

# BIAS INTERRUPTERS

*small steps  
big change*

## Tools for Hiring & Recruiting

### THE CHALLENGE

Matched-resume studies, in which researchers send identical resumes except for one factor (such as the applicant's name or membership in an organization that signals something about their identity) provide objective evidence that bias drives decision making. Despite identical qualifications:

**Race/ethnicity:** "Jamal" needed eight additional years of experiences to be considered as qualified as "Greg."<sup>1</sup>

**Gender:** "Jennifer" was offered \$4,000 less in starting salary than "John."<sup>2</sup>

**Sexual orientation:** Holding a leadership position in an LGBTQ organization made a queer woman receive 30% fewer callbacks<sup>3</sup> and a gay man receive 40% fewer callbacks than their heterosexual peers.<sup>4</sup>

**Parenthood status:** Membership in the Parent-Teacher Association made a mother 79% less likely to be hired than a non-mother and offered \$11,000 less in starting salary.<sup>5</sup>

**Social class:** A candidate that listed elite hobbies: "polo, sailing, and classical music" was 12 times more likely to get a callback than a candidate that listed "pickup soccer, country music, and mentoring other first-gen students."<sup>6</sup>

You can't tap the full talent pool unless you control for bias in hiring. To truly see results, you will need to interrupt bias at every stage from the initial job posting to the final offer letter.

### THE SOLUTION

#### 1. *Consider the Metrics*

Organizations should keep metrics by: 1) individual supervisor; 2) department; 3) location if relevant; and 4) the organization as a whole and:

- Anonymously track the demography of the candidate pool through the entire hiring process: from the initial pool of candidates considered, to who survives resume review, who gets invited to interview, who survives the interview process, who gets job offers, who accepts those offers, and who doesn't. Break down the demography by under-represented groups: women, people of color, people with disabilities, veterans, members of the LGBTQIA+ community, etc. and pinpoint which stage(s) of the hiring process are disproportionately weeding out candidates from those groups.
- Track interviewers' reviews and/or recommendations to ensure they are not consistently rating majority candidates higher than others.

#### 2. *Empower people involved in the hiring process to spot and interrupt bias* by using our [Identifying Bias in Hiring Guide](#). Read and distribute.

#### 3. **Appoint Bias Interrupters** — HR professionals or team members trained to spot bias, and involve them at every step of the hiring process.

#### 4. **Go through the menu below** to learn more about how to interrupt bias during each step of the hiring process.

### Applications

*The application process is the first level of the hiring process. Working to ensure you have a diverse candidate*



*pool in the application process will help your organization build a strong pipeline of top talent. Below are a few strategies to help encourage diversity in an applicant pool.*

### **1. Insist on a diverse pool**

If the initial pool is largely homogenous, it is statistically unlikely that you will hire a candidate from a historically excluded group. In one study, the odds of hiring a woman were 79 times greater if there were at least two women in the finalist pool; the odds of hiring a person of color were 194 times greater.<sup>7</sup>

### **2. Tap diverse networks**

If your existing organization is not diverse, hiring from your current employees' social networks will replicate the lack of diversity. Instead, tap into diverse networks. Identify job fairs, affinity networks, conferences and training programs that are aimed at historically excluded communities in your field and send recruiters.

### **3. Getting the word out**

Let people know that your company is a great place to work. One company offers public talks by women at their company and writes blog posts, and social media articles highlighting the women who work there. If you don't currently have the diversity to create that kind of content, face it head on with an article about your organization's interest in hiring more people of color, women, members of the LGBTQIA+ community, first-generation professionals — and your development plan to support new hires.

### **4. Change the wording of your job postings**

Take another look at your job ads to make sure you are asking for what you really want.

- 1) **Encourage applicants to apply even if they don't meet 100% of the criteria** – research has found that men tend to apply when they meet only 60% of the criteria whereas women only apply if they meet 100%.<sup>8</sup>
- 2) **Select job-relevant criteria.** Sometimes job ads include requirements that aren't really requirements at all – such as desk jobs that require applicants to be able to lift 25 pounds. This kind of language may weed out applicants with disabilities.
- 3) **Choose your words thoughtfully.** Using masculine-coded words like “leader” and “competitive” will tend to reduce the number of women who apply;<sup>9</sup> using words like “responsible” and “conscientious” will attract more women, and men too. Research shows that gender-neutral job postings result in more applications overall.<sup>10</sup> Tech alternatives (see: Textio or the SAP Job Analyzer for Recruiting)<sup>11</sup> can help you craft job postings that ensure you attract top talent without discouraging women.
- 4) **Avoid making statements about innate abilities.** Gender stereotypes about “innate” cognitive abilities emerge early with research showing that girls stay away from games designed for “really, really, smart” people.<sup>12</sup> This may also extend to terms like “analytical mindset”, more stereotypically associated with men than women.
- 5) **Review job ads for extreme language** like “customer-obsessed” or “aggressive expectations.” It may be best to avoid using “extreme” language. Given equal performance on average, men are more likely than women to be overconfident about their performance and to self-promote more than women.<sup>13</sup>
- 6) **Add information about family leave policies to job ads.** This simple fix could help draw in a more diverse pool of applicants.
- 7) **List salary ranges.** Pay transparency can increase a company's number of applicants. Asking applicants for their salary expectations can perpetuate pay discrimination from job to job. Women also tend to ask for lower salaries than their male counterparts, and women and minorities fear negotiation backlash to a greater extent than their white, male peers. If negotiation is expected, make that clear to candidates

