

A large graphic on the left side of the page consists of a yellow background with a black staircase-like shape. The shape is composed of several horizontal and vertical segments, creating a series of steps that ascend from the bottom left towards the top right. The top of the shape is a solid black triangle.

# **AAAED**

**American Association for  
Access, Equity and Diversity**

# **PDTI**

**Professional Development  
and Training Institute**

**2015 | Course Catalog**

AAAED



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## I. About the Professional Development & Training Institute (PDTI)



The American Association for Access, Equity and Diversity (AAAED), founded as the American Association for Affirmative Action in 1974, is a national not-for-profit association of professionals working in the areas of affirmative action, equal opportunity, and diversity. AAAED has 40 years of leadership in providing professional training to members, enabling them to be more successful and productive in their careers. It also promotes understanding and advocacy of affirmative action, diversity and other equal opportunity and related compliance laws and regulations to enhance the tenets of access, inclusion and equality in employment, economic and educational opportunities.

AAAED's PDTI has been a primary sponsor of quality training in equal employment opportunity (EEO) and affirmative action law and policy since 1991. PDTI faculty consists of experienced

educators who understand both the theory and the applications of EEO, affirmative action and diversity law and policy.

All courses offered in the PDTI Programs are eligible for continuing education credits awarded by the Human Resources Certification Institute (HRCI).

PDTI offers four professional development programs that grant certificates:

- Certified Affirmative Action Professional (CAAP) and
- Senior Certified Affirmative Action Professional (Sr. CAAP)
- AAAED Diversity Management Certificate
- Title IX Law and Investigations Certificate

In addition, there are other stand-alone training opportunities:

- On-site Training Programs
- ***AAAED Webinars***
- ***AAAED Speakers***

## II. Classroom Training & Certificate Programs



The PDTI classroom experience takes place four times per year in locations geographically dispersed throughout the United States. Participants who successfully complete three core courses – EEO/AA Law, Complaint Processing, and Developing and implementing an Affirmative Action Program for Women and Minorities – earn the Certified Affirmative Action Professional (CAAP) credential. The CAAP credential is a symbol of excellence and attests to the expertise of the professional who

holds it. PDTI also offers the Senior Certified Affirmative Action Professional (Sr. CAAP) credential and has instituted a recertification requirement for CAAP and Sr. CAAP professionals. PDTI's educational programs are designed to enhance legal knowledge and technical and administrative skills in equal employment opportunity, affirmative action, and diversity and to ensure that EEO/AA/diversity professionals remain current in issues affecting their profession.

AAAED is pleased to announce its programming and certifications for 2015. The CAAP and Sr. CAAP credentials may be added as a suffix after one's name and demonstrate one's commitment to excellence in the affirmative action and EEO profession.



### A. CERTIFIED AFFIRMATIVE ACTION PROFESSIONAL – CAAP

#### Required CAAP Courses:

- *Equal Employment Opportunity Law*
- *Complaint Processing, Counseling and Resolution*
- *Developing and Implementing an Affirmative Action Program for Women and Minorities*

Effective October 1, 2012, professionals who earn the CAAP credential will be required to recertify every three years to ensure that they remain current in the equal employment opportunity, affirmative action and diversity profession. Professionals who earn the CAAP credential prior to October 1, 2012 are not subject to the recertification requirement.

## B. SENIOR CERTIFIED AFFIRMATIVE ACTION PROFESSIONAL - SR. CAAP

Professionals with 10 or more years of demonstrated experience may earn the Sr. CAAP credential by attending a one-day intensive workshop in conjunction with the AAAED National Conference and Annual Meeting. Please contact the AAAED national office or visit AAAED's website for details on this special opportunity for senior EEO/AA/diversity professionals. ***The basic CAAP credential is not a prerequisite for experienced professionals who meet the 10-year qualification requirement.***

Professionals with fewer than 10 years' experience at the date of the workshops to be offered are not eligible to earn the Sr. CAAP credential through workshop attendance and instead must earn the Sr. CAAP credential by: **(1)** first earning the CAAP credential **and** **(2)** completing 40 additional hours of Sr. CAAP coursework.

## C. RECERTIFICATION REQUIREMENTS



Effective 2012, AAAED instituted a recertification program for professionals who earn the CAAP and Sr. CAAP credentials. For the CAAP credential, the recertification requirement takes effect beginning October 1, 2012. Thus, professionals who already have earned the CAAP credential or who earned the CAAP credential at the PDTI training sites in March 2012 (Tampa) and July 2012 (Chicago) will not be subject to the recertification requirement to maintain their CAAP credential. Any professional who earns the CAAP credential after October

1, 2012 will be required to recertify every three years in order to maintain a valid CAAP credential.

Professionals who earn the Sr. CAAP are also subject to the recertification requirement.

A recertification program is designed to ensure that EEO/AA/diversity professionals keep up-to-date on issues affecting their profession. AAAED requires certified CAAP and Sr. CAAP professionals to recertify their credential every three years through continuing education activities, professional association involvement, or both.

**Professionals are required to accumulate 36 hours of activities in one or more of the following areas:** continuing education, instruction, leadership, and professional membership. AAAED has adopted a self-report model for its recertification program.



Professionals must keep track of their activities and report those activities to AAAED, along with payment of a recertification fee, to maintain the CAAP or Sr. CAAP credential. The recertification fee is \$150. For additional details, contact the AAAED National Office.

**Continuing Education Credits.** Professionals may gain recertification credits for educational activities related to equal employment opportunity, affirmative action, or diversity. Credit is awarded on an hour-for-hour basis (excluding meals and breaks) for conferences, PDTI classroom training, seminars, workshops, symposiums, and online training (videoconferences, webinars, and podcasts). For courses at an accredited college or university, a one-semester credit course (e.g. 16 weeks) equals 16 recertification credit hours, one quarter credit course (12 weeks) equals 12 recertification credit hours, and one audited college course equals 10 recertification hours. No credit will be awarded for general sessions at conferences or for attendance at meetings of professional associations.

