NEW YORK STATE AFL-CIO

RACIAL EQUITY & POLICY TOOLKIT

November 2022

The New York State AFL-CIO is uniquely positioned based on its diversity, size, and strength to serve as a forum for frank and honest dialogue, and more importantly, a vehicle for real and meaningful change to make our society and our movement more equitable and just for New Yorkers of color.

As such, in August 2020, the New York State AFL-CIO created a Social Justice Task Force.

As a group, we have had many productive conversations covering topics including internal union policies and procedures addressing Social Justice and have held meaningful forums engaging community partners and members of law enforcement to foster improved relationships.

As a result of the Task Force, we have developed a comprehensive educational curriculum and strategy and continue to provide social justice training workshops with the support of, and in partnership with, Area Labor Federations and Central Labor Councils throughout the state.

Now we are taking action by providing the New York State AFL-CIO Racial Equity & Policy Toolkit to serve as a guide for all our programs to ensure that we incorporate racial equity into all that we do as a union movement.

We encourage you to use this toolkit to further improve upon and advance racial and social justice.

Sincerely,

Mario Cilento   Terrence L. Melvin

President   Secretary-Treasurer

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The "NYS AFL-CIO Racial Equity & Policy Toolkit" — is an expansion of our program, made possible by the engagement and support of the NYS AFL-CIO's affiliated unions commitment to racial, social, and economic justice. By examining our policies and programs to ensure they promote and advance racial equity, our unions, workplaces and communities will be transformed for the betterment of all people.

This toolkit will serve as a guide for all of our programs as we continue to build power/influence for all working people and integrate racial equity into all that we do.

Components of a Racial Equity Tool

Components of a Racial Equity Tool as defined by GamblinConsults are:
• Proactively seeks to eliminate inequities and advance equity
• Identifies clear goals, objectives, and measurable outcomes
• Poses questions about who would benefit or be burdened by a given decision, what are the potential unintended consequences of the decision, and who has been involved with developing the proposal and will be involved with implementation.
• Develops mechanisms for successful implementation.[1]

Define Equity v. Equality

In 2021, Equity vs. Equality: What's the Difference - Examples & Definitions, an online blog authored by United Way put into focus that it's hard to see the difference between the definitions of equity and equality; and many people assume they are synonymous. In the social justice and racial justice movements though, equity and equality have distinct and important differences.[2]

WHAT IS THE DEFINITION OF EQUITY?

Equity in its simplest terms as it relates to racial and social justice, means meeting communities where they are and allocating resources and opportunities as needed to create equal outcomes for all community members.[3]

WHAT IS THE DEFINITION OF EQUALITY?

Equality means each individual or group of people is given the same resources and opportunities. In social and racial justice movements, equality can actually increase inequities in communities as not every group of people needs the same resources or opportunities allocated to them in order to thrive.[4]

WHAT IS THE DIFFERENCE BETWEEN EQUITY AND EQUALITY?

Equity vs. Equality: What's the Difference - Examples & Definitions **(2021)** states that **Equity** recognizes each person has different circumstances and needs, and therefore different groups of people need different resources and opportunities allocated to them in order to thrive. **Equality** is giving everyone the exact same resources across the board,

regardless of individuals' or groups of people's actual needs or opportunities/resources already provided to them.[5]

If you have researched the differences between equity and equality before, you have probably come across this helpful illustration below, with three spectators hoping to enjoy a baseball game. This example shows there is not a one-size-fits-all solution (equality) to the problems we see in the world, but there's a right-size solution for each individual's needs (equity).
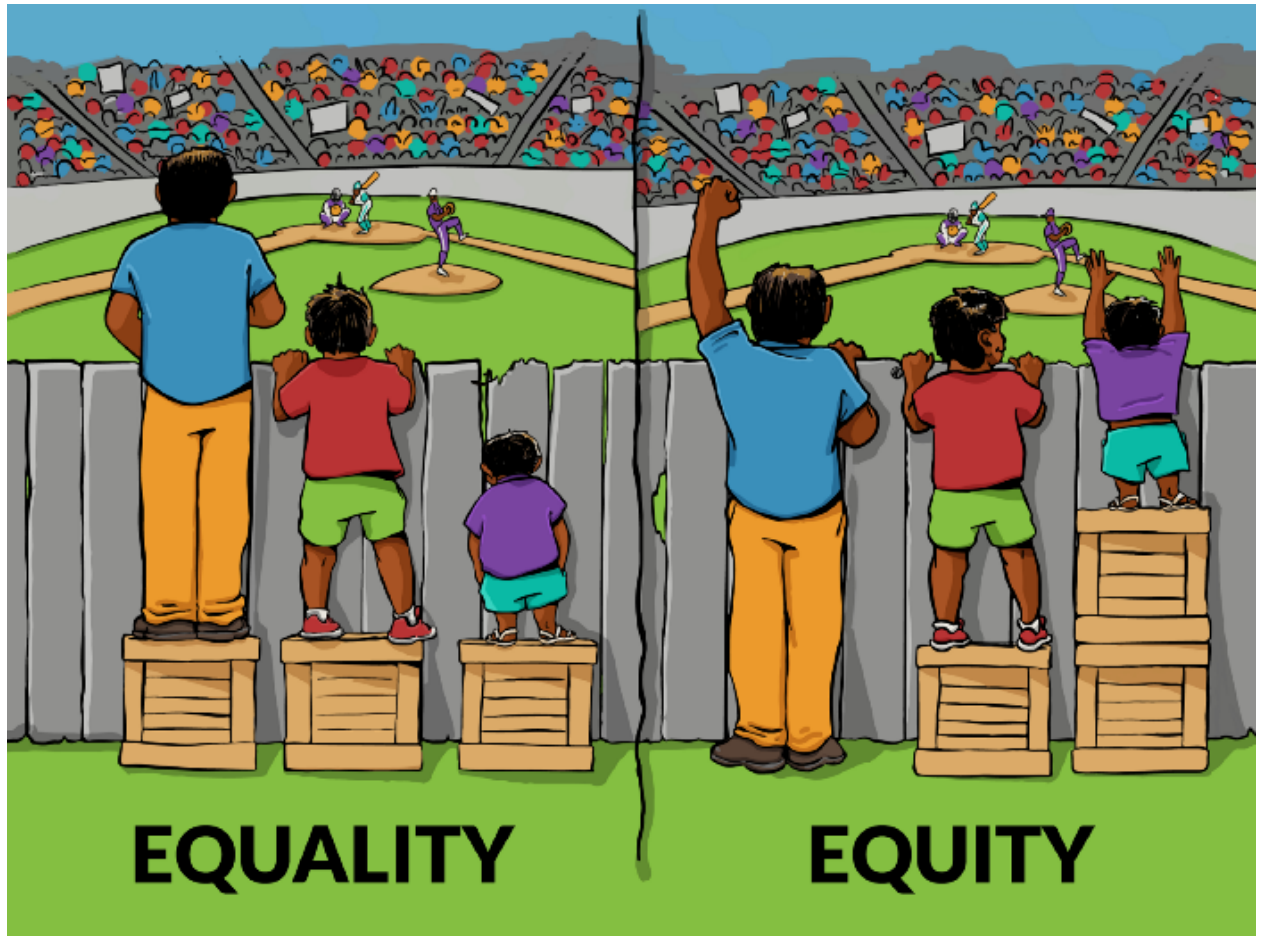

