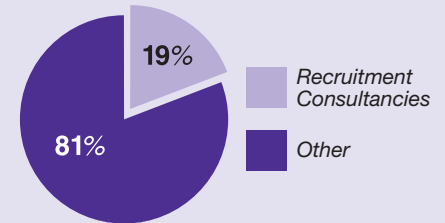
People who are bilingual are cognitively fluent and creative, able to offer different points of view, to enlarge the scope of solutions." She stresses that it is therefore important that such people are not discriminated against simply because their qualifications are not as apparent to recruiters and interviewers as someone who knows only one language and who was born and educated in New Zealand.

Employers are, of course, not the only major players in the recruitment game. Increasingly, overburdened employers are turning to the specialised skills of human resources consultancies to help with the recruitment process. One area of concern is that employers can expose themselves to risk when they contract recruitment work out if the consultant they choose is not working to the same high standard of merit-based practice, or if the consultant has not been explicitly briefed on EEO. "We have heard of some employers," notes Trudie McNaughton, "who say they are not getting the diversity and talent they are seeking when they get a shortlist of job candidates from consultancies. The shortlist simply doesn't meet their market needs. And employers are aware, also, that they themselves can be legally liable for discrimination complaints for recruitment work done on their behalf." The flip side of the coin is that some employers regularly give briefs to consultants that are discriminatory and illegal. Consultants can be between a rock and a hard place, when clients insist that they want to see candidates of a particular gender or age.

Since the beginning of the year, the EEO Trust has been working with employers and consultants to help them recognise their vulnerability resulting from poor employment practices. Recruitment consultancies, through the Recruitment and Consulting Services Association (RCSA), have been invited to join the EEO Employers Group. Advertorials have been placed in major media urging employers to use recruitment consultancies who are members of the EEO Employers Group, and who are therefore committed to EEO principles and employment practices as a way of creating business success through diversity. The EEO Trust has also offered a free briefing to recruitment and human resource consultancies on how to reduce their vulnerability to the risk of discrimination complaints. In particular, the EEO Trust has worked closely with RCSA providing briefings on risk management for their membership in Auckland and

Christchurch. The number of recruitment and human resources consultancy members of the EEO Employers Group has increased from four in December 1997 to 34 currently.

HR / Recruitment Consultancies in the EEO Employers Group as at 31.08.98



179 Employers Group Members

- 34 (19%) HR/Recruitment Consultancies
- 145 (81%) Others

"We're delighted that more employers and recruitment consultancies are joining the EEO Employers Group," says Trudie McNaughton. "It highlights their commitment to quality employment practices in EEO, and is seen as a mark of professionalism and excellence." She notes that by actively using the recruitment process as a means of opening doors to the best candidates, rather than as a gate-keeping exercise aimed purely at reducing numbers, organisations will allow themselves to benefit from the wide range of talents that a diverse staff brings.

Useful resources available from the EEO Trust:

"Getting the Best"

- a practical guide to recruiting and selecting the best staff. Recommended especially for recruitment consultancies and their clients.

(HortResearch publication) \$10 (+ \$5 p/h)
(Order now by filling in the enclosed flier)



"A Guide for Employers on the Human Rights Act and Equal Employment Opportunities"

- a must for employers and human resource personnel. A guide that details your responsibilities under the Human Rights Act and how to introduce EEO policies and programmes.

(New Zealand Employers' Federation and EEO Trust publication)
\$13.50 (+ \$5 p/h)

**Based on the
practical guidelines
set out in
“Getting the Best”**

The recruitment process starts with job analysis and ends with the best applicant working productively in your organisation. Each step is equally important if you are to offer the same fair process to all potential candidates. The following are fundamental considerations in introducing and practising a system of merit-based recruitment:

- *Do you carry out job analysis regularly and up-date it?*
- *Are your job descriptions clear and free from bias? Do they focus on performance results, rather than specifying methods?*
- *Are all relevant staff familiar with the provisions of the Human Rights Act 1993, the Privacy Act 1993 and the Employment Contracts Act 1991?*
- *Do you use a variety of methods when trying to attract applicants?*
- *Does the wording of your advertisements meet the requirements of the law? It is your legal responsibility to get it right.*
- *Do you give all applicants a job description and information about your organisation?*
- *Do you use a well-drafted application form to get relevant information about the applicant?*
- *Do you use a set form for shortlisting so you can assess each applicant against the required criteria for the job?*
- *Do your selection methods include a panel that reflects the diversity of the applicants, structured interviewing, and job tryout, while allowing flexibility to meet diverse applicants' needs?*
- *Is your structured interview based on a set of questions prepared from the job description, and an evaluation sheet on which to note responses? Do you use whanau interviews where appropriate?*
- *Do your job offers clearly set out responsibilities and equitable conditions of work?*