**Instruction.** Professionals may earn recertification credits for serving as an instructor of a course, workshop, seminar or conference session (excluding presentations within your own organization). Professionals may receive credit only for the first presentation. Instructors earn 1.5 credit hours for every hour of the presentation to take into account preparation time. For example, a two-hour presentation is awarded 3 credit hours toward recertification.

**Leadership.** Credit may be earned for leadership activities in an EEO/AA / diversity-related association or for community volunteer work in which a professional uses his/her EEO/AA/diversity expertise. Examples include officer positions on boards, committee chair assignments, committee membership, Capitol Hill visits, testimony before Congress or state legislatures, meetings with regulatory agency officials, and preparation of comments on regulatory proposals.

**Professional Membership.** A professional may earn recertification credit for being a member of a national organization that promotes equal employment opportunity, access, and diversity; an EEO/AA/diversity- related organization, or a regional/area affiliate of a national organization. A professional who is an AAAED member may earn 2 hours per year toward recertification. Professional membership in a non-AAAED organization earns 1 hour per year toward recertification, provided the professional is an AAAED member. There is an 8-credit hour maximum permitted in this category.

Certified individuals are issued a certificate attesting that they have met the standards of the AAAED PDTI program and are entitled to make the public aware of their credentialed status from AAAED PDTI through the use of the initials CAAP or Sr. CAAP after their names. Certification must be maintained via the methods provided above. Individuals who do not maintain their certification are no longer entitled to use the credential. Practitioners are responsible for maintaining their certification credentials and updating their files as necessary.

## D. AAAED DIVERSITY MANAGEMENT PROGRAM

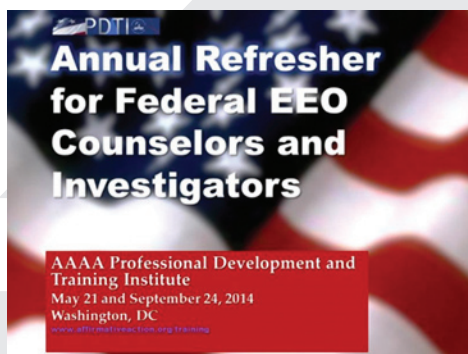


Since the 1990s, Diversity Management has become a burgeoning practice and profession in the workplace. In addition to the equal opportunity, compliance, conciliation and investigative responsibilities in the workplace, practitioners have been tasked with developing diversity and inclusion programs. The profession of Chief Diversity Officer has also emerged. Beginning January 2015 PDTI will expand its course

offerings and institute an additional course track for practitioners: The Diversity Management Program. This series of two courses: Introduction to Diversity Management and Diversity Planning, will introduce professionals to the history, policies and best practices of the diversity management profession in both higher education, the private sector and government. The latter course will also assist practitioners to design diversity management programs and plans. Recruiting and Retaining Diverse Faculty of Color, an elective, is also part of this Diversity Management Program and is tailored for participants in academic institutions.

Individuals who successfully complete these 8 hour courses will receive a certificate of completion in Diversity Management. These courses also qualify for Sr. CAAP and recertification credits.

## E. ANNUAL REFRESHER TRAINING FOR FEDERAL EEO COUNSELORS AND INVESTIGATORS



EEOC Management Directive 110 for counselors or investigators requires that current EEO counselors or investigators receive refresher training each year (8-hour requirement). Since 2012, AAAED has been offering the Annual Federal EEO Refresher Training for AAAED members and other federal workers and consultants who are responsible for conducting EEO investigations and counseling for federal agencies. Our faculty consists of experienced EEO professionals in the Federal sector and the training is offered twice yearly in Washington, DC.



## F. COURSE DESCRIPTIONS

### BASIC CAAP COURSES

#### **Complaint Processing, Counseling and Resolution (16 hrs.)**

This course covers internal and external agency complaint intake, investigation, counseling, and resolution issues, strategies, and policies and procedures. Participants will receive a course handbook that later serves as a comprehensive resource document, including sample materials for record keeping, report writing, intake, witness interviews, and more. The class combines lecture, practical advice, and group exercises to enhance learning. (CAAP requirement)

#### **Developing and Implementing an Affirmative Action Program for Women and Minorities (16 hrs.)**

This course concentrates on the development and implementation of Executive Order 11246 Affirmative Action Programs (AAPs). The course covers the law of affirmative action (constitutional, statutory and regulatory) and development and implementation of an AAP pursuant to U.S. Department of Labor regulations governing federal contractors. Participants will learn about job group formation, labor market availability determinations, incumbency assessments, goal establishment and attainment, analytical tools, record keeping requirements, and Office of Federal Contract Compliance Programs compliance evaluations. (CAAP requirement)

#### **Equal Employment Opportunity and Affirmative Action Law (16 hrs.)**

This course is a primer on federal civil rights laws and explores the impact of those laws in the day-to-day operations of the workplace. The course provides participants not only with a theoretical and technical legal framework, but also offers real life scenarios, practical information, and hands-on techniques that can be applied in the workplace. The course covers constitutional, statutory and regulatory aspects of EEO and affirmative action law, theories of discrimination, burdens of proof, evidentiary issues, and damages concepts. The course also includes practical applications of the law at the workplace in the areas of hiring, harassment, discipline-discharge, religious practices and accommodation, and more. (CAAP Requirement)

#### **AAED PROGRAM FOR EXPERIENCED PRACTITIONERS (SR. CAAP) (8 hrs.)**

The one-day AAED Program for Experienced Practitioners (Sr. CAAP) is a comprehensive review that encompasses federal agency compliance initiatives as well as methodologies for leveraging data and other internal resources to maintain a successful EEO and diversity program. The curriculum covers the current enforcement policies and regulations of the Equal Employment Opportunity Commission (EEOC), the Office of Federal Contract Compliance Programs, U.S. Department of Labor; and the Office for Civil Rights, U.S. Department of Education. Compensation analysis and Diversity Management issues are also covered.



