



APPLYING AN EQUITY LENS: OPPORTUNITIES FOR VAPAW ADVISORY COMMITTEE

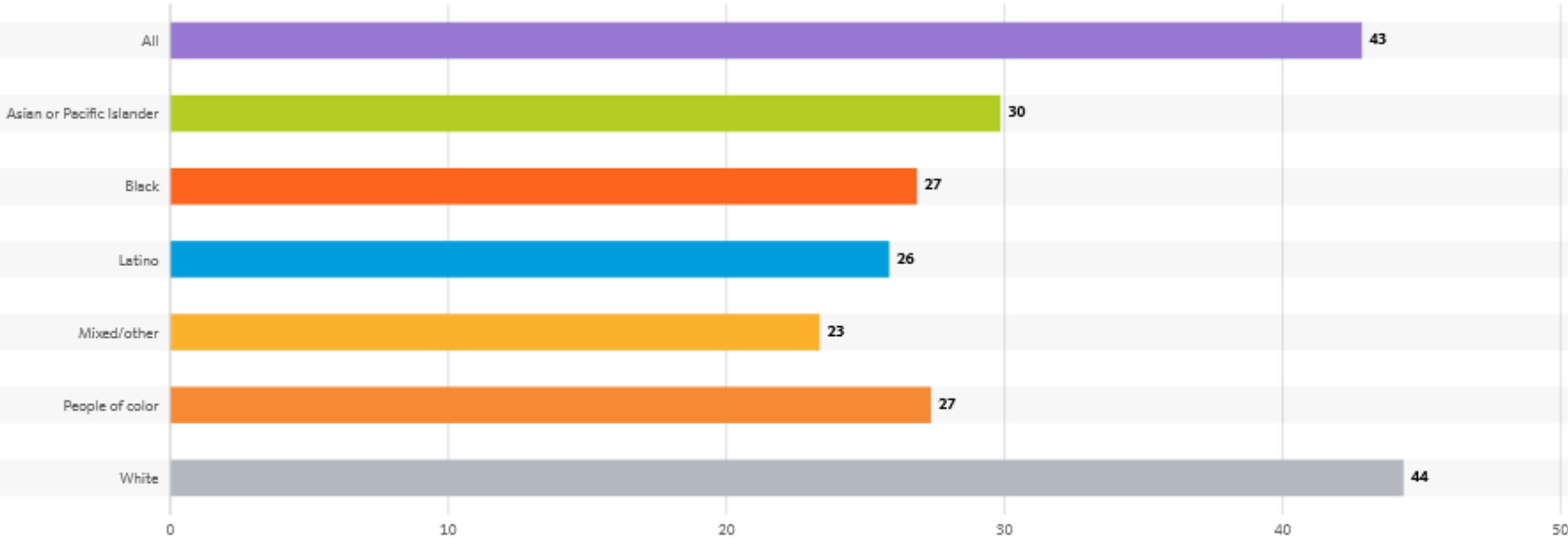