Figure 1: "Interaction Institute for Social Change | Artist: Angus Maguire."[6]

What is racial equity? (Types of racism: individual, institutional, and structural)

Nelson et al. (2015) defines **"Racial equity**" as when race can no longer be used to predict life outcomes and outcomes for all groups are improved.

Equality **and equity** are sometimes used interchangeably, but actually convey significantly different ideas. Equity is about fairness, while equality is about sameness. We are not interested in "closing the gaps" by equalizing subpar results. When systems and structures are not working well, they are often not working well across the board.

Many of the examples of strategies to advance racial equity are advantageous not only for people of color, but also for all communities, including whites. Although they might work a little bit better for white people than for people of color, when they are broken, improvements work to the benefit of all groups.[7]

According to Nelson et al. (2015), **Racial equity means that race can't be used to predict success, and we have successful systems and structures that work for all.** What matters are the real results in the lives of BIPOC people, not by an abstract conception that everyone has equal opportunity. As history has shown, barriers to success attainment go far beyond whether the law contains explicit racial exclusion or discrimination. Because of the intergenerational impacts of discrimination and continued disparities due to implicit bias, policies must be targeted to address the specific needs of BIPOC communities. This means that sometimes different groups will be treated differently, but for the aim of eventually creating a level playing field that currently is not the reality.[8]

The Difference between Explicit and Implicit Bias

We all carry bias, or prejudgment. **Bias** can be understood as the evaluation of one group and its members relative to another. Acting on biases can be discriminatory and can create negative outcomes for particular groups. In its 2013 annual review, the Kirwan Institute defined implicit bias as, "attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner." Much of the literature suggests that these biases are activated unconsciously, involuntarily, and/or without one's awareness or intentional control" says the Kirwan Institute[9]. These attitudes are often outside the consciousness of an individual and are often acted upon involuntarily. Individuals may be unaware that they possess these potentially unfavorable opinions and fail to connect these unconscious biases to their actions.

Blair et al. (2011) makes clear that unconscious biases are created through historical legacies and life experiences and influences from other individuals, but are difficult to pinpoint where they were actually developed. While expressions of explicit bias are no longer deemed acceptable in most of American society and, as a result, have declined significantly over the past half-century, implicit bias has been shown to be persistent and widespread.[10] Implicit bias increases the difficulty in perceiving and resolving the existence of racial inequality. Nelson et al. (2015) states that there is a need to understand the predictability and unconsciousness of racial bias can help the labor community recognize the effect their individual actions and institutional policies have on racial inequity if not addressed through intentional change efforts.[11]

EXAMPLES OF IMPLICIT BIAS IMPACT[12]

Implicit bias in the workplace:

· About 30% of CEOs are taller than 6'2", compared with 4% of American males. This suggests an unconscious bias associating height with success.
· Another survey of CEOs revealed that the deeper their voice, the more they were likely to earn. This suggests a preference for deep voices in male CEOs.

Implicit bias in education:

· Teachers' perceptions of their students' abilities can influence actual student outcomes. For example, in districts where teachers show more pro-white bias, there is a larger achievement gap between Black and white students.
· Black students are disproportionately disciplined compared to white students. For example, Black students are more likely than white students to be suspended for the same offense. This suggests a bias against Black students over white ones.

Implicit bias in daily life:

· People, including children, may judge overweight people more harshly than thin people.
· Parents may have lower expectations of math skills for girls compared to boys.

Explicit Bias	*Implicit Bias*
Expressed directly	Expressed Indirectly
Aware of bias	Unaware of bias
Operates consciously	Operates Unconsciously
E.g. Sign in the window of an apartment building—"We don't rent to_____."	*E.g. A property manager doing more criminal background and income verification checks on African Americans than on whites.*

Figure 2: Explicit Bias v. Implicit Bias[13]

WHAT TO DO ABOUT BIAS?

Greenwald and Banaji (1995) found that when attention is paid to the source of an implicit bias that may be affecting one's judgment, the effects of that intervention can be reduced or avoided.[14]

In a 12-week longitudinal study, Devine et al. (2012) found that people who received the intervention showed dramatic reductions in implicit race bias.[15] People who were concerned about discrimination or who reported using the strategies showed the greatest reductions. The intervention also led to increases in concern about discrimination and personal awareness of bias over the duration of the study. People in the control group showed none of the above effects. In addition, focusing on areas of inequity allows institutions to develop intervention strategies. "Blind auditions" or removing names from resumes is an example of an institutional strategy to address implicit bias.