upfront.

## REFERRAL HIRING

*Referrals present opportunities if done thoughtfully, but substantial risks if done incorrectly. Below are a few ideas to consider when utilizing referral hiring to promote diversity.*

### *Opportunities*

- **Tap diverse networks**

Tapping into diverse networks through job fairs, affinity networks, conferences and training programs that are aimed at historically excluded communities in your field can help you reach qualified applicants that are not as well connected.

- **Work with recruitment partners**

Finding recruitment partners that specialize in matching candidates from historically excluded groups with companies can help with the finding and recruitment of candidates. Additionally, these partners may be able to provide support for promoting inclusive hiring efforts more generally.<sup>14</sup>

- **Create a strong pool**

Having a pool of well-qualified leads means you won't have to spend as much time recruiting when a new position opens up.<sup>15</sup>

- **Better retention rate**

Referred employees tend to stick with the organization for longer. One study found that 46% of referrals are retained at the one-year mark, compared to 33% from career sites.

### *Risks*

- **Replicating or magnifying a current lack of diversity**

If your existing organization is not diverse, hiring from your current employees' social networks will replicate the lack of diversity. One study showed that "women and racial minorities may be at a disadvantage specifically because they are less likely to have networks upon entry into the organization."<sup>16</sup>

To head off this risk, keep careful metrics of the demography of your referrals pool. Make sure the pool reflects the diversity you want to see in your organization. If it doesn't, take action quickly to change things.

- **Applying looser standards to referrals**

Since referrals are entering the system in a different way than other candidates, it is important to make sure you have a standardized review process. Referred candidates should meet the same job-related criteria as all other applicants. Make sure you're not giving a pass to these candidates just because they already know someone in the organization.

## RESUME REVIEW

*When recruiters are reviewing resumes, it helps to have objective metrics that they can rely on to pick out the top candidates for each role. Here are some tips for setting those metrics:*

### 1. Distribute the [Identifying Bias in Hiring Guide](#)

Before resumes are reviewed, have reviewers read our guide so that they are aware of the common forms of bias that can affect the hiring process.

**2. Pre-commit to what’s important—and require accountability**

Pre-commit in writing to what qualifications are important, both in entry-level and in lateral hiring. When qualifications are waived for a specific candidate, require an explanation of why they are no longer important—and keep track to see if there’s a pattern among waiver recipients.<sup>17</sup>

**3. Ensure resumes are graded on the same scale**

Establish clear grading rubrics and ensure that everyone grades on the same scale. Consider having each resume reviewed by two different managers and averaging the score.

**4. Redact extra-curricular activities from resumes**

Including extra-curricular activities on resumes can artificially disadvantage first-generation professionals. As mentioned above, one study found that law firms were less likely to hire a candidate whose interests included “country music” and “pick-up soccer” rather than “classical music” and “sailing”—even though the work and educational experience was exactly the same.<sup>18</sup> Because most people aren’t as aware of class-based bias, communicate why you are removing extracurricular activities from resumes.

**5. Don’t count resume gaps as an automatic negative**

Don’t count “gaps in a resume” as an automatic negative. Instead, give the candidates an opportunity to explain gaps by asking about them directly during the interview stage.<sup>19</sup> There are many, many reasons people may take time off from paid work (including to care for children or elderly parents or to take care of their own health). Don’t infer that if someone has taken time off for family caregiving responsibilities that they will be less committed to the job they are applying for now.

**6. Consider candidates from multi-tier schools**

Don’t limit your search to candidates from Ivy League and other top-tier schools. Using graduation from a narrow range of elite schools as a proxy for intelligence and future success disadvantages first-generation students, the majority of whom are people of color.<sup>20</sup> Studies show that top students from lower ranked schools are often just as successful.<sup>21</sup> Whenever possible, use skills tests to gauge qualification and preparedness for the role.