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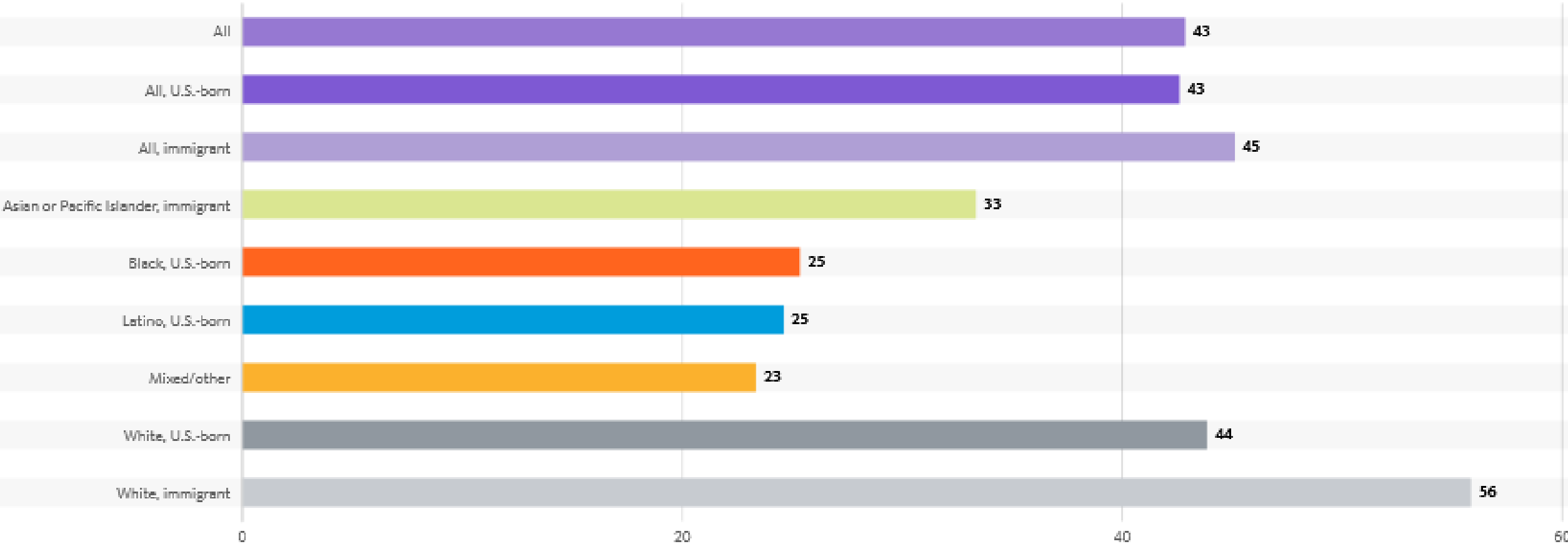
THOUGHT QUESTIONS...