The requisite experience for participation in the Sr. CAAP training includes ten years of equal employment opportunity (EEO) experience in affirmative action planning, complaint investigations, EEO law enforcement including service at the OFCCP, Department of Justice and/or EEOC, or state and local agency EEO human resources or compliance activity. Also accepted is work as university or agency counsel where EEO issues were more than twenty percent of the workload, or practice as

a labor and employment lawyer, affirmative action plan consultant, civil rights and other nonprofit organization professional where EEO was more than 20 percent of the workload. Employment as diversity managers, federal EEO investigators, disability employment coordinators or human resources professionals where EEO issues were more than twenty percent of the workload is also accepted. The ten years of experience should be recent or within the last 15 years.

After registration, participants are required to email their resumes or curriculum vitae to: [pditi@affirmativeaction.org](mailto:pditi@affirmativeaction.org) within 48 hours of registration. Individuals will be advised if their experience does not meet the requisite criteria. If registration occurs onsite, participants must bring their resumes. Certificates will be issued at the end of the training or within thirty days after the training once resumes or curricula vitae are reviewed.

Experienced practitioners (those with 10 years or more relevant experience) will receive the "Senior Certified Affirmative Action Professional" certificate, which shall be valid for three years. The Sr. CAAP credential is subject to continuing education requirements prescribed by PDTI. For a copy of the PDTI Program Requirements, go to [www.aaed.org/training](http://www.aaed.org/training) or [www.affirmativeaction.org/training](http://www.affirmativeaction.org/training) and click on AAAED PDTI Program Requirements.

## DIVERSITY MANAGEMENT PROGRAM

### Introduction to Diversity Management (8 hrs.)

This course provides participants with a thorough grounding in Diversity Management.

*Key topics:*

- Exploring the history of diversity with an emphasis on how the transition has been made from EEO.
- The skills needed to effectively manage diversity.
- An overview of how managing diversity is good management
- Tips, strategies and techniques for leveraging diversity.

(Attendees will receive a Certificate of Completion in Diversity Management)

(Counts towards the Sr. CAAP and recertification)

### Diversity Planning (8 hrs.)

Diversity is critical to the success of organizations. This highly interactive session will provide participants with a workbook that outlines Diversity Planning.

*Key topics:*

- Gaining leadership support
- A step by step guide on how to plan and forecast diversity
- A look at and interaction with some key metrics in diversity planning.

(Attendees will receive a Certificate of Completion in Diversity management)

(Counts towards the Sr. CAAP and continuing education requirements)

### **Recruiting and Retaining Faculty of Color at Majority Institutions of Higher Education (8 hrs.)**



This interactive course is focused on strategies to engage and retain faculty of color at majority institutions. The presenter will share hands on approaches aimed at strengthening faculty bonds with the institution and empowering faculty of color. These approaches are based on research and practice.

(Counts toward Sr. CAAP and recertification)

### **ADDITIONAL ELECTIVES FOR SR. CAAP AND RECERTIFICATION**

#### **Developing and Implementing an Affirmative Action Program for Protected Veterans and Individuals with Disabilities (8 hrs.)**

This course focuses on the development and implementation of Affirmative Action Programs for protected veterans and individuals with disabilities. The course covers the statutory and regulatory legal framework of Section 503 of the Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. Students also will learn how to develop and implement an affirmative action program for veterans and individuals with disabilities pursuant to U.S. Department of Labor regulations and will reflect the changes to the regulations made in 2013.

(Counts toward Sr. CAAP and recertification)

#### **OFCCP Compliance: What's New and What's Next? (8 hrs.)**

This is an advanced course on Affirmative Action Development and focuses on the latest policies and guidance from the Department of Labor's (DOL) Office of Federal Contract Compliance Programs (OFCCP), DOL's Veterans Employment and Training Service (VETS) and the Equal Employment Opportunity Commission (EEOC). The CAAP course "Developing and Implementing an Affirmative Action Program for Women and Minorities" is a recommended, although not mandatory prerequisite for this course. This course is an 8-hour elective and will count toward the Sr. CAAP and continuing education requirements. This course will provide a comprehensive discussion of regulations that have been recently enacted and a projection of things to come.

(Counts toward Sr. CAAP and recertification)

#### **Title IX – Legal Overview and Best Practices for Conducting Investigations (8 hrs.)**

This course provides an overview of the requirements of Title IX of the Education Amendments of 1972. Discussions will include the previous and current legal landscape around Title IX, an institution's obligation and liability to report and investigate Title IX-based grievances, and best practices. This course will also provide an overview of Title IX Investigations, covering a range of topics including the investigations process and best

practices for developing investigation techniques. It will also focus on recent enforcement activities of the U.S. Department of Education's Office for Civil Rights (OCR) including its focus on campus sexual assault. (Counts toward Sr. CAAP and recertification) (Certificate of Completion Awarded)

### **ANNUAL REFRESHER TRAINING FOR FEDERAL EEO COUNSELORS AND INVESTIGATORS**

The objective of this course is to ensure compliance with the EEOC requirement to provide an annual refresher training of eight hours to EEO Counselors and Investigators; to continue the effort to apply EEO Counseling and Investigation best practices in the processing of complaints of discrimination and to provide a better understanding of the relationship between the different complaint processing stages. The session will include: An overview of the methodologies covered in conducting counseling and investigations; applicable EEO regulations and laws; connecting the informal pre-complaint process to the formal process; preparing and writing effective counseling reports and investigative plans; review of case studies as they relate to the EEO process.