The Difference between Individual, Institutional, and Structural Racism

According to Nelson et al. (2015) part of the anxiety around talking about race can be attributed to the idea of racism at the individual level. "Racial anxiety," according to The Perception Institute, refers to "the heightened levels of stress and emotion that we confront when interacting with people of other races. People of color experience concern that they will be the subject of discrimination and hostility. white people, meanwhile, worry that they will be assumed to be racist. Studies have shown that interracial interaction can cause physical symptoms of anxiety and that our non-verbal behaviors—making eye contact, using welcoming gestures or a pleasant tone of voice, for example—can be affected as well. When everyone in a conversation is anxious that it will turn negative, it often does. This causes a kind of feedback loop where the fears and anxieties of both white people and people of color are confirmed by their everyday interactions.[16]

Recognizing the different forms racism can take is important for us to bring about change. When we recognize that racism operates at the individual, institutional, and structural level, we can move beyond individual anxiety and focus on institutional and structural change. The following definitions of each help to set shared vocabulary to talk about racism with the level of specificity that is required to have productive conversations about race and how to work together to promote racial equity.[17]

Individual racism—*The room we're all sitting in, our immediate context.* Individual racism is prejudgment, bias, or discrimination by an individual based on race. Individual-level racism includes both internalized racism—our private beliefs and biases about race and racism that are influenced by our culture—as well as interpersonal racism, which occurs between individuals when we interact with others and our private racial beliefs affect our public interactions. Internalized racism can take expression as

prejudice toward others, internalized sense of inferiority experienced by people of color, and beliefs about superiority or entitlement by white people.[18]

Institutional racism—The building this room is in, the policies and practices that dictate how we live our lives. Institutional racism includes policies, practices and procedures that work better for white people than for people of color, often unintentionally or inadvertently. Institutional racism occurs within institutions and organizations such as schools, businesses, and government agencies that adopt and maintain policies that routinely produce inequitable outcomes for people of color and advantages for white people. For example, a school system that concentrates people of color in the most overcrowded schools, the least-challenging classes, and taught by the least-qualified teachers, resulting in higher dropout rates and disciplinary rates compared with those of white students.[19]

Structural racism—The skyline of buildings around us, all of which interact to dictate our outcomes. Structural racism encompasses a history and current reality of institutional racism across all institutions, combining to create a system that negatively impacts communities of color. Structural racism is racial bias among interlocking institutions and across society, causing cumulative and compounding effects that systematically advantage white people and disadvantage people of color. This structural level of racism refers to the history, culture, ideology, and interactions of institutions and policies that work together to perpetuate in-equity. An example is the racial disproportionality in the criminal justice system. The predominance of depictions of people of color as criminals in mainstream media, combined with racially inequitable policies and practices in education, policing, housing and others combine to produce this end result. And while some institutions play a primary responsibility for inequitable outcomes, such as school districts and disproportionate high school graduation rates, the reality is that there are many other institutions that also impact high school graduation rates, such as health care, criminal justice, human services, and more.[20]
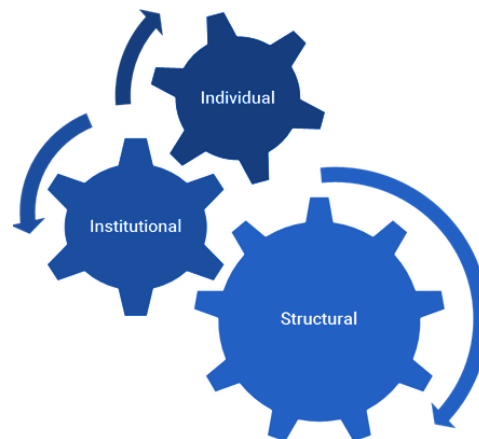

Figure 3: Individual v. Institutional v. Structural[21]

Why race? Identify the problem. Bring attention to colorblind policies.

Race is complicated. Race is often "on the table," and yet fairly rarely discussed with shared understanding. More frequently, it is the elephant in the room.

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 inequities based on race across multiple indicators for success, including education, jobs, incarceration, and housing. For us to advance racial equity, it is vital that we are able to talk about race. We have to both normalize conversations about race, and operationalize strategies for advancing racial equity.

In addition, we must also address income and wealth inequality, and recognize the biases that exist based on gender, sexual orientation, ability and age, to name but a few. Focusing on race provides an opportunity to also address other ways in which groups of people are marginalized, providing the opportunity to introduce a framework, tools, and resources that can also be applied to other areas of marginalization. This is important, because to have maximum impact, focus and specificity are necessary. Strategies to achieve racial equity differ from those to achieve equity in other areas. "One-size-fits all" strategies are rarely successful.

Race can be an issue that keeps other marginalized communities from effectively coming together. An approach that recognizes the interconnected ways in which marginalization takes place will help to achieve greater unity across communities. A racial equity framework that is clear about the differences between individual, institutional, and structural racism, as well as the history and current reality of inequities, has applications for other marginalized groups.

How does advancing racial equity improve collective success?