- Why is equity important in planning for Vermont's aging population?
- How do we ensure equity at each phase of VAPAW planning process?
- How can we make sure ageism is considered in VAPAW process & beyond?
- What equity metrics could help us make/measure meaningful progress?
- How can we better connect statewide equity work to this initiative?

MEDIAN AGE BY RACE: VERMONT (2019)



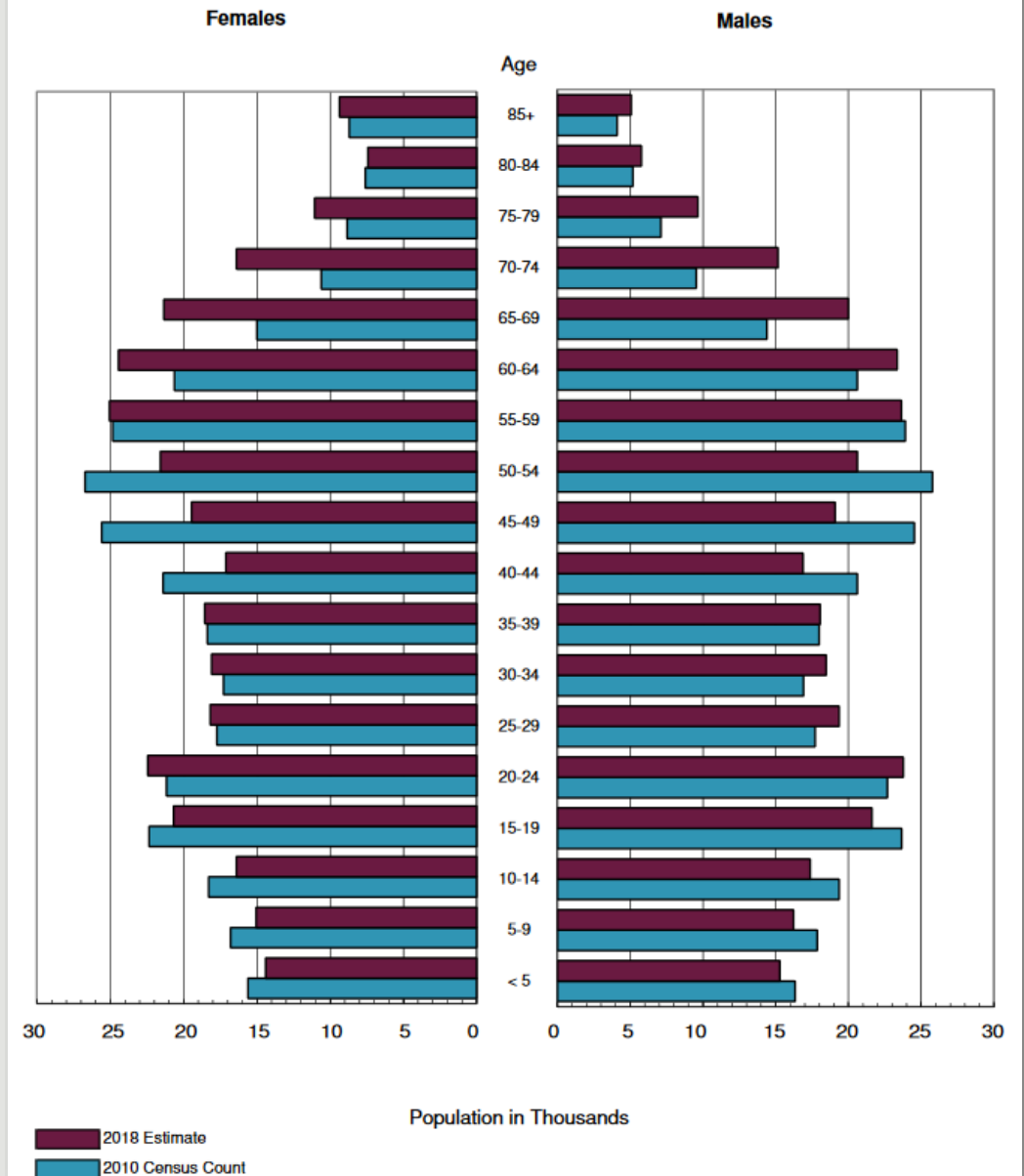
MEDIAN AGE BY NATIVITY: VERMONT (2019)