## **III. On-Site Training Programs**

In the On-Site Training Program, AAAED offers both classroom and on-site learning opportunities at the facility of your choice. We will work with you to design the coursework for managers and/or staff that fulfills your needs, ranging from conducting effective internal investigations to developing a compliant workplace. AAAED On-Site Training, in which a training program is specially designed to fit the needs of the individual client, is an excellent option for institutions or companies that have specific requirements or a group of employees who need targeted training. AAAED's expert faculty works with the client to develop the curriculum and deliver the training at the client's designated location. When you have more than one person that needs the training offered in the PDTI classroom training classes, we can also bring the trainers to you and deliver the courses on the premises. A minimum of six employees is required to deliver the PDTI classroom training on site.

In recent years, AAAED trainers have worked with clients to deliver specialized in-house training to managerial staff in the law and policies related to Title IX of the Education Amendments of 1972 and in the requirements for developing and implementing an affirmative action program. If you have had an agency compliance review or complaint investigation, or in preparation of a compliance audit, call AAAED to assist you in delivering training to your affected staff. Our on-site faculty will work with you to develop materials and deliver training to your Human Resources, equity, diversity and affirmative action personnel. Prices are based on the number of persons trained and the amount of time required to prepare specific training materials. Contact the AAAED office for more information: Tel: 202-349-9855.



## IV. AAAED Webinars and AAAED Speakers



In 2008, the Association added *AAAED Webinars*, web-based seminars to provide expert information on current legal, policy and regulatory matters. In 2015, the one-to two hour webinars will be offered every month and are available to AAAED members and non-members alike. Recent webinars have addressed such issues as Disability Issues in Higher Education, Workplace Safety, Sexual Assault, Sexual Harassment and Title IX, EEO Record-Keeping, preparing for an OFCCP Audit, OCR Policies on Pregnant and Parenting

Students, and Recruiting and Retaining Faculty of Color. AAAED Webinars are an excellent, cost-effective and time-saving addition to the tools that professionals may use to hone skills in the field of EEO, affirmative action and diversity.

Discounts are available for AAAED members. If you cannot attend the live webinar, you may purchase the recording and/or PowerPoint presentation. Need a webinar on a specific topic? Email AAAED and make a request: [pdti@aaaed.org](mailto:pdti@aaaed.org) or [pdti@affirmativeaction.org](mailto:pdti@affirmativeaction.org) – and we will make every attempt to accommodate you.

*AAAED Webinars* offers a series of 60 to 90 minute online training programs for the busy professional who does not have time or the resources to travel for classroom training. We are proud of the excellence of our webinar faculty and urge you to sign up for timely and topical programs.

*AAAED Speakers* provides opportunities to hear from the association's leadership and members on issues related to equal opportunity theory and practice, diversity and inclusion, affirmative action and access and other human resources issues at the event of your choice. Contact [speakers@aaaed.org](mailto:speakers@aaaed.org) or [speakers@affirmativeaction.org](mailto:speakers@affirmativeaction.org) to arrange a speaker for your next event.

## V. Classroom Training Schedule & Tuition

### A. 2015 CLASSROOM TRAINING SCHEDULE

#### **CAAP and Sr. CAAP Training\***

- Houston, TX: January 26 – 31, 2015
- Atlanta, GA: March 16 – 21, 2015
- Madison, WI: August 3 – 8, 2015
- Philadelphia, PA: November 9 – 14, 2015

#### **AAAED Program for Experienced Practitioners (Sr. CAAP)**

- New Orleans, LA: June 2, 2015 (During AAAED Annual Meeting)

#### **Annual Refresher Training for Federal EEO Counselors and Investigators**

- Washington, DC: May 20, 2015
- Washington, DC: September 23, 2015

\*Note that AAAED Electives will be offered at each CAAP and Sr. CAAP training location in addition to the three basic CAAP courses: EEO and Affirmative Action Law; Developing and Implementing an Affirmative Action Program for Women and Minorities; and Complaint Processing, Counseling and Resolution.

### B. 2015 TRAINING TUITION AND FEES

#### **CAAP and Sr. CAAP CLASSROOM TRAINING:**

Early Registration Tuition

*AAAED Members:*

\$450 for 8-hour courses

\$900 for 16-hour courses

*Non-Members*

\$540 for 8-hour courses

\$990 for 16-hour courses

Regular and Onsite Registration Tuition

Onsite Registration accepted if space remains available

AAAED Members:

\$ 540 for 8-hour courses

\$ 1080 for 16-hour courses

Non-Members

\$ 630 for 8-hour courses

\$ 1170 for 16-hour courses

**WEBINAR FEES:**

AAAED Members: \$149.00

NonMembers: \$199.00

PowerPoint Presentations: \$89.00

**FEDERAL EEO REFRESHER TRAINING**

AAAED Members:

Early Registration Tuition:

\$250.00 for the 8-hour course

Regular and Onsite Registration Tuition:

\$295.00 for the 8-hour course

Non-Members:

Early Registration Tuition:

\$295.00 for the 8-hour course

Regular and Onsite Registration Tuition:

\$325.00 for the 8-hour course



Prices are not guaranteed and are subject to CHANGE

Group discounts are available

## VI. Registration Information

To register for AAAED's Professional Development and Training Institute programs visit AAAED's website at: [www.aaaed.org/training](http://www.aaaed.org/training) or [www.affirmativeaction.org/training.html](http://www.affirmativeaction.org/training.html) or contact the AAAED National Office at:

202.349.9855 or 800-252-8952

Email: [pdti@aaaed.org](mailto:pdti@aaaed.org) or [pdti@affirmativeaction.org](mailto:pdti@affirmativeaction.org)

AAAED Accepts Credit Cards (MasterCard, Visa, American Express and Discover), checks and purchase orders.