**7. Try using “blind auditions”** where the evaluators don’t know who they are reviewing. If women and candidates of color are dropping out of the pool at the resume review stage, consider removing names or other demographic-signaling info from resumes before review. This way, candidates can be evaluated based solely on their qualifications.

## INTERVIEWS

*During the interview process, clear rubrics and rating scales are essential to make sure all candidates are receiving fair reviews. Below are a few strategies to help structure an equitable interview process.*

**To understand the research and rationale behind the suggested bias interrupters, read our [Identifying Bias in Hiring Guide](#)** which summarizes numerous studies.

- 1) Distribute this [interview toolkit](#) to everyone involved in your interview process.** The law firm Ice Miller LLP created this [Attorney Interview toolkit](#) to interrupt common forms of bias in their interview process. The toolkit equips interviewers with materials to evaluate candidates based on their knowledge, skills and abilities pertaining to the position and minimizes the risks of unexamined bias influencing their decision-making. This toolkit sets interviewers up for success because it determines consistent criteria upon which to evaluate candidates in advance. The rubrics ensure that every person is rated on the same scale.

- 2) **Conduct interviews using an interview rubric.** A rubric clearly defines what a “good” candidate is, helping to standardize scoring for each interviewee and reduce potential bias. In contrast to a structured interview, unstructured interviews are “among the worst predictors of actual on-the-job performance.”<sup>22</sup>
- 3) **Develop a consistent rating scale and discount outliers.** Candidate’s answers (or skills-based assessments) should be rated on a consistent scale and backed up by evidence. Average the scores granted on each relevant criterion and discount outliers.<sup>23</sup>
- 4) **Use structured interviews.** Ask the same list of questions to every person who is interviewed. Ask questions that are directly relevant to the job the candidate is applying for.<sup>24</sup>
- 5) **Ask performance-based questions & use skills-based assessments.** Performance-based questions (“tell me about a time you had too many things to do and had to prioritize”) provide concrete information about job-relevant skills.<sup>25</sup> If applicable, ask candidates to take a skills-based assessment. For example, if part of the job is analyzing data sets and making recommendations, ask the candidate to do that.
- 6) **Try behavioral interviewing.**<sup>26</sup> Ask questions that reveal how candidates have dealt with prior work experiences, as research shows that structured behavioral interviews can more accurately predict the future performance of a candidate than unstructured interviews.<sup>27</sup> Instead of asking, “How do you deal with problems with your manager?” ask them to “Describe a time you had a conflict at work with your manager and how you handled it.” When evaluating answers, a good model to follow is the STAR<sup>28</sup> model: the candidate should describe the Situation they faced, the Task that they had to handle, the Action they took to deal with the situation, and the Result.
- 7) **If “culture fit” is a criterion for hiring, provide a specific definition.** Culture fit can be important but when it’s misused, it can disadvantage people of color, first-generation professionals, and women.<sup>29</sup> Culture fit should not mean the “lunch test” (who you would like to have lunch with.) Instead, make it clear what the hiring criteria is to evaluators and candidates. One good example of a work-relevant definition of culture fit is “Googleness,” which Laszlo Block, Google’s former SVP of People Operations defined as “Attributes like enjoying fun (who doesn’t), a certain dose of intellectual humility (it’s hard to learn if you can’t admit that you might be wrong), a strong measure of conscientiousness (we want owners, not employees), comfort with ambiguity (we don’t know how our business will evolve, and navigating Google internally requires dealing with a lot of ambiguity), and evidence that you’ve taken some courageous or interesting paths in your life.”<sup>30</sup>
- 8) **Address resume gaps head on.** Give candidates an opportunity to explain gaps by asking about it explicitly during the interview stage. Women fare better in interviews if they are able to provide information upfront, rather than having to avoid the issue.
- 9) **Send a memo to candidates prior to their interview detailing expectations.** Develop an interview protocol sheet that explains to candidates what is expected from them during an interview. This can level the playing field for first-generation professionals, Asian Americans, women, and introverts — groups that are more likely to feel pressure to be modest or self-effacing. Setting expectations clearly allows them to make the best case for themselves.