Reaching The Right Person

How can you make sure that the best person for the job makes it into the recruitment net in the first place? The demographics of New Zealand society are changing. The statistical trends suggest that in 1998 and beyond the workforce will be increasingly comprised of women, older people, those with disabilities, non-Europeans, and sole parents. Traditional assumptions about what attracts and motivates employees may no longer be valid. The best person for a job may be someone entirely different from the traditional job-holder. How can you make sure that you contact the best people, and having made contact, how do you encourage them to apply?

The first thing to consider is the methods and media that you will use to make initial contact with potential

candidates. The large daily newspapers may be the most appropriate vehicle in some cases. However not all skilled people buy the national newspapers. Certainly, you should look at other methods as well. By using a variety of media, you increase the chances of reaching appropriate people. Depending on the nature of the job, the following may be useful sources of good applicants:

- *Free daily and community papers*
- *Industry magazines*
- *Schools, universities and polytechnics for referrals*
- *Marae and community groups for referrals*
- *New Zealand Employment Service*
- *Employment agencies and human resources consultants*
- *Workbridge and other agencies for people with disabilities*
- *Radio, including Maori radio*
- *The internet*

However, the best person for the job may be closer at hand than you think. When considering a vacancy, it is always a good idea to look within your organisation as well as casting the net outside, giving existing staff the opportunity to apply. John Williams, President, NZ Division, of the Recruitment and Consulting Services Association (RCSA), notes that instances of recruitment consultants interviewing applicants from both internal and external sources are increasing. "Often," he says, "the employer will have advertised within their own organisation on notice boards or on an internal circular listing vacancies. Internal applicants' details, along with those from external sources, are assessed by the recruitment consultant and the most appropriate candidates shortlisted."



Internal appointments bring several advantages. They may save money that would otherwise be spent on advertising; the appointee is a known quantity in terms of skills, potential and loyalty; and less time is spent settling into the job because the environment, culture and colleagues are already familiar to the new job-holder. Similarly, existing employees could be asked for referrals of suitably skilled people from among friends and family. The possible downside of this sort of recruitment is that, if over-used, it can lead to a sameness about your organisation when new blood and fresh ideas are what is needed.



With internal recruitment, it is equally important to ensure that the process is clearly merit-based. Recently Drake Personnel was asked to assist one of New Zealand's largest employers of staff by joining their interview panel during an internal selection process. "There were nine internal candidates most of whom were well known to the company's interviewers, which posed a possible perception of bias and favouritism," explains Diane Utatao, Human Resources Manager at Drake Personnel. "The benefit of using an external consultancy was to add an objective component to the interview panel and to give advice on design and implementation of structured interview questions. The outcome ensured candidates were left in no doubt that the process had been fair and equitable which enhanced the chance of success for the new appointee."

Attracting the Right Person

Once you have decided on the media you will use to reach the right people, you need to ensure that the wording of your advertisement encourages those people to apply for the job. For a start, the advertisement must comply with the provisions of the Human Rights Act which states that "It is unlawful to publish or display any advertisement or notice that indicates any intention to discriminate under the specified grounds." You must not specify or imply age unless it relates to youth rates (e.g. "mature"); gender (e.g. "barman", "girl Friday"); marital status; family status; religious, ethical or political belief; race, colour or nationality; sexual orientation; or current employment situation. There are some exceptions outlined in the Act which concern areas of genuine need, such as a female actor for a female role.