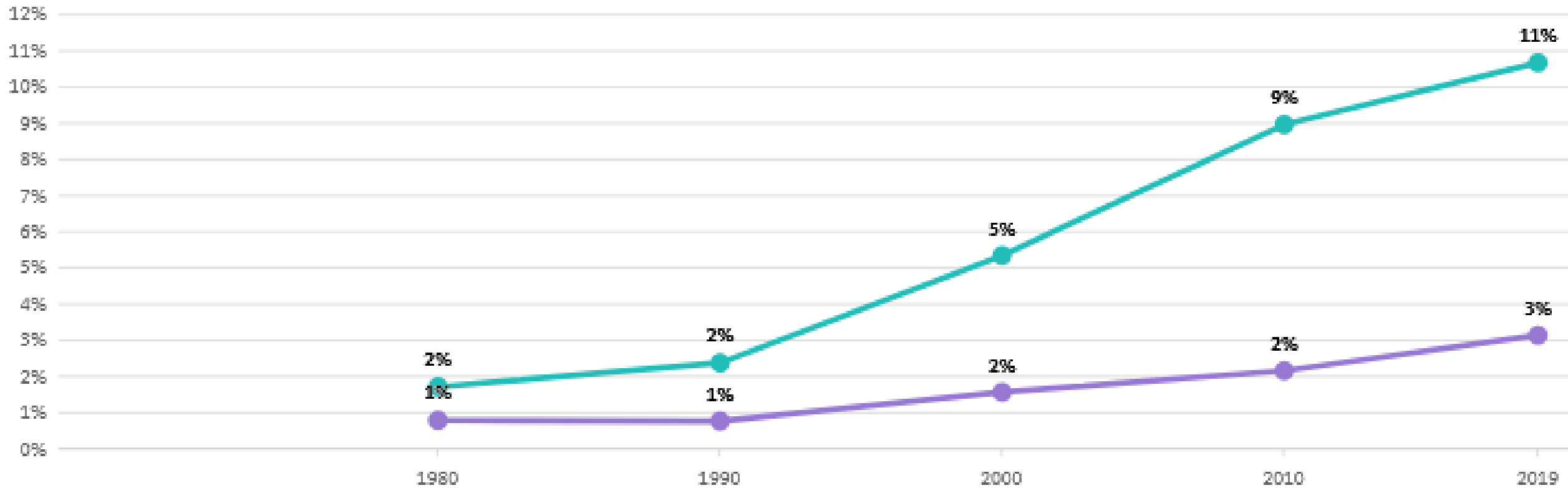
VERMONT'S POPULATION PYRAMID

Population pyramids show the distribution of age and sex of a given place. They are used to understand demographic trends and plan for the future of the job sector, the health sector, the education sector, and more.

Figure 2. Population Age-Sex Distribution of Vermont, 2010, 2018.



RACIAL GENERATION GAP: VERMONT (1980-2019)



WOMEN UNDER 15 AS A SHARE OF THE POPULATION

This metric is a predictor of future growth.

Relative to its size, Vermont has fewer young women than any other state.



**STRUCTURAL
PROBLEMS**

REQUIRE

**STRUCTURAL
SOLUTIONS**

INTENT VS IMPACT

Historically, policy has been made based on the **needs and preferences of people in dominant groups**, which has created disparate impacts for marginalized groups.

Further, some well-meaning policies are intended to be neutral, but end up having disparate negative impacts for vulnerable groups. Sometimes these impacts are foreseeable, other times they are not.

INTENT VS IMPACT

In 2013, the federal government added a level of analysis that looked not just at the **intent** of a policy, but also at the **impact**.

In 2020, the federal government proposed removing this Disparate Impact Standard. This would mean if the government could make the argument that a policy wasn't *intended* to cause disparity, **the rule could proceed even if it does cause disparity**.

Why Trump's Effort to Eliminate Disparate Impact Rules Is a Terrible Idea



By Sarah Hinger, Staff Attorney, ACLU Racial Justice Program
JANUARY 9, 2019 | 5:15 PM

TAGS: [Race and Inequality in Education](#), [Racial Justice](#), [Race and Economic Justice](#)



If no one tells you they're discriminating, is it still discrimination?

According to the Trump administration, the answer is no. In a [memo reported by The Washington Post](#) last week, the administration has placed in its cross hairs a civil rights enforcement tool that has for decades been used to counter discriminatory actions when a bias motive is not obvious.



“At its worst, the intent standard reflects the comforting belief among too many that discrimination is perpetuated by villainous characters who use racial slurs, or at the very least the view that discrimination should only be deemed illegal if it emanates from the evil hearts and minds of perpetrators. More importantly, the effects standard reflects a recognition that **acts that perpetuate discrimination are not cleansed simply by benign intentions.**”

Sherrilyn Ifill, NAACP Legal Defense Fund

INTENT VS IMPACT

“THE STING OF INTENTIONAL PAIN”

Participants received equally strong electric shocks.

Those who thought the shocks were administered intentionally actually experienced them as being more painful than those who thought they were administered by accident.

“INTENTIONAL HARMS ARE WORSE, EVEN WHEN THEY’RE NOT”

Participants read about a CEO who cost his employees part of their paychecks through a bad investment, either because [a] he intentionally wanted them to work harder, or [b] he simply made an unfortunate mistake.

People assigned the CEO more blame in the former condition, and participants saw the loss as “more damaging” to employees and their families in the latter scenario, even though the employees suffered the exact same objective financial loss in both cases.