Labor focusing on racial equity is critically important to achieving different outcomes in our communities. However, the goal is not to just eliminate the gaps between whites and people of color, but to increase the success for all groups. To do so, we have to develop strategies based on the experiences of those communities being served least well by existing institutions, systems, and structures. Advancing racial equity moves us beyond just focusing on disparities. Deeply racialized systems are costly and depress outcomes and life chances for all groups. For instance, although there are a disproportionate number of African Americans, Latinos, and Native Americans who do not graduate from high school, there are also many white students who don't graduate. We have seen strategies that work for youth of color also work better for white youth.[22]

Disproportionalities in the criminal justice system are devastating for communities of color, most specifically African American men, but are financially destructive and un-sustainable for all of us. Dramatically reducing incarceration and recidivism rates and reinvesting funds in education can work to our collective benefit. When voting was/is constrained for communities of color, low-income white voters are also likely to be

excluded. During the period of poll taxes and literacy tests, more eligible whites were prohibited from voting than African Americans.[23]

Systems that are failing communities of color are failing all of us. Deeply racialized systems depress life chances and outcomes and are costly. Advancing racial equity will increase our collective success and be cost effective.[24]

Historical/Legislative Policies
(connection to Race and Economy training)

The economy is not working for most of black, indigenous, people of color. Historical and legislative policies have been and continue to be filled with systemic racism. Systemic racism operates as an economic tool to divide working people. Working people can change the rules of the economy by acting together (voting, volunteering, organizing and activism). Working people can collectively advocate for policy changes that improve economic conditions for Black, Indigenous, and people of color (BIPOC) communities. The next few paragraphs detail how the economy and policies have negatively affected black, indigenous and people of color (BIPOC) communities.

Immigration

1942 (Bracero Program) - This government program recruited millions of Mexican men to come to the United States to work on short-term, low-wage agricultural labor contracts. Between the 1940s and mid-1950s, farm wages dropped sharply compared with manufacturing wages--a result, in part, of the use of braceros and undocumented laborers who lacked full rights in American society. Once their labor was no longer needed in the United States. The government forced people who participated in the Bracero Program to return to their homeland.

1965 (Immigration and Nationality Act) - This expansive piece of legislation abolished the quota system based on national origins that had been American immigration policy since the 1920s. The 1965 act marked a change from U.S. policy that had discriminated against non-Northern Europeans.

2001 (USA PATRIOT Act) - This law amended the Immigration and Nationality Act to broaden the scope of people ineligible for admission or deportable due to perceived terrorist activities. The act unfairly targeted minority and immigrant—mostly Arab, South Asian and Muslim—communities with its surveillance and enforcement efforts.

Civil Rights

1865–1870 (13th, 14th and 15th Amendments) - These amendments abolished slavery, granted citizenship to black people and permitted black men the right to vote. In the ensuing decades, various discriminatory practices, including poll taxes and literacy tests—along with intimidation and outright violence—were used to prevent African Americans from exercising their right to vote.

1954 (Brown v. Board of Education) - The Supreme Court declared state laws establishing separate public schools for African American and white students to be unconstitutional. The decision effectively overturned the Plessy v. Ferguson decision of 1896, which allowed state-sponsored segregation, insofar as it applied to public education.

1964 (Civil Rights Act) - A landmark civil rights and U.S. labor law that outlawed discrimination based on race, color, religion, sex or national origin, it prohibited unequal application of voter registration requirements, racial segregation in schools, employment and public accommodations.

Property

1825 (Eminent Domain—Seneca Village) - Founded in 1825, more than 350 people lived in Seneca Village, the first free Black community in New York City. It grew to become a middle-class area complete with homes, churches, schools and cemeteries. When the development of Central Park was taking place, newspapers and politicians referred to the village as a "shantytown" and called its inhabitants "squatters" and "scoundrels." In 1857, the city used eminent domain to forcibly remove all residents and destroy the property to build Central Park.

1830 (Indian Removal Act) - After discovering gold in Georgia, President Andrew Jackson pressured Congress to find a way to reverse previous laws (Northwest Ordinances) so he could designate parcels of land west of the Mississippi River as new Indian Territories. During the debate, Native Americans were not consulted. Almost all of the 100,000 Indigenous people in the Northeast and Southeast migrated westward, either voluntarily or by military force. The approximately 85,000 people who survived this perilous journey referred to it as the Trail of Tears (English translation).

1934 (National Housing Act of 1934) - Passed during the Great Depression in order to make housing and home mortgages more affordable, the act established the Federal Housing Administration, which used "redlining"—the practice of denying or limiting financial services to certain neighborhoods based on racial or ethnic composition. This resulted in a large increase in residential racial segregation in the United States.

Citizenship and Incarceration

1790 (Naturalization Act) - Provided the first rules for granting national citizenship in the United States. The law excluded indigenous peoples, indentured servants, enslaved and free blacks, and Asians.

1857 (Dred Scott Decision) - The U.S. Supreme Court decided that no black person, free or slave, could claim U.S. citizenship, and therefore black people were unable to petition the court for their freedom.

1924 (Indian Citizenship Act) - Congress granted citizenship to any indigenous person born within the United States. At the time, many were still denied the right to vote by individual state or local laws. Up to 1924, Indigenous peoples had limited access to the full rights of citizenship based on their tribal association, service in WWI, or marriage to a U.S. citizen.

Work

1935 (National Labor Relations Act) - Cited as a landmark law for Labor, it guaranteed basic rights of private-sector employees to organize into trade unions, engage in collective bargaining for better terms and conditions at work, and take collective action, including strikes. Agricultural and domestic employees, however, were excluded from the act, which shut out many African American and Hispanic workers from the benefits and protections made available under the act.

1943 (First 'Right to Work' Law Passed) - Under "right to work" laws, employees in unionized workplaces may not be compelled to join a union, nor compelled to pay for any part of the cost of union representation, while still receiving the same benefits as union members who do contribute. Right to work laws have racist roots. They were founded by a Texas businessman and white supremacist who hated unions, in part, because they promoted solidarity of workers across racial lines. Today, 28 states have passed right to work legislation.

1968 (Memphis Sanitation Strike) - Following years of poor pay and dangerous working conditions, more than 700 of the 1,300 African American sanitation workers in Memphis met on Sunday, Feb. 11, and agreed to strike. The mayor initially declared the strike illegal and refused to meet with local African American leaders. The assassination of Dr. Martin Luther King Jr. took place April 4 at the Lorraine Motel in Memphis, where King had traveled in support of the sanitation workers' strike. The strike ended on April 16, 1968, with a settlement that included union recognition and wage increases.