Here’s a [sample memo](#) as well as a checklist of what to include:

- △ Outline the interview process with as many details as possible. If you’re planning on giving them a skills assessment, say so. If it’s not clear in the assessment instructions, let them know what you’re looking to learn from the assessment – “We will be evaluating your ability to use Adobe Creative Suite by asking you to make social media graphic for a fictional event.”
  - △ Qualities your organization values because they better the work environment. Think: “culture fit.”
  - △ Skill sets required for the position.
- Any additional qualifications your hiring team thinks are important, cross-check with your

## interview evaluation form.

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# BIAS INTERRUPTERS *small steps big change*

## BIAS INTERRUPTERS FOR HIRING & RECRUITING

### *Identifying Bias in Hiring Guide*

The five patterns below describe *tendencies not absolutes*. Here's what to watch out for:

**Prove-It-Again!** ("PIA") — Groups stereotyped as less competent often have to prove themselves over and over. "PIA groups" include women, people of color, individuals with disabilities,<sup>1</sup> members of the LGBTQIA+ community,<sup>2</sup> older employees,<sup>3</sup> and first-generation professionals.<sup>4</sup>

1. **Higher standards.** Despite having identical resume qualifications, "Jamal" needed eight additional years of experience to be considered as qualified as "Greg";<sup>5</sup> and "Jennifer" was offered \$4,000 less in starting salary than "John."<sup>6</sup> A queer woman received 30% fewer callbacks than a straight woman<sup>7</sup> and a gay man had to apply to 5 more jobs than a straight man in order to receive a positive response.<sup>8</sup>
2. **"He'll go far;" "She's not ready."** Majority men tend to be judged on their potential, whereas PIA groups tend to be judged on what they have already accomplished.<sup>9</sup>
3. **Casualty: education vs. experience.** When hiring for a job that required both education and experience, participants justified selecting the man over the woman by weighing the man's qualifications more. When the man had more experience, participants ranked experience as essential. When the woman had more experience, participants still chose the man — saying that education was key.<sup>10</sup>
4. **Elite school bias.** Over-reliance on elite educational credentials hurts first-generation professionals and candidates of color, who are more likely to attend schools close to home with more modest reputations.<sup>11</sup> Education shouldn't be used as a proxy for intelligence: top students from lower ranked schools are often as successful as students from elite schools.<sup>12</sup>
5. **PIA groups get horns; others a halo.** Horns=one weakness generalized into an overall negative rating. Halo=one strength generalized into a global positive rating.<sup>13</sup>
6. **"We applied the rule—until we didn't."** Objective requirements often are applied rigorously to PIA groups—but leniently (or waived entirely) for majority men.<sup>14</sup> This means that some groups are left out: for example, desk jobs that require applicants to be able to lift 25 pounds may weed out employees with disabilities.<sup>15</sup>
7. **Do only the superstars survive?** Superstars may escape PIA problems that affect others.<sup>16</sup>

**Tightrope** — A narrower range of workplace behavior often is accepted from women<sup>17</sup>, people of color<sup>18</sup>, and members of the LGBTQIA+ community<sup>19</sup> ("TR groups"). First-generation professionals and modest or introverted men can face Tightrope problems, too.

1. **Leader or worker bee?** TR groups face pressure to be "worker bees" who work hard and are undemanding...but if they comply, they lack "leadership potential."<sup>20</sup>
2. **Modest, helpful, nice; dutiful daughter, office mom?** Prescriptive stereotypes create pressures on women to be mild-mannered team players. "Ambitious" is not a compliment for women and "niceness" may be optional for men but required of women.<sup>21</sup>
3. **Direct and assertive—or angry and abrasive?** Behavior seen as admirably direct, competitive, and assertive in majority men may be seen as inappropriate in TR groups — "tactless," "selfish," "difficult." Assertiveness that's accepted in majority men may be seen as inappropriate in TR groups.<sup>22</sup>
4. **"She's a prima donna"; "He knows his own worth."** The kind of self-promotion that works for majority men may be seen as off-putting in TR groups. Modest men may encounter bias that reflects assumptions about how "real men" should behave. Also, strong modesty norms can make first-generation professionals, people of Asian descent, and women uncomfortable with self-promotion.<sup>23</sup>

5. **LGBTQIA+ employees** may be stereotyped as “too feminine,” “too masculine,” or just “too gay.”<sup>24</sup> These kinds of judgement signal illegal discrimination under federal and state law.

**The Parental Wall** can affect parents of all genders—as well as employees without children.

1. **“He has a family to support.”** Fathers face expectations that they will not—or should not—take time off for caregiving, or that they should get jobs because they are breadwinners.<sup>25</sup>
2. **“Gaps in her resume.”** People take time off for many reasons. Be consistent. If you don’t penalize for military service, don’t do so for taking time off for children either.<sup>26</sup>
3. **“Her priorities lie elsewhere” (or should!).** Mothers are stereotyped as less competent and committed. In one matched-resume study, a mother was 79% less likely to be hired than an identical candidate without children.<sup>27</sup>
4. **“I worry about her children.”** Mothers who work long hours tend to be disliked and held to higher performance standards. Taxing jobs may be withheld on the assumption that mothers will not—or should not—want them.<sup>28</sup>