Bloomberg Once Linked 2008 Crisis to End of Redlining Bias in Home Loans

The billionaire drew condemnation for his newly surfaced comments on redlining, in which banks discriminated against people of color seeking to borrow money to afford homes.



“It probably all started back when there was a lot of pressure on banks to make loans to everyone [...] Redlining, if you remember, was the term when banks took whole neighborhoods and said ‘People in these neighborhoods are poor, they’re not going to be able to pay off their mortgages, tell your salesmen don’t go into those areas.’ And then Congress got involved—local elected officials as well—and said ‘Oh that’s not fair, these people should be able to get credit, and once you started pushing in that direction, banks started making more and more loans where the credit of the person buying the house wasn’t as good as you would like.’”

THE MYTH OF RACE NEUTRALITY

THE NEW DEAL?

Under the National Labor Relations Act of 1935, American workers gained the right to organize and bargain collectively. Later, they established the 40-hour work week, the minimum wage, and overtime protections.

...NOPE, SAME OLD DEAL.

Purposely excluded domestic and agricultural workers, “as a race-neutral proxy for excluding blacks from statutory benefits and protections made available to most whites.”

THE MYTH OF RACE NEUTRALITY

LASTING IMPACTS OF RACIST POLICYMAKING: ALABAMA'S PROPERTY TAX LIMITS

State constitutional conventions in 1875 and 1901 to re-establish white dominance following Reconstruction

Alabama tried to protect white property owners from African-Americans and their allies substantially increasing property tax rates to fund education, etc.

140+ years = cumulative effect. Today, Alabama's property tax revenue as a share of its economy is the lowest of any state in the country.

THE MYTH OF RACE NEUTRALITY

EEOC v. Catastrophe Management Solutions

Facts: Catastrophe Marketing Solutions rescinded a job offer from Chastity Jones because of her locs. The Equal Employment Opportunity Commission (EEOC) filed suit. During the hiring process, an HR manager reportedly told Jones that “[Locs] tend to get messy, although I’m not saying yours are, but you know what I’m talking about.” The EEOC said this violated the Civil Rights Act of 1964’s Title VII.

Holding: The company’s “race-neutral grooming policy” was not discriminatory because hairstyles, while “culturally associated with race,” are not “immutable physical characteristics.”

Result: You can legally discriminate against those who wear locs in employment.