PRINCIPLES TO PROMOTE RACIAL EQUITY

Building power as a labor movement requires that all working-class people are supported. Promoting a racial equity lens in the full policy process - ideation, design, advocacy,implementation and evaluation - is an important step to eliminate racial divides in the state of New York and to strengthen the collective power of our entire movement. Throughout the process of creating this toolkit we prioritized the voices, leadership, needs, and power of Black, Indigenous and people of color in the labor movement in New York State. Their leadership, along with our Racial Justice committee and United Labor Lobby, helped shape and develop an understanding of what support our affiliates need to promote racial equity in labor policy.

These four principles will help promote racial equity in policy, both as an outcome and as a process.[25]

PRINCIPLE 1	Center the needs, leadership and power of communities of color, first.
PRINCIPLE 2	Name and consider each BIPOC community individually, avioding terms such as "minority."
PRINCIPLE 3	Set up policies and programs that are responsive and proportionate to history of racism that each BIPOC community has experienced and continues to experience
PRINCIPLE 4	Include a robust implementation and monitoring plan.

GamblinConsults
RACIAL EQUITY COACHING
CONSULTING, AND COURSES

This NYS AFL-CIO Racial Equity & Policy Toolkit has been created to meet the needs of the NEW YORK STATE, AFL-CIO for the purposes of advancing racial equity in our labor policy. The tool and corresponding racial equity principles are based on the original Racial Equity Scorecard, previously designed and authored by Marlysa D. Gamblin, founder and CEO of GamblinConsults. All rights reserved, GamblinConsults.com

Principle 1: Center the needs, leadership, and power of BIPOC communities first.

Good policy is built through collaboration and careful preparation. To promote racially equitable policies that build worker power, this process must center Black, Indigenous and people of color (BIPOC) communities and leadership throughout its five stages: (1) **Ideation** — when an idea is first considered; (2) **Design** — when that idea is outlined as a policy; (3) **Advocacy** — when a campaign is underway to pass the policy into law or rule; (4) **Implementation** — when policy is implemented as a program or law; and (5) **Evaluation** — when the impact of the program or law is assessed.

As a process when an idea is first raised, before the policy design is complete, ask these questions:

● Where are ALL of the BIPOC communities, including the BIPOC staff working in our own institution and the BIPOC rank-and-file members who are directly impacted by this issue?

● What are the anti-racist mechanisms for identifying all BIPOC communities impacted by this issue and ensuring that no BIPOC community is excluded from the beginning stages of conversations?

● How can we co-create a way of engaging alongside BIPOC staff, BIPOC rank-and-file members and institutions led by BIPOC, in a racially equitable way, BEFORE making decisions?

● What systems are in place that grant BIPOC staff, BIPOC rank-and-file members and BIPOC community-led efforts and institutions real decision- making power instead of participatory engagement, before we begin the ideation phase?

● What systems are in place that ensure that BIPOC staff, BIPOC rank-and-file members and BIPOC community-led efforts and institutions are being treated as FULL PARTNERS, before we begin the ideation phase?

● How am I and my institution respecting the leadership of BIPOC staff, BIPOC rank-and-file members and BIPOC community-led efforts and institutions during the

ideation phase? Whose ideas are being respected? Heard? Centered? Written down? Finalized?

● How am I and my institution using, centering, and prioritizing the research, data and scholarship of BIPOC staff, BIPOC rank-and-file members, BIPOC community-led efforts and institutions and other BIPOC experts in our analysis and how it is impacting BIPOC communities?

Principle 2: Name and consider each BIPOC community individually, avoiding terms such as "minority or colored person."

Each BIPOC community has its own history, experiences and challenges. Name Black communities, Indigenous peoples, non-white Hispanic, Native Hawaiian/Pacific Islanders and Asian American communities separately. These communities often struggle to "fit in" with the racial hierarchy in the US and are left out of discussions and leadership, even more so when English is not their first language. To the extent possible, additional steps must be taken to name communities more specifically; ask them how they want to be named, do not make assumptions as they may identify otherwise. So, instead of saying "Black communities in New York," specify several-generation Black American communities, Ethiopian communities and Nigerian communities. While all of these groups are part of the Black diaspora, they have unique historical traumas rooted in a history of colonization across the world and anti-Black racism, as well as different present-day experiences in the U.S. After naming each community, take steps to identify how the existing policy or proposal would impact members of each community.

As a process, ask these questions:

● Am I or my institution using "minority" or other like terms that reinforce racial oppression?

● Am I or my institution using language that groups all BIPOC communities together instead of individually naming them?

● Am I and is my institution naming each racial community the way they have expressed wanting to be identified?

As an outcome, as you are designing the policy, ask these questions:

● Who are all the communities impacted by this, by race? Note that if Principle 1 was practiced well, then you would have already identified all the communities impacted by this who need to be lifted up and named.

● Can we go further to name each specific community within these racial groups?

Principle 3: Set up policies and programs that are responsive and proportionate to the history of racism that each BIPOC community has experienced and continues to experience.

Not understanding why and how to address specific historical traumas is a common reason that well-intentioned initiatives fail to promote racial equity. Most policies and programs treat all communities the same, regardless of the different experiences and outcomes faced by specific racial communities. Instead, responses should be community- and circumstance-specific.

As a process, ask these questions:

● What is the racial historical trauma related to this issue for each named community?

● Am I and my institution taking the lead on researching and analyzing this racial historical trauma? Or am I and my institution putting the responsibility of this labor on our BIPOC staff, BIPOC rank-and-file members and other BIPOC partners?

As outcomes, responses should be community-specific, community-driven and result in the elimination of current racial divides:

● What is the disaggregated data of each named community, as explained in **Principle 2**? This will help determine how much targeted support each BIPOC community needs to achieve equal outcomes.