**Tug of War** — Sometimes bias creates conflict within historically excluded groups.<sup>29</sup>

1. **Tokenism.** It’s important to make sure there is more than just one “token” historically excluded group member in the applicant pool.
2. **Strategic distancing and the loyalty tax.** People from historically excluded groups on a hiring committee may feel they need to distance themselves from applicants of their group, or align with the majority against their own group, in order to get ahead.
3. **Passthroughs. PIA:** People from historically excluded groups may hold members of their own groups to higher standards because, “That’s what it takes to succeed here.” **Tightrope:** Women or LGBTQIA+ employees may fault each other for being too masculine—or too feminine. People of color may fault each other for being “too white”—or not “white” enough.<sup>30</sup> **Parental wall:** Parents may fault each other for handling parenthood wrong—taking too much time off or too little.<sup>31</sup>

**Racial Stereotypes** — People of Asian descent are often stereotyped as passive and lacking in social skills; Black people as angry or too aggressive; Latino/a people as hotheaded or emotional.<sup>32</sup>

## Eight Powerful Bias Interrupters

1. Decide in advance what factors are important for the job.
2. Give each candidate a separate rating for each factor, then average the ratings to identify the highest ranked candidates.
3. Don’t just hire friends of friends unless your networks, your org, or both, are diverse. Consider candidates from multi-tier schools, not just elite institutions.
4. Make sure to give everyone—or no one—the benefit of the doubt.
5. If you waive objective requirements, do so consistently and require an explanation.
6. Don’t insist on likeability, modesty, or deference from some but not others.
7. Don’t make assumptions about what mothers—or fathers—want or are able to do. Directly ask candidates about “gaps in their resume” during their interview.
8. If you comment on “culture fit,” “executive presence,” or other vague concepts, start with a clear definition and keep track to ensure such concepts are applied consistently.

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## Toolkit for Interviewing Roadmap

### 1. *Preparing interview questions:*

One of the strongest Bias Interrupters in hiring is to pre-commit to what qualifications are important — and require accountability. Prior to conducting interviews, determine the Knowledge, Skills, and Abilities (KSAs)<sup>1</sup> that are essential for success in the role:

**Knowledge:** the understanding of concepts, theories or subject matters that can be applied to the job (i.e. federal regulations, statistics)

**Skills:** the capabilities or proficiencies developed through training or hands-on experience (i.e. project management, public speaking, writing)

**Abilities:** talents or expertise that a person brings to a task or situation (i.e. political savvy)

Once you've determined the KSAs, develop interview questions that will yield information about the candidates' capabilities in those categories. Behavior-based interview questions, which require candidates to explain how they've dealt with previous work situations (i.e. "tell me about a time when you had a conflict with a manager and how you handled it") more accurately predict future performance of a candidate than unstructured interviews.<sup>2</sup> Then, develop a rubric that clearly defines what excellence in each category looks like. Use these [sample interview questions, rubrics, and notes pages](#) created by Ice Miller as a template. After the interview, give candidates a separate rating for each factor.

### 2. *Preparing for the interview:*

- a. **Read the [Identifying Bias in Hiring Guide](#).** Before conducting interviews, read this 2-page document that summarizes the common forms of bias that can impact the hiring process.
- b. **Be prepared to 'WOO' (Win Others Over).** In today's competitive job market, it is becoming increasingly difficult to attract top talent. Candidates can afford to be more selective because more opportunities exist for them. The interview stage is an opportunity to showcase why your organization is a great place to work. Before conducting interviews, arm yourself with the selling points about your org. If your org. offers excellent parental leave policies, diversity initiatives, ERGs, wellness benefits, etc. let it be known. Refer to this [memo](#) created by Ice Miller as an example.
- c. **Familiarize yourself with the "[Innocent interview questions to avoid](#)" document.** Be aware of the ways that your curiosity may be inappropriate, fuel bias or even be illegal during an interview. If a candidate offers personal information voluntarily that would have answered an illegal interview question, take care not to follow up on it.

3. ***Send a memo to candidates prior to their interview detailing expectations.*** Develop an interview protocol sheet that explains to candidates what is expected from them during an interview. This can level the playing field for first-generation professionals, Asian Americans, women, and introverts — groups that are more likely to feel pressure to be modest or self-effacing. Setting expectations clearly allows them to make the best case for themselves. Use this [memo](#) created by Ice Miller as a model.

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**Tools for Interviewing**  
**Sample Interview Questions, Rubric, and Notes Template**

*Self-Directed/Motivated*

**Defined as someone who:**

- Historically seeks out challenging opportunities
- Demonstrates a desire to learn more and improve skillsets, even at the risk of failure
- Thinks about the greater context of a problem or project and how to advance them
- Consistently goes beyond what is asked of them

**Sample Questions:**

1. Tell me about a time when you identified a problem with a process. What steps did you take to improve the situation?
2. Tell me about a time you went “above and beyond” on a project?
3. Give me an example of a new idea you suggested to a supervisor or team in the past year. What steps did you take to implement your idea?