Beyond the legal requirements, you need to consider what will be important for the best applicant to know, so that he or she feels comfortable and encouraged to apply for the job. Here are some pointers for what your advertisement could include:

- *an outline of the job, its roles and responsibilities*
- *clear, non-sexist language, with no jargon*
- *a favourable image about your organisation and the way it treats its staff and recognises their needs. For example, include information about part-time or flexible work arrange -*

ments, childcare, or other benefits

- *Maori language, or even just a short greeting in Maori*
- *positive encouragement to all those with appropriate skills to apply. For example, include a statement such as "We follow equal employment practices".*
- *Include your EEO Employers Group logo*

These guidelines are equally useful for employers doing their own recruitment and for consultants carrying out work on behalf of clients. Both are substantial stakeholders in the recruitment process. Diane Utatao of Drake Personnel is unequivocal on the responsibilities of recruitment consultants in ensuring that clients have access to the widest possible pool of candidates from which to choose the best person for the job. "From time to time," she says, "we find employers ask us to prescreen candidates based on age or other factors. Often this is because the employer will have a mental model of the behaviours associated with a particular age group. For example, an employer may ask to be sent candidates between 20 to 25 years of age because they associate this age group with high energy levels, enthusiasm, new ideas and flexibility. As personnel consultants, we interview candidates every day of the week and know that these behaviours are found not only in people of this age group, in fact we sometimes find the complete opposite. It is our responsibility to advise our clients on the limitations they are putting on their search (and in fact illegal) and alert them to the possible downside to building homogenous teams of people based on irrelevant factors which prohibit a rich diversity of talent and experience."

Professionalism and sound business sense dictate that employers and recruitment consultants should strive to eliminate artificial barriers so that businesses can make the most of their recruitment opportunities and benefit from getting the right person for the job. "In today's rapidly changing employment market, the hiring decision is more critical than ever," says RCSA President John Williams. "The cost of getting the hiring decision wrong can far outweigh a recruitment consultant's cost. Recruitment consultants who are RCSA members have staff trained in legislative and recruitment practices, and are aware of latest market trends and industry developments." Membership of the EEO Employers Group is another sign of commitment to merit-based employment principles and practices.

Recruiters and employers who actively practise EEO in recruitment minimise the risk of costly legal action, and reduce vulnerability to poor performance resulting from unsatisfactory staff appointments. In doing so, they maximise their opportunities to create dynamic and innovative performance and business success through diversity.

Good Intentions, Unacceptable Methods

Cases of discrimination in the recruitment and selection process are dealt with in the initial instance by the Complaints Division of the Human Rights Commission. Complaints are not always as clear cut as we might think, as the following case investigated during the 1996/97 year shows.

A job applicant complained about an employer's application form, which asked questions about the applicant's sex, race and ethnic origins. The employer's aim was an attempt to fulfil its EEO obligations, because it wanted more diversity in its workforce.

The Complaints Division's view was that, although the employer had good intentions, the questions asked could reasonably be taken to indicate an intention to discriminate against the applicant. The Complaints Division suggested that the employer could achieve its EEO aims by other non-discriminatory means. These included advertising widely to reach EEO target groups, addressing its selection procedures, and investigating reasons for the lack of success of target groups. The Complaints Division also suggested implementing programmes to address any problems preventing target groups from being appointed.

Collecting data from applicants is lawful in certain restricted circumstances. Applicants can be invited to complete a separate anonymous questionnaire which is not part of the selection process. This can be optional and have a guarantee of confidentiality. Ideally, it should be collected and processed by a person who is not part of the recruitment process.

In settlement of the complaint, the employer has agreed to amend its application forms.

Kia Ora

We've focused on recruitment in this issue because getting it right is one of the fundamental steps in turning EEO commitment into action in your organisation. To acquire the diversity of skills you need to run your business with a competitive edge, you have to get the right people through the front door in the first place. I would like to thank John Williams and Jane Faneslow of the Recruitment and Consulting Services Association (RCSA) for their support and partnership in working together with the EEO Trust to raise a heightened awareness of EEO principles and practice among recruitment consultants. We have been delighted by the response of recruitment consultancies in joining the EEO Employers Group as a sign of their genuine commitment.



On a sad note, I would like to acknowledge the life and recent death of one of Australasia's leading EEO experts, Clare Burton. Janice Burns, of Top Drawer Consultants, sent a memorial to Clare's family on hearing of her death. "Clare's dedicated work in the area of pay equity and employment opportunities was an inspiration to many of us. She was not only a rigorous researcher, publishing books and papers which have added significantly to our understanding of the issues at the base of employment discrimination, but she was also a passionate advocate of fairness on a practical level. The EEO community as a whole has lost a respected voice, and on a personal level we have lost a supportive friend and colleague."