● What is the historical trauma for each named community? This should be asked in the process section for **Principle 4**. Asking this will inform not only how much support each community needs to achieve equal outcomes but will also inform HOW it should be provided to account for a history of government mistrust, racial oppression, exclusion, etc. In most cases, the policy should be implemented by and for each named community.

● What is the racial wealth divide for this named community? A significant way that racial historical trauma continues to exist is through the racial wealth divide. In order to achieve equal outcomes by race, it is necessary to name the extent to which the racial wealth divide affects each BIPOC community, and make sure the policy provides support to each community at a level proportionate to the racial inequity they experience.

Principle 4: Include a robust implementation and monitoring plan.

While policy ideation and design stages are important, implementation and evaluation stages that promote racial equity are equally important. When BIPOC experts co-create the terms from the beginning (**see Principle 1**), they help inform the implementation and evaluation stages as well. When everyone is informed and involved from the beginning, it makes for a better process AND outcome.

As a process, ask these questions:

● In concert with Principle 1, did the named BIPOC communities co-create the process for designing the implementation and evaluation process?

● Did they have real decision-making power in the final implementation and evaluation decisions, before the policy was passed into law?

● What was my role and my institution's role in standing in solidarity with the named BIPOC communities and making sure that they shaped the implementation and evaluation stages, took the lead on these stages once the policy was passed into law and received resources directly (if applicable)?

As an outcome, ask these questions:

● Based on the expertise and scholarship of BIPOC communities (from Principle 1) and my own analysis of racial historical trauma (from Principle 4), is the policy sufficiently resourced for effective implementation? Does this policy have sufficient resources assigned to enforcing anti-racism at the individual and institutional levels?

● Does this policy have systems in place to hold individuals and institutions accountable who are identified as maintaining or exacerbating racism?

● Are there any processes for reporting racism? Have these systems been co-created with BIPOC experts, including staff and rank-and-file members? What are the systems of care and protection for the BIPOC individuals who report?

● Are BIPOC entities that directly serve their communities, and other BIPOC experts with lived and/or scholarly expertise, assigned to co-lead the implementation and evaluation processes? Do they have real decision-making power or are they limited as implementers only?

● How are resources determined and allocated? For example, is it through a grant that requires a request for proposal (RFP)? This option tends to reinforce racial inequities because of the racial wealth divide present among many BIPOC organizations who may

not have a grant writer. Maybe the process is through a grant application that specifies eligibility based on whom an institution serves? In cases like this, resources often go to white-led efforts instead of efforts led by named BIPOC communities who are directly impacted. Are resources determined based on eligibility criteria of not only serving BIPOC communities but also being led by named BIPOC communities directly impacted by the issue? How can we ensure that allocated resources are racially equitable?

● By whom are these resources determined and allocated? If Principle 1 was fully implemented, then named BIPOC communities centered from the beginning of the process would have shaped this process.

● Are these resources given directly to BIPOC entities? Or are they given to white-led institutions and efforts that then subcontract or work with BIPOC communities? The latter reinforces racial inequity. Are BIPOC entities/BIPOC communities given the amount of resources they need to eliminate the current racial divides?

● Does the policy outline a racially equitable implementation plan and plan to evaluate?

NYS AFL-CIO RACIAL EQUITY TOOL

We know there can be no economic justice without racial justice. In our work to become an anti-racist labor movement we must do the work to create policies and practices that distribute resources, power and opportunity to all working people in a just and equitable way.

The NYS AFL-CIO Racial Equity & Policy Tool assesses how successfully a proposed or existing policy promotes racial equity. The policy can be assessed on a scale of 0 ("harmful policy" capable of widening racial inequities) to 5 ("racially equitable" in each aspect), both as an outcome and a process.

This tool is for policymakers, policy analysts, rank-and-file advocates and anyone who supports policy that can eliminate current racial divides. Most policies in the labor movement tend to be broad-based, meaning that the policy benefits people in a broad way, but may not do the additional work of providing targeted support to eliminate current racial divides. Many broad-based policies could be made more racially equitable by (1) applying this ranking tool to evaluate each part of the policy; (2) making recommendations that acknowledge and address the deep origins of racism throughout U.S. history; and (3) centering the needs, leadership, and power of BIPOC in every stage of the policy process.

In addition to the four key principles shared earlier, the NYS AFL-CIO Racial Equity & Policy Tool can be used for promoting racial equity in the labor movement.

SUMMARY OF QUESTIONS

The Toolkit encourages us to consider the following questions:

1   To what extent does the policy prioritize the needs and leadership of all BIPOC communities, including the BIPOC staff working in our own organization and the BIPOC rank-and-file members who are directly impacted by this issue? (Principle #1)

2   Which specific racial and ethnic groups are impacted? How and to what extent does the policy address historical trauma experienced by each racial and ethnic group? Is proportionality considered? (Principles #2)

3   How and to what extent does the policy address the racial wealth divide for each named BIPOC community? Is proportionality considered? (Principle #3)

4   Does the policy outline a racially equitable plan to implement and evaluate the policy? (Principle #4)

NEW YORK STATE
UNION STRONG
AFL-CIO

AS AN OUTCOME...

ENTIRELY RACIALLY EQUITABLE

5

Entire policy prioritizes racial equity and puts the needs and leadership of BIPOC* at the center.

Recommendations are proportionate to historical trauma & are directly aimed at eliminating current racial divides.

Recommendations account for the racial wealth divide.

Policy explains how the implementation and evaluation stages will be racially equitable and driven by and for BIPOC.

EFFECTIVE WAYS TO ELIMINATE CURRENT RACIAL DIVIDES

MODERATELY RACIALLY EQUITABLE

4

At least half of the policy targets BIPOC in a racially equitable way.

Recommendations are based on historical trauma experienced by BIPOC. Some recommendations may be proportionate to historical trauma & some may not be.

Recommendations account for the racial wealth divide.

Policy explains how the implementation and evaluation stages will be racially equitable & driven by and for BIPOC.