**Rubric:**

Excellent	Average	Poor
Candidate drives towards increasingly difficult and challenging tasks; thrives while challenged by difficult, complex tasks	Candidate’s drive towards increasingly difficult and challenging tasks is average; expresses interest in complex and difficult work, but enthusiasm is average	Candidate’s drive towards increasingly difficult and challenging tasks is poor; does not demonstrate the perseverance for complex and difficult tasks
Demonstrates a strong interest in and ability to advance projects to the highest level	May have a desire to advance projects to the next level, but does not demonstrate a knowledge of how to	Does not have a history of interest in advancing projects to the next level
Has strong ability to think about the greater context of a problem or project	Has modest ability to think about the greater context of a problem or project	Does not think about the greater context of a problem or project

**Notes:**

This toolkit was created by Ice Miller LLP and modified for use on the Bias Interrupters website.

**Tools for Interviewing**  
**Sample Interview Questions, Rubric, and Notes Template**  
*Client Service Orientation/Communication and Relationship Skills*

**Defined as someone who:**

- Listens to others and tries to understand their perspectives; handle disagreement and difficulty well
- Confronts issues and problems with tact in an effort to successfully resolve them
- Delivers answers to questions in clear and concise manner and with appropriate speed and volume

**Sample Questions:**

1. Tell me about a time when communication was very important to completing a task or project. How did you choose to communicate? What steps did you take to make sure all parties were kept well-informed?
2. Tell me about a time when something went wrong on a project or at work. How did you communicate about the issue and resolve it?
3. Tell me about a time when you were proud of the level of assistance or service you provided someone?

**Rubric:**

Excellent	Average	Poor
Excellent interpersonal skills; others respect and seek them out	Average interpersonal skills; usually friendly, but others do not necessarily seek them out for guidance	Poor interpersonal skills; others do not rely on them for guidance or support
Strongly values the ability to help others	Somewhat values the ability to help others	Does not value the ability to help others
Answers questions clearly and concisely	Answers questions fairly effectively; may tend to provide excessive explanations or extraneous details	Answers questions ineffectively; provides little to no detail or is too long-winded

**Notes:**

This toolkit was created by Ice Miller LLP and modified for use on the Bias Interrupters website.

## Identifying Bias in Hiring Guide

The five patterns below describe *tendencies not absolutes*. Here's what to watch out for:

**Prove-It-Again!** ("PIA") — Groups stereotyped as less competent often have to prove themselves over and over. "PIA groups" include women, people of color, individuals with disabilities, members of the LGBTQIA+ community, older employees, and first-generation professionals.

1. **Higher standards.** Despite having identical resume qualifications, "Jamal" needed eight additional years of experience to be considered as qualified as "Greg", and "Jennifer" was offered \$4,000 less in starting salary than "John." A queer woman received 30% fewer callbacks than a straight woman and a gay men had to apply to 5 more jobs than a straight man in order to receive a positive response.
2. **"He'll go far;" "She's not ready."** Majority men tend to be judged on their potential, whereas PIA groups tend to be judged on what they have already accomplished.
3. **Casualty: education vs. experience.** When hiring for a job that required both education and experience, participants justified selecting the man over the woman by weighing the man's qualifications more. When the man had more experience, participants ranked experience as essential. When the woman had more experience, participants still chose the man — saying that education was key.
4. **Elite school bias.** Over-reliance on elite educational credentials hurts first-generation professionals and candidates of color, who are more likely to attend schools close to home with more modest reputations. Education shouldn't be used as a proxy for intelligence: top students from lower ranked schools are often as successful as students from elite schools.
5. **PIA groups get horns; others a halo.** Horns=one weakness generalized into an overall negative rating. Halo=one strength generalized into a global positive rating.
6. **"We applied the rule—until we didn't."** Objective requirements often are applied rigorously to PIA groups—but leniently (or waived entirely) for majority men. This means that some groups are left out: for example, desk jobs that require applicants to be able to lift 25 pounds may weed out employees with disabilities.
7. **Do only the superstars survive?** Superstars may escape PIA problems that affect others.

**Tightrope** — A narrower range of workplace behavior often is accepted from women, people of color, and members of the LGBTQIA+ community ("TR groups"). First-generation professionals and modest or introverted men can face Tightrope problems, too.