Make Checks or Purchase Orders payable to: AAAA Institute

U.S. Mail and Overnight/Express Payments:

Moody Nat'l Bank

AAAA Lockbox

P.O. Box 9010

Galveston, TX 77553

AAAED FEI: 31-0896714

AAAED Reserves the right to reschedule or cancel classes based on enrollment.

To qualify for the CAAP credential or Sr. CAAP credential, courses must be completed within five (5) years for the respective credential.

Professionals may take Sr. CAAP courses at any time, but must complete the CAAP courses (and earn the CAAP credential) as a prerequisite for the Sr. CAAP credential unless they successfully complete the one-day course for Experienced Practitioners.

Advance registration is required for all courses and must be made through the AAAED/PDTI website. Please visit the website for complete up-to-date information on the course dates, times and locations. On-site registration is available if space permits.

## VII. PDTI Core Classroom Faculty 2015

### JO BENNETT

Stevens & Lee Law Firm

#### **Developing and Implementing an Affirmative Action Program for Women and Minorities**

Jo is a lawyer and consultant to management on equal employment opportunity and other workplace matters. Her clients include employers in higher education, life sciences, financial services, technology, transportation and manufacturing.

A significant portion of Jo's practice consists of advising federal contractors in these and other industries across the U.S. on federal equal employment opportunity and affirmative action compliance issues. She assists clients with the preparation of affirmative action plans and provides risk-management analyses of hiring, promotion and compensation practices. Jo also advises employers on diversity initiatives and succession planning issues and educates hiring managers and human resources professionals on equal employment opportunity and affirmative action. She has substantial experience defending clients in Office of Federal Contract Compliance Programs (OFCCP) compliance investigations.

In addition, Jo maintains an active litigation defense practice, having won victories on age, race and disability discrimination claims before the U.S. Court of Appeals for the Third Circuit. She also represents clients in proceedings before the National Labor Relations Board and in connection with claims arising under individual employee contracts, collective bargaining agreements and ERISA.

A frequent presenter and writer, Jo has spoken before a variety of organizations on labor and employment matters. She also publishes a regular newsletter on developments in affirmative action and diversity law.

Jo supports a variety of charitable causes and is a past recipient of the National Multiple Sclerosis Society's MS Leadership Award.

#### Representative Cases

- Delgado v. SEPTA
- Linden v. SAP America, Inc.
- Ricciardi v. Conrail
- Martinez v. QVC, Inc.



**DAVID J. GOLDSTEIN, ESQ.**

Littler Mendelson PC

**Developing and Implementing an Affirmative Action Program for Women and Minorities**

David J. Goldstein works with in-house counsel, business leadership, and human resources to proactively identify and implement creative solutions for effectively utilizing human resources, complying with legal and regulatory requirements, avoiding liability, and resolving internal and external disputes. Areas in which he provides advice include wage and hour law, employee selection procedures, test validation, protection of intellectual property, and enforcement of non-compete agreements.

David also tries cases before judges, juries, and arbitrators and has substantial experience representing employers in class action litigation. In addition to trying two class action lawsuits to judgment, he has represented clients in other class or collective actions brought under the Fair Labor Standards Act, Title VII, the Age Discrimination in Employment Act, the Worker Adjustment and Retraining Notification Act, and state laws. He also frequently works with mediation and other dispute-resolution techniques in order to efficiently resolve disputes.

David devotes a significant portion of his practice to assisting employers with the preparation and approval of affirmative action plans and to representing government contractors in connection with Office of Federal Contract Compliance Programs (OFCCP), state, and local compliance reviews. Before joining Littler Mendelson, David was a partner at another firm, where he practiced in the Labor and Employment Law Group for 22 years. David co-wrote the amicus curiae brief filed in the *Fisher v. University of Texas at Austin* case on behalf of AAAED.

**ROBERT E. GREGG, ESQ., PARTNER**

Boardman and Clark, LLP

**Equal Employment Opportunity and Affirmative Action Law**

Bob is a partner in the Boardman and Clark Law Firm of Madison, Wisconsin. He has been professionally involved in Employment Relations and Civil Rights work for over 30 years and has designed the employment policies and procedures of numerous private employers, government agencies and universities. He litigates and serves as an expert witness in EEO cases. As a founding faculty member of the Department of Defense Race Relations Institute (now the DOD Equal Opportunity Management Institute), he developed anti-discrimination programs for military bases worldwide. As Chief Equal Rights Officer for the Wisconsin Personnel Commission, he was responsible for the discrimination case process and developing state employment laws and regulations. Mr. Gregg is a consultant on the issues of Civil Rights and anti-discrimination in education, employment, public housing, law enforcement, service provision and has helped numerous public and private employers. Bob holds a BS degree in Business from Marshall University, Master of Social Work, and Juris Doctorate from West Virginia University. He also completed all course work toward a Doctorate in Education Administration.

**HOSEA H. HARVEY, J.D., PH.D.**

Temple University Beasley School of Law

**Equal Employment Opportunity and Affirmative Action Law**

Professor Hosea H. Harvey is Assistant Professor of Law and Assistant Professor of Political Science at Temple University School of Law. His research interests center around using empirical methods to solve a central question: what is the appropriate role of the law in minimizing the effects of race and gender disparities in business organizations, consumer markets, and regulatory policies? Professor Harvey's future publications challenge the empirical basis for recent consumer finance law reforms, arguing that such reforms run counter to consumer behavior and have race and gender stratified consequences. Most recently, two of Professor Harvey's articles question the empirical basis and potential effectiveness of state-level public health interventions in youth sports. Previous work has included examinations of the political psychology of race and politics in the United States, as well as an extensive examination of antitrust harms for racial minorities in film and sports product markets.