POTENTIAL TO NARROW CURRENT RACIAL DIVIDES

BROAD-BASED POLICY, ELEMENTS OF RACIAL EQUITY

3

Some aspects promote racial equity.

Recommendations are not based on the historical trauma experienced by BIPOC.

Policy does not explain how it will be implemented and evaluated in a racially equitable way. Policy may not identify BIPOC as the drivers of these stages.

Policy often confuses "disproportionality" with racially equitable policy.

BROAD-BASED POLICY

2

Policy might mention the need for targeted support without concrete actions and necessary resources to reduce racial inequities.

Policy often confuses "disproportionality" with racially equitable policy.

Policy does not explain how it will be implemented and evaluated in a racially equitable way and does not identify BIPOC as the drivers of these stages.

MAINTAINS CURRENT RACIAL DIVIDES

BROAD-BASED POLICY, APPEARS RACE NEUTRAL

1

Provisions may use language that when analyzed or implemented, negatively affects subgroups within communities of color at higher rates.

Provisions usually worsen racial inequities.

WIDENS CURRENT RACIAL DIVIDES

HARMFUL POLICY TARGETS BIPOC

0

Policy targets communities of color in a negative way.

Provisions worsen racial inequities.

NOTE: All times when "BIPOC" is used, it is meant to represent staff of color within unions & organizations, union members of color (inclusive of rank-and-file members), the general population of community members and families of color who are directly impacted, & the leaders of color working in these efforts.

for promoting racial equity in the labor movement.

AS AN PROCESS...

ENTIRELY RACIALLY EQUITABLE

5

BIPOC co-create the terms of engaging w/institutions, lead the process, & have real decision-making power in all stages. All processes in each stage are anti-racist.

Systems are in place to hold actors accountable for perpetuatin process, & have real decision

Experiencing racial oppression in policy design is no longer the norm for BIPOC.

BIPOC w/lived experience are the DRIVERS of the policy from the beginning & are representatively hired within the institution(s) pushing for policy change. So, their work is not transactional but transformational.

BIPOC published & non-published scholarship GUIDES policy.

White colleagues use racial equity tools to guide their processes; hold themselves accountable to not reinforce white supremacy; hold other white colleagues accountable to anti- racism; commit to give up s pace & follow the lead of BIPOC.

EMBRACES A NEW CHAPTER OF RACIAL LIBERATION

MODERATELY RACIALLY EQUITABLE

4

BIPOC may co-create the terms of engaging w/ institutions.

BIPOC are engaged from the ideation stage and continue to take the lead in the design, implementation and evaluation stages w/real decision-making power.

Systems are in place to hold actors accountable for perpetuating racial oppression. BIPOC face significantly less racial oppression in the process.

BIPOC w/lived experience are the DRIVERS of the policy from the beginning & are representatively hired within the institution(s) pushing for policy change. So, their work is not transactional but transformational.

BIPOC published & non-published scholarship GUIDES policy decisions.

White colleagues use racial equity tools to guide their processes; hold themselves accountable to not reinforce whiteness; hold other white colleagues accountable to anti-racism; commit to give up space & take the lead of BIPOC.

CHALLENGES A HISTORY OF RACIAL OPPRESSION

BROAD-BASED PROCESS ELEMENTS OF RACIAL EQUITY

3

BIPOC may have been consulted in the ideation or design phase but not in a way that ensured real decision-making power.

If BIPOC engaged, it was likely in a participatory role & they are invited late or may be a token few selected to engage.

BIPOC may have had to organize to make a seat at the table for themselves in cases where they have been not initially included.

White colleagues use racial equity t ools to guide their processes to some extent.

BROAD-BASED PROCESS

2

BIPOC may have consulted in the ideation or design stages but lacked real decision-making.

If BIPOC are engaged, it is likely in a participatory role & they are invited late or may be a token few.

BIPOC may have had to organize to make a seat at the table for themselves.

If BIPOC w/lived experience are engaged, they are likely asked to provide testimonials from an institution that lacks an authentic relationship w/ them. This transaction likely takes place AFTER policy decisions have been made.

BIPOC are not driving the language and decisions to plan the implementation & evaluation stages.

Some scholarship published by BIPOC may or may not be referenced.

REINFORCES A HISTORY OF RACIAL OPPRESSION

BROAD-BASED PROCESS, APPEARS RACE NEUTRAL

1

BIPOC may not have been consulted during the ideation or design stages.

BIPOC are not driving the language and decisions to plan implementation & evaluation stages.

BIPOC have to organize to make a seat at the table for themselves.

If BIPOC w/lived experience are engaged, they may be asked to provide testimonials from an institution that lacks an authentic relationship w/ them. This transaction likely takes place AFTER policy decisions have been made.

Scholarship produced by experts of color is likely not used to center the realities of BIPOC.

HARMFUL PROCESS, TARGETS BIPOC

0

BIPOC may have been actively excluded from participating in the process altogether (at all stages).

BIPOC likely had to organize to gain a seat at the table for themselves to prevent such policies.

Scholarship published by experts of color is likely not used to center the realities of BIPOC.

GamblinConsults
RACIAL EQUITY COACHING
CONSULTING, AND COURSES

Practice Using the Tool: Evaluating Federal Stimulus Checks

At the bargaining table, in our workplaces and in policymaking spaces, we see that racism is a system of oppression designed to divide the working class so the wealthy elite can consolidate their wealth and power at the very top. In the public policy arena, this division and harm has been propagated and compounded across centuries. Policies that do not explicitly dismantle racial divides undermine the power of working people of all backgrounds. As the labor movement works to improve conditions for workers via public policy, we can be even more effective by designing and advancing policies that challenge and eliminate racial divides.

This toolkit can help the labor movement assess how and to what extent policies impact racial equity. Below is an example of how we can apply the toolkit to a policy.

$1200 Stimulus Checks for Covid Response: April – May 2020

In response to the onset of the health and economic impacts of the novel coronavirus, Congress authorized three economic impact payments, commonly called stimulus checks.