1. **Leader or worker bee?** TR groups face pressure to be "worker bees" who work hard and are undemanding...but if they comply, they lack "leadership potential."
2. **Modest, helpful, nice; dutiful daughter, office mom?** Prescriptive stereotypes create pressures on women to be mild-mannered team players. "Ambitious" is not a compliment for women and "niceness" may be optional for men but required of women.
3. **Direct and assertive—or angry and abrasive?** Behavior seen as admirably direct, competitive, and assertive in majority men may be seen as inappropriate in TR groups — "tactless," "selfish," "difficult." Assertiveness that's accepted in majority men may be seen as inappropriate in TR groups.
4. **"She's a prima donna"; "He knows his own worth."** The kind of self-promotion that works for majority men may be seen as off-putting in TR groups. Modest men may encounter bias that reflects assumptions about how "real men" should behave. Also, strong modesty norms can make first-generation professionals, people of Asian descent, and women uncomfortable with self-promotion.
5. **LGBTQIA+ employees may be stereotyped as "too feminine," "too masculine," or just "too gay."** These kinds of judgement signal illegal discrimination under federal and state law.

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**The Parental Wall** can affect parents of all genders—as well as employees without children.

1. ***“He has a family to support.”*** Fathers face expectations that they will not—or should not—take time off for caregiving, or that they should get jobs because they are breadwinners.
2. ***“Gaps in her resume.”*** People take time off for many reasons. Be consistent. If you don’t penalize for military service, don’t do so for taking time off for children either.
3. ***“Her priorities lie elsewhere” (or should!).*** Mothers are stereotyped as less competent and committed. In one matched-resume study, a mother was 79% less likely to be hired than an identical candidate without children.
4. ***“I worry about her children.”*** Mothers who work long hours tend to be disliked and held to higher performance standards. Taxing jobs may be withheld on the assumption that mothers will not—or should not—want them.

**Tug of War** — Sometimes bias creates conflict within historically excluded groups.

1. ***Tokenism.*** It’s important to make sure there is more than just one “token” historically excluded group member in the applicant pool.
2. ***Strategic distancing and the loyalty tax.*** People from historically excluded groups on a hiring committee may feel they need to distance themselves from applicants of their group, or align with the majority against their own group, in order to get ahead.
3. ***Passthroughs. PIA:*** People from historically excluded groups may hold members of their own groups to higher standards because, “That’s what it takes to succeed here.” ***Tightrope:*** Women or LGBTQIA+ employees may fault each other for being too masculine—or too feminine. People of color may fault each other for being “too white”—or not “white” enough. ***Parental wall:*** Parents may fault each other for handling parenthood wrong—taking too much time off or too little.

**Racial Stereotypes** — People of Asian descent are often stereotyped as passive and lacking in social skills; Black people as angry or too aggressive; Latino/a people as hotheaded or emotional.

**Be mindful of your assumptions and ask yourself:**

- ✓ Would I say that about this person if she were a man or he were a woman? If the candidate were a person of color or white? If the person had a different social identity from me?
- ✓ Am I making judgements about someone based on their personality type or am I focused on their work results?
- ✓ Am I gravitating toward a candidate because they are more like me and share similar interests and background?
- ✓ Am I focused on observable behaviors and the facts?

**Individual Bias Interrupters:**

- Make sure to give everyone — or no one the benefit of the doubt.
- Don’t insist on likeability, modesty, or deference from some, but not from others.
- If you waive objective requirements, do so consistently — and require an explanation.
- Don’t make assumptions about what mothers or fathers want or are able to do, and don’t count “gaps in a resume” as an automatic negative.
- If you comment on “culture fit,” “executive presence,” or other vague concepts, start with a clear definition and keep track to ensure such concepts are applied consistently.

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## Win Others Over “WOO” Examples

In today's competitive market, it has become extremely challenging to attract top talent. Candidates can be more selective because more job opportunities exist for them. Everyone has an important role to play to ensure a positive candidate experience so whether we make them a job offer and they choose to join us or we don't, they will have a good feeling about us. Remember to be prepared, make the candidate feel comfortable and provide information as to why they should choose to join our team.

### Know the Basic Facts

- How many people work there? Where is everyone located?
- What are your main practice areas?
- What kinds of clients do you work with?
- What are you known for?
- What is your history? When and how were you founded?

### What are your firm's/company's values?

- Diversity, Equity, and Inclusion efforts – what specific plans and programs are in place? What are the firm's diversity statistics? What affinity groups are there? What efforts are there to attract and retain diverse team members?
- Commitment to Communities – what are some ways you give back to your communities? How do you support your team members in giving back? Provide sample community engagement information
- Pro Bono – what is the firm's pro bono program? How many people participate? What kinds of pro bono are done? How do you get involved?