Prior to joining the Temple faculty, Professor Harvey served as General Counsel for New York Needs You, a start-up non-profit focused on mentoring, cultivating leadership, and enhancing career opportunities for low-income first-generation New York area college students. From 2008 through 2010, Professor Harvey served as Associate General Counsel for corporate law matters at Planned Parenthood Federation of America, Inc. From 2005 through 2008, Professor Harvey was a corporate associate at Cravath, Swaine & Moore LLP, where he specialized in corporate governance and regulations, mergers and acquisitions, and securities matters. Earlier in his career, Professor Harvey clerked for the Honorable Ann Claire Williams of the U.S. Court of Appeals for the 7th Circuit; he also clerked for the Honorable Barrington D. Parker, Jr., then of the U.S. District Court for the Southern District of New York.

In 2013, Professor Hosea H. Harvey was honored as one of OBABL's "50 Under 50 Minority Law Professors."

**Education**

J.D. Stanford University Law School

Ph.D. (Political Science), Stanford University

M.A. (Political Science), Stanford University

B.A., Dartmouth College

*Teaching Areas and Research Interests:*

- Contracts; Banking and Financial Regulation; Empirical Studies; Race and Gender Equality in Business/Commercial Markets; and Public Health Law and Policy

## **WILLIAM B. HARVEY, PH.D.**

### **Recruiting and Retaining Faculty of Color at Majority Institutions of Higher Education**

William B. Harvey brings four decades of experience in the academic and non-profit sectors. Dr. Harvey recently served as Dean of the School of Education at North Carolina A&T State University. A distinguished researcher and administrator, Harvey's scholarly activity has been focused on the cultural and social factors that affect underserved populations, with particular emphasis on college and university settings. His extensive list of publications includes books, book chapters, refereed journal articles and professional and technical reviews. Among his recent scholarly contributions are a commissioned paper for the Kirwan Institute for the Study of Race and Ethnicity at Ohio State University entitled, *Higher Education and Diversity: Ethical and Practical Responsibility in the Academy*, and two co-edited volumes, *Footprints to Success in the Academy*, and *Perspectives on Change in the American System of Higher Education*, which were published in both English and Chinese by the Ocean University Press of China. Harvey serves as an Executive Editor of the *Negro Education Review*; Associate Editor of the *Journal of Multicultural Learning and Teaching*; and as an editorial board member for the *Journal of Diversity in Higher Education*; the *Journal of the Professoriate*; and *Effective Practices for Academic Leaders*.

Harvey's previous administrative positions include appointments as the Provost/Vice President for Academic and Student Affairs at Rosemont College; Vice President for Diversity and Equity at the University of Virginia, where he directed the Virginia-North Carolina Alliance for Minority Participation and secured a \$5 million grant from the National Science Foundation; Vice President and Director of the Center for Advance of Racial and Ethnic Equity at the American Council on Education; and Dean of the School of Education and Deputy Chancellor for Education Partnerships at the University of Wisconsin-Milwaukee. He has also served as the Chief Executive Officer of the International Reading Association.

In addition to having served as chair of the Education Advisory Committee of the National Aeronautics and Space Administration, Harvey has been a Visiting Associate at the Smithsonian Institution, an American Council on Education Fellow; an Institute for Educational Leadership Fellow; and a Summer Research Fellow at the Center for Advance Study in the Behavioral Sciences at Stanford University. He is the founding President of the National Association for Diversity Officers in Higher Education and a member of the Board of the American Association for Blacks in Higher Education and the National Council for Research on Women. He has previously served on the board of the Yale-Howard Center on Health Disparities; the W.E.B. DuBois Scholars Program at Princeton University; the Study of New Scholars Project at Harvard University; the Site Support for Schools Project at Johns Hopkins University; the Martin Luther King Living History and Public Policy Center; and the Board of Visitors at the University of Pittsburgh School of Education. Dr. Harvey currently serves as Distinguished Scholar for AAAED.

Harvey received a bachelor's degree in English from West Chester University (PA), a master's degree in Social and Philosophical Foundations and doctoral degree in Anthropology of Education from Rutgers University.

**DELIA JOHNSON**

Broadcasting Board of Governors

**Annual Refresher for Federal EEO Counselors and Investigators**

Delia L. Johnson serves as the Director for the Office of Civil Rights at the International Broadcasting Bureau, Broadcasting Board of Governors (Board). In this position, Ms. Johnson serves as principal advisor to the Board and Senior Management on all matters relating to equal employment opportunity, civil rights and diversity issues. In her current position, she has enhanced the Agency's Mentoring Program and established the Diversity Leadership Council. She actively continues to introduce diversity related seminars and forums into the Agency's training curriculum. In August of 2008, Ms. Johnson was acknowledged by the Chair of the Equal Employment Opportunity Commission (EEOC) with an award for her outstanding accomplishments in the area of Federal Sector EEO Programs. Ms. Johnson is also the Chair of the Council of Federal EEO and Civil Rights Executives addressing common concerns of Federal EEO practitioners as they administer the anti-discrimination laws and regulations. Ms. Johnson also serves on the board of the American Association for Access, Equity and Diversity.

**CHRISTOPHER J. METZLER JD., MA, PH.D.**

President and CEO of HFW¥

**Diversity Management Series**

Dr. Christopher Metzler is President and CEO of HFW¥ a global Consultancy based in Boca Raton, Florida. Dr. Christopher J. Metzler served as Associate Dean at the School of Continuing Studies at Georgetown University in Washington, D.C. Prior to joining Georgetown University, he was on the faculty at Cornell University's ILR School where he directed the EEO and Diversity Studies program. At Cornell, he created the nation's first certification program for diversity professionals and established The Chief Diversity Officers' Roundtable. He is also the author of *The Competencies of the Chief Diversity Officers* (2008), the first comprehensive analysis of CDO competencies to date. He was also an adjunct Associate Professor at CUNY (The City University of New York) where he taught Civil Rights among other courses. Prior to entering higher education, he headed the strategic issues and research practice at an international consulting firm and provided advice to multinational corporations and governments on human rights, human capital, equality, corporate social responsibility, discrimination and diversity. He lectures globally on diversity, global employment practices, human resources and comparative employment systems. Dr. Metzler is the author of a forthcoming book, *The Construction and Rearticulation of Race in a Post-Racial America* (University of Aberdeen Press, 2008). He lectures globally on diversity, global employment practices, corporate social responsibility, human rights, human resources and comparative employment systems. A frequent T.V. and radio commentator, he has appeared on BBC, Sky News, News Channel 8, Channel 7 News, Channel 9 News, BBC Arabic, BBC Radio, 1290 Radio and The Joe Madison show among others. Dr. Metzler holds a M.A. in Human Rights from Columbia University, a Ph.D. in Law from the University of Aberden, and a Master's in Law from Oxford University.