The first check was intended to reach a broad swath of Americans in need of financial support as many work sites – including schools – shut down for safety, and increasing numbers lost income due to illness.

"Starting in March 2020, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) provided Economic Impact Payments of up to $1,200 per adult for eligible individuals and $500 per qualifying child under age 17. The payments were reduced for individuals with adjusted gross income (AGI) greater than $75,000 ($150,000 for married couples filing a joint return). For a family of four, these Economic Impact Payments provided up to $3,400 of direct financial relief."[27]

Question 1. To what extent does the policy prioritize the needs and leadership of all BIPOC communities, including the BIPOC staff working in our own organizations and the BIPOC rank-and-file members who are directly impacted by this issue? (Principle #1)

The policy outcome does not center the needs and leadership of BIPOC workers. This policy appears race-neutral and broad-based, but implementation widens current divides.

Question 2. Which specific racial and ethnic groups are impacted? How and to what extent does the policy address historical trauma experienced by each racial and ethnic group? Is proportionality considered? (Principles #2)

This policy is citizenship-based: only U.S. citizens and U.S. resident aliens are eligible to receive stimulus payments.[28] This means that undocumented people, for instance, are excluded from this financial support. While immigration status is not equivalent to racial categories, a history and practice of race-based immigration policy means that undocumented people are disproportionately people of color. A policy that excludes undocumented immigrants widens current racial divides.

Question 3. How and to what extent does the policy address the racial wealth divide for each named BIPOC community? Is proportionality considered? (Principle #3)

Does this policy increase, maintain, decrease or eliminate racial wealth divides? This policy ultimately increased racial divides:

● The implementation creates delays for people most in need of the relief promised by the policy: People who file taxes with the Internal Revenue Service (IRS) and provide the IRS bank account details for direct deposit were the first to receive checks, while others received the stimulus check months later.

　○ Four million family households in the U.S. are headed by Black American women – and nearly 1 in 4 of those households live below the poverty level. Many people below the poverty level do not file taxes.[29]

　○ One third of Black American men will serve time in federal prison during their lifetimes. Once out of prison, people have a harder time finding employment and housing due to their arrest records – impacting their ability to file taxes as well.[30]

● Having a bank account made it easy to receive a check. However, access to a bank account is not equitable in our country.

　○ Un- or underbanked rates are higher for Black and Indigenous populations and higher for all BIPOC compared to white people.

　○ In 2017 the FDIC published a national study that included disaggregated data by race, gender, age, disability and other areas. In this study, younger households, Black and Hispanic households remained substantially higher than the overall unbanked rate.[31]

　○ If people did not have bank accounts for direct deposit, they could receive a payment in the mail. People without a home address or in transition faced potential challenges.

Question 4. Does the policy outline a racially equitable plan to implement and evaluate the policy? (Principle #4)

No, the policy did not include a plan for racially equitable implementation – this oversight deepened inequities for Black women, Black and Indigenous communities, undocumented people and people who are not yet residents. The policy did not include a plan to evaluate the impacts on specific racial and ethnic groups.

Evaluating Student Loan Forgiveness: Using the tool this policy would be rated at a 0.5 or a 1 (one). This policy did not center the needs of BIPOC workers, and is not informed by historical traumas experienced by racial and ethnic groups. This policy did not address the racial wealth divide, and in some instances widened the racial wealth divide because of who could and could not receive stimulus checks. Additionally, this policy did not include a plan for racially equitable implementation. This example focused on key themes of the tool; however, we encourage a more comprehensive use of the tool, guiding principles (including in-depth demographic analysis) and questions to consider while evaluating our work ahead.

This NYS AFL-CIO Racial Equity & Policy Toolkit has been created to meet the needs of the NEW YORK STATE, AFL-CIO for the purposes of advancing racial equity in our labor policy. The tool and corresponding racial equity principles are based on the original Racial Equity Scorecard, previously designed and authored by Marlysa D. Gamblin, founder and CEO of GamblinConsults. All rights reserved, GamblinConsults.com[32]

Strategies:

Here are seven strategies when using this toolkit within labor.

1 Use racial equity framework

2 Build organizational capacity

3 Implement a race equity lens

4 Partner with other leaders, communities, institutions, organizations.

5 Operate with urgency/accountability

6 Building a safe space for healing.

7 Learn how to spark conversations without divisions

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RACIAL EQUITY COACHING,
CONSULTING, AND COURSES

Glossary of Frequently Used Terms

Bias

Prejudice toward one group and its members relative to another group.

Equality

Each individual or group of people is given the same resources and opportunities, regardless of their circumstances.

Equity

As it relates to racial and social justice, it means meeting communities where they are and allocating resources and opportunities as needed to create equal outcomes for all community members.

Equity Result

The condition we aim to achieve in the community.

Explicit Bias

Biases that people are aware of and that operate consciously. They are expressed directly.

Implicit Bias

Biases people are usually unaware of and that operate at the subconscious level. Implicit bias is usually expressed indirectly.

Individual Racism

Pre-judgment, bias, or discrimination based on race by an individual.

Institutional Racism

Policies, practices, and procedures that work better for white people than for people of color, often unintentionally.

Racial Equity

Race can no longer be used to predict life outcomes and outcomes for all groups are improved.

Racial Inequity

Race can be used to predict life outcomes, e.g., disproportionality in education (high school graduation rates), jobs (unemployment rate), criminal justice (arrest and incarceration rates), etc.

Structural Racism

A history and current reality of institutional racism across all institutions, combining to create a system that negatively impacts communities of color.

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*NOTE: All times when "BIPOC" is used, it is meant to represent staff of color within unions & organizations, union members of color (inclusive of rank-and-file members), the general population of community members and families of color who are directly impacted, & the leaders of color working in these efforts. As our language constantly evolves, we defer to communities' definitions of themselves**.**

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