### How do you support your team members?

- Outline the professional development and training opportunities
- Overview of mentoring
- Parental leave policies
- Vacation policies
- Elder and child care support
- Wellness activities
- Commitment to transgender and non-binary team members

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**Tools for Interviewing**  
**Don't Let Your Curiosity Kill You: Innocent Interview Questions to Avoid**

1. ***"What a beautiful name. What's the origin of it?" or "What country are you from?"***
  - The EEOC forbids interview questions about US Residency, cultural, racial, or ethnic backgrounds.
2. ***"I love your ring. When is the big day?"***
  - If someone mentions recently getting married or engaged, you can congratulate them, but then move on.
  - Don't ask what their spouse or fiancée does or discuss whether the candidate plans to keep or change their name.
- 2a. ***"Do you plan to have children?" or "What are your childcare plans?"***
  - NEVER ask if someone is pregnant/expecting/when they're due/plans for children/childcare.
3. ***"What did you (or will you) do for the holidays?"***
  - Avoid making assumptions about what holidays someone observes.
4. ***"When did you graduate high school?"***
  - Especially if you find out you're from the same hometown as someone, you may try to play the "name game." You can do this without inadvertently asking someone's age.
5. ***"What do your parents do for a living?"***
  - You may wonder if you know the candidate's parents or believe that information will reveal a lot about the candidate, but asking about them is not directly related to the position. Candidates may feel they are being judged not for their own merits but based on what their parents do. Not everyone is proud to share information about their parents.
6. ***"Do you drink?" "Do you work out?"***
  - While many social and business development opportunities involve drinking, it is not a requirement of the position and may be taken by the candidate as one.
  - A candidate with a disability may also interpret these kinds of questions as requiring information relating to their disability which we may not ask.
7. ***"Law school is so expensive now. Do you have a lot of debt?"***
  - Your effort to bond with them over the pain of student debt is actually illegal.<sup>3</sup>
8. ***"I'm so sorry to hear about your battle with cancer, how long have you been in remission?"***
  - This kind of a response often comes up if you ask about gaps in someone's resume. Simply say "I'm sorry to hear that" to acknowledge them, and then move on. Do not ask any questions.
  - If they continue to provide in-depth information about their medical history, politely stop them and continue the interview.
  - Although you may not have asked the question, disclosing this information in an interview can be used in a lawsuit accusing the Firm of discriminatory refusal to hire.

**Don't be afraid to say: *"Oops. I asked a question and immediately thought better of it."***

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<sup>3</sup> Giang, V. 11 Common Interview Questions That Are Actually Illegal. *Business Insider*. Available at: <https://www.businessinsider.com/11-illegal-interview-questions-2013-7#do-you-have-any-outstanding-debt-7>

## **Tools for Interviewing**

### **Memo to Send to Candidates to Prepare for their Interview**

*{Company name}* is committed to recruiting, developing, and retaining the most talented team of professionals from all backgrounds. We take great pride in our culture of inclusion where everyone feels respected, is treated fairly, and has the opportunity to perform at their highest potential. We are committed to building a welcoming and inclusive workplace where everyone feels empowered to be their authentic selves and feels a sense of belonging.

This commitment extends to everyone we interview as well. We want you to feel comfortable and be your authentic self when we meet you. We believe you are better able to do that and therefore we will get to know you better if we remove some of the anxiety and mystery from our interviewing process.

So in advance of your interview with us, we want to share with you what you can expect and help you prepare. You will meet with *{number}* of staff each for *[duration of interviews]*.

We also think it's helpful to provide you information about what characteristics, skills, and experiences our company seeks in team members. We are looking for someone who *{Match this to the KSAs you've predetermined for the role}*:

- Has a demonstrated commitment to continuous learning
- Is self-directed, motivated, and curious
- Has a client service orientation with strong communication and relationship skills
- Is an excellent team members who is prepared to work with people from backgrounds different from their own
- Has experience managing people and processes
- Who can solve problems creatively
- Is flexible and adaptable to manage working in a dynamic, fast-paced environment

This interview is your opportunity to share with us why you'd make a great addition to our team. Present yourself with quiet confidence. Bluster doesn't work well here, nor does excessive modesty.

You may be asked behavioral-based questions that are designed to elicit information about you in reference to these categories, and we advise that the best responses will almost always include specific examples and stories from your past, but need not always derive from a professional experience or setting, unless specified. You may consider employing the STAR method in structuring your responses by discussing a specific **S**ituation, **T**ask, or **A**ction, and the **R**esult of what you are describing.

In addition, you can expect questions about your past work history, your education and credentials, and any other knowledge that is specifically required for the position. Finally, each interviewer will give you the opportunity to ask your own questions to help you better understand the position, the office, and the company.

We look forward to speaking with you.

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