**LAURA MITCHELL, ESQ.**

Jackson Lewis PC

**Developing and Implementing and Affirmative Action Program for Women and Minorities**

Laura A. Mitchell is an Associate in the Denver office of Jackson Lewis P.C. Ms. Mitchell is a member of the firm's Affirmative Action Practice Group in the firm's Denver office where she represents management exclusively in all areas of employment law, focusing on affirmative action and EEO. Ms. Mitchell assists clients with the drafting of affirmative action plans, representing government and non-government contractors in Office of Federal Contract Compliance Programs (OFCCP) matters, preparing for and defending OFCCP audits, and counseling employers on issues stemming from OFCCP regulations. Prior to joining Jackson Lewis, Ms. Mitchell practiced as a litigation associate representing management in various matters alleging harassment, discrimination, retaliation and other employment related claims. Most recently, Ms. Mitchell counseled management as an in house attorney with a national telecommunications company.

Ms. Mitchell received her B.A. in Political Science from the University of Colorado, graduating summa cum laude. She received her J.D. from the University of Denver Sturm College of Law, where she served as the Editor of the Preventive Law Journal. Upon graduation, she was admitted to the Order of St. Ives for excellence in academic achievement. Laura is a member of the Colorado, Denver and Colorado Women's Bar Associations and is admitted to practice in Colorado State Court, U.S. District Court for the District of Colorado and U.S. Court of Appeals for the Tenth Circuit.

**OLABISI LADEJI OKUBADEJO, ESQ.**

Ballard Spahr LLP

**Title IX Law and Investigations**

Olabisi "Bisi" Ladeji Okubadejo focuses on civil rights and employment issues in higher education, particularly on matters arising from alleged discrimination on the basis of race, disability, and sex, including sexual harassment and sexual violence. She has experience both as an attorney in private practice and with the U.S. Department of Education's Office for Civil Rights (OCR). She advises educational institutions on complying with various federal laws, including the Americans with Disabilities Act (ADA), Title VI of the Civil Rights Act, Title IX, the Clery Act, the Campus SaVE Act, FERPA, Section 504 of the Rehabilitation Act, and the Age Discrimination Act.

At the Department of Education, Ms. Okubadejo was most recently an OCR Supervisory General Attorney, managing civil rights attorneys and equal opportunity specialists who investigated discrimination complaints against educational institutions. Her responsibilities included providing pertinent legal and policy advice to case resolution teams, evaluating discrimination complaints, facilitating early resolution of complaints, and participating in investigations and negotiations to resolve complex civil rights matters. Ms. Okubadejo



oversaw and conducted investigations of complaints alleging violations of Title IX, Title VI, Section 504, the ADA, and the Age Act; reviewed and revised policies and procedures; and provided technical assistance in-person and by telephone to colleges, universities, school districts, and the public on compliance with these laws.

Ms. Okubadejo advises colleges and universities on their obligations under Title IX, including with regard to OCR's Dear Colleague letter and Revised Sexual Harassment Guidance; on the roles of Title IX and Section 504 coordinators; and on obligations under the ADA, Section 504, and the Clery Act. She also assists educational institutions in coordinating overlapping responsibilities under these laws and with assessing compliance in light of recommendations from the White House Task Force to Prevent Sexual Assault. She provides interactive training on civil rights issues to coordinators, administrators, hearing panels/judicial boards, campus safety departments, and students. She conducts and oversees internal investigations of higher education institutions and other employers.

Ms. Okubadejo also counsels employers on compliance with Title VII, the Family and Medical Leave Act, ADA, OSHA, ADEA, federal and state wage and hour laws, and various aspects of the employment relationship. She reviews and drafts employee handbooks, employment contracts, and severance agreements.

### **SYBIL RANDOLPH, MA, PHR**

Berkshire Associates

### **Developing and Implementing an Affirmative Action Program for Women and Minorities**

With over fifteen years of active human resource experience, Sybil Randolph, PHR, serves as a Managing Human Resources Consultant at Berkshire Associates Inc. Sybil has emerged as a leading compliance expert in the industry, providing companies with unmatched AA/EEO services in the areas of affirmative action, diversity, adverse impact, compensation, applicant management, and workforce planning. Her strong understanding of the Office of Federal Contractor Compliance Programs' (OFCCP) policies and regulations has protected hundreds of companies throughout the country.

Utilizing her industry knowledge and experience, Sybil develops customized training programs for companies with unique needs—helping them create their ideal balanced workforce. As talented communicator, she draws upon her expertise to train human resources professionals, ensuring each attendee leaves with applicable information to better their company.

Dedicated to helping fellow HR professionals stay informed, Sybil regularly speaks at industry meetings and events throughout the country, including the American Association for Access, Equity and Diversity (AAAED) conference, the Society for Human Resource Management (SHRM) Workplace Diversity conference, and the SHRM annual conference. In addition, Sybil has been featured in Diversity Inc magazine.