My apologies to Brookfields who were mistakenly left off the enclosed EEO Employers Group membership list. We are delighted that they have joined.

Finally, let me remind you of the upcoming EEO Trust National Conference and AGM to be held in Auckland on 12 November 1998. This year the Conference, entitled "Age Matters for Employers" will focus on the issue of age and employment, with an eye on next February's amendment to the Human Rights Act removing the upper limit for retirement. Please make a note in your diaries, so that you can take part.

Heoi anō
Hei konei rā

Trudie McNaughton
Executive Director

EEO Trust Index 1998



This is the second EEO Trust Index, to be launched at the EEO Trust National Conference 12 November 1998. It is a unique resource containing statistical information for benchmarking EEO progress.

\$ 20 (+ \$5 p/h) from the EEO Trust
PO Box 12929, Penrose, Auckland
ph 09 525 3023
fax 09 525 7076

email admin@eeotrust.org.nz
(Pre-order now by filling in the enclosed flier).

Safe & Sound - Preventing Harassment in New Zealand Workplaces

A resource that will help you find the right approach towards harassment issues for your organisation and put together a strategy that will work. Includes explanations on what harassment is, what are employers'/managers' legal obligations, how to develop a policy and procedure and how to handle complaints and monitor incidence of harassment. (Top Drawer Consultants publication. Funded by the EEO Contestable Fund).

\$25 (+ \$5 p/h) from EEO Trust
PO Box 12929, Penrose, Auckland
ph 09 525 3023
fax 09 525 7076
email admin@eeotrust.org.nz
(Order now by filling in the enclosed flier)

The Conflict Partnership Process - A Video and Workbook

Shows the Conflict Partnership Process in action through dramatised scenes, along with critical explanations and guidance by Dr. Dudley Weeks, an expert in conflict resolution and peace building.

\$ 39.38 from the Legal Resources Trust
PO Box 11248, Wellington
ph 04 801 7066
fax 04 385 2105



Equity Works Harassment Prevention Programme

This programme includes a comprehensive resource kit covering legal definitions, guidelines for policy and complaints procedures, staff and managers' briefing, and record keeping. It also includes a series of training courses, supporting materials and manuals, and ongoing updates and assistance. Managers handbooks, contact person handbooks, employee brochures and workplace posters are available for separate purchase. The programme is customised to meet each client's needs.



Further information from
Equity Works Ltd
PO Box 99424, Newmarket, Auckland
ph 09 630 0647
fax 09 630 0649
email info@equityworks.co.nz

Is your organisation committed to Success through Diversity?

Check the EEO Employers Group list which you will find inserted in this newsletter. If your organisation is not on the list - make sure that your organisation makes the most of a diverse workforce by signing up today.



[Please note: Brookfields was mistakenly left off the enclosed list. We apologise for the error].

IPM Conference

IPM's national conference will focus on people strategies to deliver organisational capabilities. Speakers include Cheryl Southeran, CEO Te Papa, and Jane Freeman, GM Bank Direct. Includes a HR Expo at which the EEO Trust will have a stand, on 19 October 1998.

To be held at Te Papa Tongarewa in Wellington, 18-20 October 1998.

Contact: Judith Hamblyn, IPM

ph 04 473 8739

fax 04 499 2966

email judithhamblyn@ipm.co.nz

Keep Yourself Safe with Sound Practice - Learn How to Prevent Harassment in Your Workplace

Seminar facilitator Shayne Mathieson, Partner Top Drawer Consultants in conjunction with the EEO Trust. This seminar will cover what harassment is, what happens when it occurs in your organisation, how to handle complaints, how to prevent harassment and what your rights and responsibilities are as an employer and manager.

To be held at EMA in Auckland, 181 Khyber Pass Road, 22 October 1998.

Contact: Allysa Stewart, EEO Trust

ph 09 525 3023

fax 09 525 7076

email admin@eeotrust.org.nz

1998 Corporate & Business Women's Forum

Interactive conference and workshops looking at topics such as future directions for women in positions of power, leadership issues and career planning. Workshops will address assertiveness, negotiation and presentation skills. Keynote speaker will be Sandra Yates, Chair, Saatchi & Saatchi Advertising (Australia). The EEO Trust will have a stand at the conference.

To be held at Stamford Plaza, Auckland, 20-22 October 1998.