THE MYTH OF RACE NEUTRALITY

WORKPLACE INJURY

Claimants are most often white males

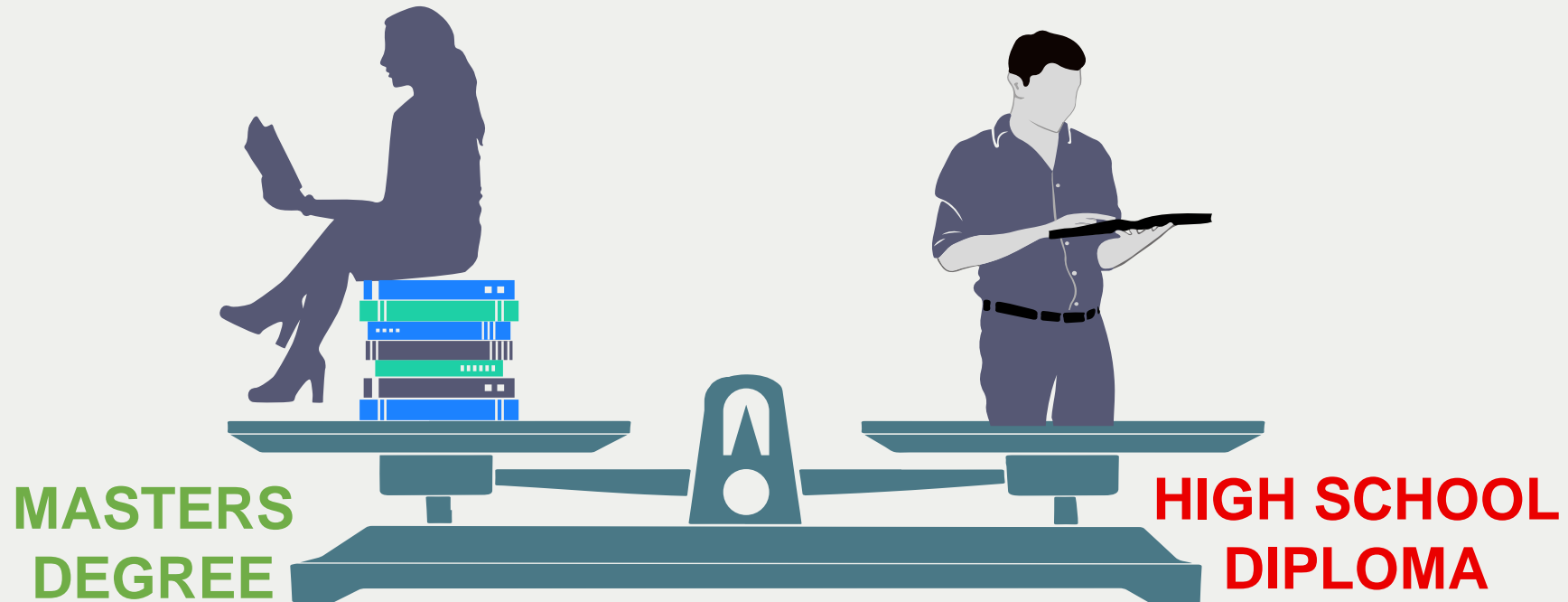


WORKPLACE HARRASSMENT

Claimants are most often people of color, people living with disabilities, and/or women



THE MYTH OF RACE NEUTRALITY



An African-American woman with a Masters degree makes \$7 less per hour than a Caucasian man with a Bachelor's degree.

Latina women and Indigenous women need a Master's degree before they surpass the wages of a Caucasian man with only a high school degree.

Asian Americans are least likely to be promoted to management positions despite being the most highly educated demographic, reflecting racist stereotypes that they are quiet, meek, and antisocial.

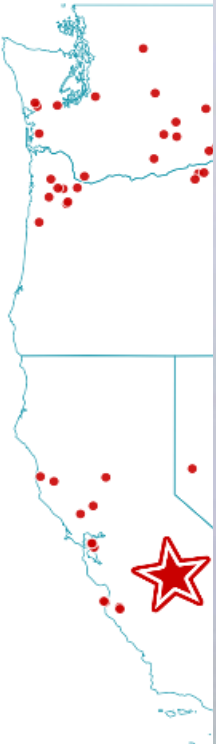
EQUITY LENS IN PLANNING



APPLYING AN EQUITY LENS



DATA DRIVEN OR DATA HOSTAGE?



*In the U.S., incarceration extends beyond prisons and local jails to include other systems of confinement. The U.S. and state incarceration rates in this graph include people held by these other parts of the justice system, so they may be slightly higher than the commonly reported incarceration rates that only include prisons and jails. Details on the data are available in *States of Incarceration: The Global Context*. We also have a version of this graph focusing on the *incarceration of women*.*