Sybil is currently serving as a member for the National Association of African Americans in Human Resources (NAAHR), and the Family Health and Education Institute (FHEI). She also is an active member in the Metropolitan Community Development Corporation where she assists people in the community prepare for their job searches. Sybil is a member of the Society of Human Resources Management, and the Howard County Human Resources Society. She holds a Master's degree in Human Resources Development from The George Washington University in Washington, DC. She is a Human Resources Certification Institute certified Professional in Human Resources.

### **MARILYNN L. SCHUYLER, ESQ.**

Schuyler Affirmative Action Practice

### **EEO and Affirmative Action Law; OFCCP Compliance: What's New and What's Next?**

Marilynn L. Schuyler has been developing Affirmative Action Plans for public, private, and academic institutions since 1996, and has been working in the field of Equal Employment Opportunity since 1988. She provides clients with strategic advice and analysis related to all aspects of Affirmative Action compliance, and produces Affirmative Action Plans consistent with OFCCP regulations. She has successfully led clients through audits, from notice of audit to notice of compliance, and develops compliant compensation analyses and all other analyses required for responses to OFCCP.

Ms. Schuyler began her professional career at the Department of Labor. She served in the Oakland District Office of the OFCCP as Assistant District Director, and in the San Francisco Regional Office as an OFCCP Liaison and as the Regional Civil Rights Officer. In the National Office, she was the Department of Labor's Affirmative Action Officer. She also served as the Affirmative Action Officer for the Office of the President at the University of California, for whom she developed the Affirmative Action Plan for four years. Prior to establishing Schuyler Affirmative Action Practice, Ms. Schuyler was a Senior Attorney and Director of Affirmative Action Program Development at Morgan Lewis & Bockius LLP. She received her B.A. from the University of California Berkeley and her J.D. from Georgetown University Law Center.

Ms. Schuyler is co-Chair of the Washington Metro Industry Liaison Group and a Board Member of the American Association for Affirmative Action. She was the attorney of record and co-wrote the amicus curiae brief filed in the *Fisher v. University of Texas at Austin* case on behalf of AAAED.

**ELIZABETH “BETSY” BULAT TURNER, ESQ.**

Martenson Hasbrouck &amp; Simon LLP

**Equal Employment Opportunity and Affirmative Action Law**

Elizabeth (“Betsy”) Bulat Turner has devoted her legal career to labor and employment litigation defense and related business compliance matters since 2009. Selected a 2013 and 2014 Rising Star by Georgia Super Lawyer magazine in employment litigation defense, Betsy’s recent practice highlights include negotiating the resolution of a contentious Department of Labor audit, successfully guiding an international diversified client through a large scale reduction in force and obtaining a substantial award of sanctions for a client following the filing of frivolous litigation. Betsy takes an efficient, cost-conscious approach towards simplifying and organizing complex disputes and compliance issues.

In addition to general litigation and labor and employment counseling, Betsy frequently advises clients subject to federal contracting laws, such as the Davis Bacon Act and initiatives enforced by the Office of Federal Contract Compliance Programs (OFCCP). Betsy has guided corporate clients, including directors and officers, through investigations and enforcement proceedings commenced by federal and state regulatory agencies. Betsy has represented clients in a wide variety of litigation, including cases involving business torts, fiduciary duties, and contractual disputes. Betsy also assists startups with navigating the numerous compliance issues affecting expanding businesses.

Before joining Martenson Hasbrouck & Simon LLP, Betsy served as a law clerk to the Honorable E. Clayton Scofield III, Magistrate Judge for the Northern District of Georgia and worked in the labor law and employment litigation sections of Meyer Moser Lang LLP and Freeman Mathis & Gary LLP. Betsy received her undergraduate degree in International Affairs and Spanish from the Georgia Institute of Technology with high honors, where she was a member of Georgia Tech’s cross country and track teams and the Zeta Tau Alpha sorority. She remains active with Georgia Tech as a member of the Alumni Association’s Board of Trustees and previously served as President of the Georgia Tech Bar Association.

**Practice Areas**

- Employment litigation defense
- Employment contracts and restrictive covenants
- Federal contract compliance
- Statistical analysis in RIFs
- Government investigations and audits

**Education**

- Georgia Institute of Technology, B.S., High Honors
- Georgia State University College of Law, J.D., Cum Laude

**Bar Admissions**

- Georgia, 2007

**IDA “BETH” WILSON, ESQ.****Complaint Processing, Counseling and Resolution**

Beth Wilson served as Associate Vice President for Access and Equity and Executive Assistant to the President at Southern Methodist University since July, 2003. Her responsibilities included developing and implementing policies and programs that ensure both equal access and equitable treatment for the diverse populations of students, faculty and staff at SMU. In addition to addressing access and equity issues, she was responsible for identifying challenges and problems in these areas and making recommendations for their solutions. Wilson is an attorney, consulting company president and certified mediator. She served as associate provost of Columbia University from 1995 to 2000 and has held adjunct faculty positions at the University of Oklahoma and Oklahoma City University School of Law. She has administered affirmative action programs for the University of Oklahoma, Oklahoma City Public Schools and University Hospital and Clinics in Oklahoma City. Wilson has served as consultant for numerous clients, including civic organizations, universities, law schools and other education bodies in Oklahoma, New York, Pennsylvania, New Jersey, Vermont and Maryland. She was national president of the American Association for Affirmative Action from 1998 to 2000 and previously was chair of the Affirmative Action Review Council for the State of Oklahoma. She has received numerous service awards and was twice named an Outstanding Young Woman of America. Wilson has appeared on various public service television programs in Oklahoma and has been a panelist and featured speaker on affirmative action issues on several national television broadcasts. Wilson earned bachelors and master's degrees from the University of Oklahoma and graduated fourth in her class with a J.D. degree from the Oklahoma City University School of Law. While a student there, she received American Jurisprudence Awards in labor law and constitutional law.