Contact: IIR NZ Ltd

ph 09 379 5892

fax 09 309 7986

DPA Annual National Assembly and Conference

Guest speakers and discussion groups focusing on disability from a variety of perspectives, including

employment, gender, sexual orientation and age. Trudie McNaughton, Executive Director EEO Trust will be one of the speakers.

To be held at Egmont Hotel in New Plymouth,

30 October -1 November 1998.

Contact: DPA (New Zealand) Ltd

ph 04 801 9100

fax 04 801 9565

email dpanzinc@clear.net.nz

EEO Trust National Conference & AGM - Age Matters for Employers

The conference will focus on the issue of age and employment, and will discuss the implications of next year's legislative change making compulsory retirement unlawful.

To be held at Centra Auckland Hotel, 12 November 1998, 2-5pm.

Contact: EEO Trust

ph 09 525 3023

fax 09 525 7076

email admin@eeotrust.org.nz

One Stop Update for HR Professionals

This conference aims to explore the most recent issues within HR and is for HR Managers, Directors, Advisors, Organisational Development Specialists, Training and Development Managers and HR Consultants. Includes a presentation by Trudie McNaughton, Executive Director EEO Trust.

To be held in Auckland

17-18 February 1999

and

Wellington 22, 23 February 1999.

Contact: Tanya de Groot, BIIA

ph 09 486 8087

fax 09 486 8085

Asia-Pacific Conference for International Year of Older Persons

This conference marks 1999 as the International Year of Older Persons.

To be held in Hong Kong,

26-29 April 1999.

Contact: Hong Kong Council of Social Service, Duke of Windsor Social Service Building, 15 Hennessy Road, Wanchai, Hong Kong

fax 852 2528 4230

email ira@hkcss.org.hk

What is the EEO Trust?

The Equal Employment Opportunities Trust is a not-for-profit independent organisation which promotes the business benefits of EEO. It is governed by a Board of Trustees and managed by a small team in Auckland. The EEO Trust is resourced by donations from member organisations and limited matching funds from government.

Since the EEO Trust began in 1992 it has developed a number of resources and services for New Zealand business. Two of the major areas of activity have been the EEO Employers Group and the EEO Trust Work & Family Awards.

The EEO Trust Index

The EEO Trust produces an annual EEO Index to monitor diversity progress in New Zealand. All organisations with over 50 employees and all members of the EEO Trust and Work & Family Network are sent a survey annually in preparation for the compilation of the Index. All members of the EEO Employers Group commit to returning the survey when they join the Group. Employers use the Index data to benchmark their EEO progress.

(Pre-order now by filling in the enclosed flier).

EEO Referral Database

The EEO Trust also maintains an extensive EEO Referral Database with a wealth of information about EEO issues, policies and practices, trainers and consultants. The EEO Trust provides customised search reports for its clients from the database which has over 3000 listings on EEO.

Come Visit Us Both in person and in cyberspace!

*The EEO Trust has moved down.....to the sixth floor.
We are still at 6B Cawley Street Ellerslie Auckland.
We welcome visitors having a look at our resources.
Call now and make an appointment to visit us.
Or alternatively visit us at our internet site www.eeotrust.org.nz
At our site you can purchase resources, find out What's Hot or
find out about the EEO Employers Group.
The site is updated monthly and has recently had a facelift.*

The EEO Employers Group

The EEO Employers Group was established in June 1997 to help organisations demonstrate their commitment to EEO, and value the diversity in their workplaces. Members of the EEO Employers Group commit to its Charter and receive the use of the EEO Employers Group logo as a mark of their commitment to excellence in EEO. To date more than 179 organisations have joined the EEO Employers Group. All EEO Employers Group members must be or become financial members of the EEO Trust (see enclosed flier for information on how to join).

The EEO Trust Work & Family Awards

The Work & Family Awards are held annually to profile and champion those who have made balancing work and family a reality in their organisation. Awards are available in 4 categories; a large organisation award, a small to medium organisation award, a beginners award and a Walk the Talk Award for a chief executive or senior manager who models work and family balance. All entrants must subscribe to the EEO Trust's Work & Family Network.

If you wish to be included on our mailing list, or would like information on EEO Trust services or resources, please contact:

**EEO Trust
PO Box 12929
Penrose, Auckland**

**ph 09 525 3023
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