BEWARE FALSE SOLUTIONS

BEWARE FALSE SOLUTIONS: ACCOMMODATION

- Saffir-Simpson Hurricane Wind Scale
- ICD-10 Codes

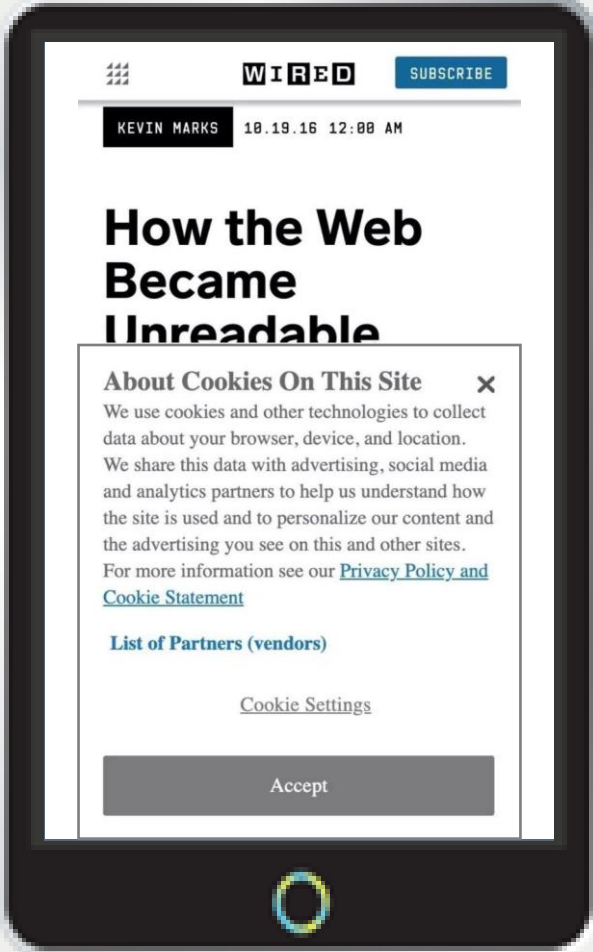
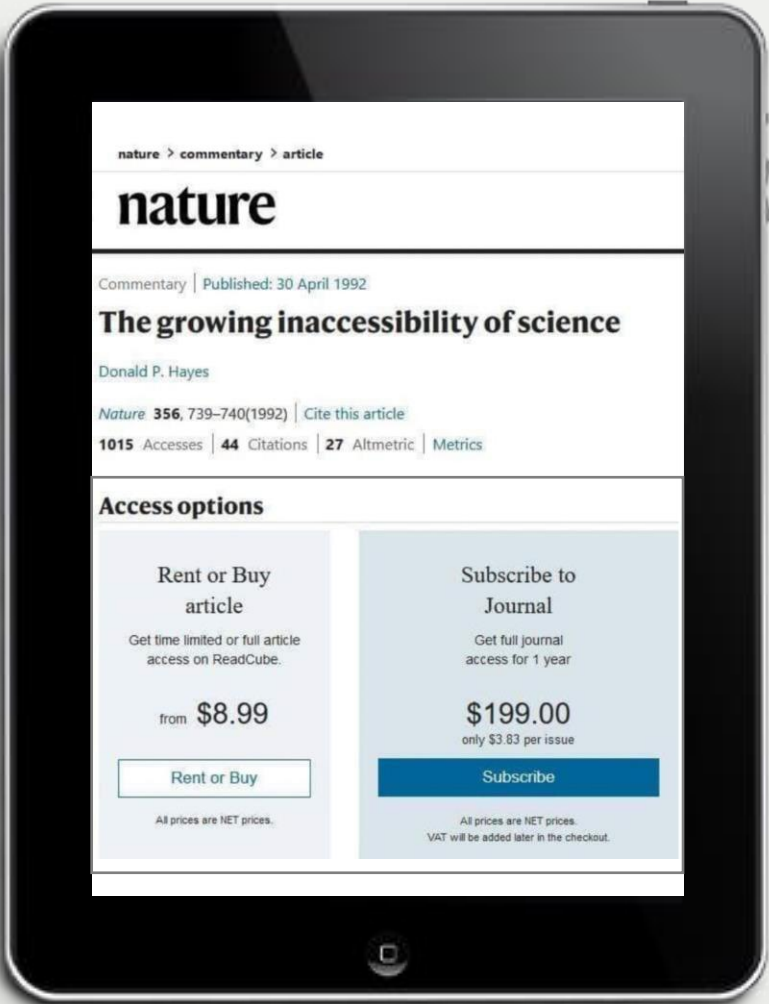
Don't get comfortable adjusting the scale to accommodate worsening conditions... do more to fix things.

BEWARE FALSE SOLUTIONS: SUPERFICIALITY

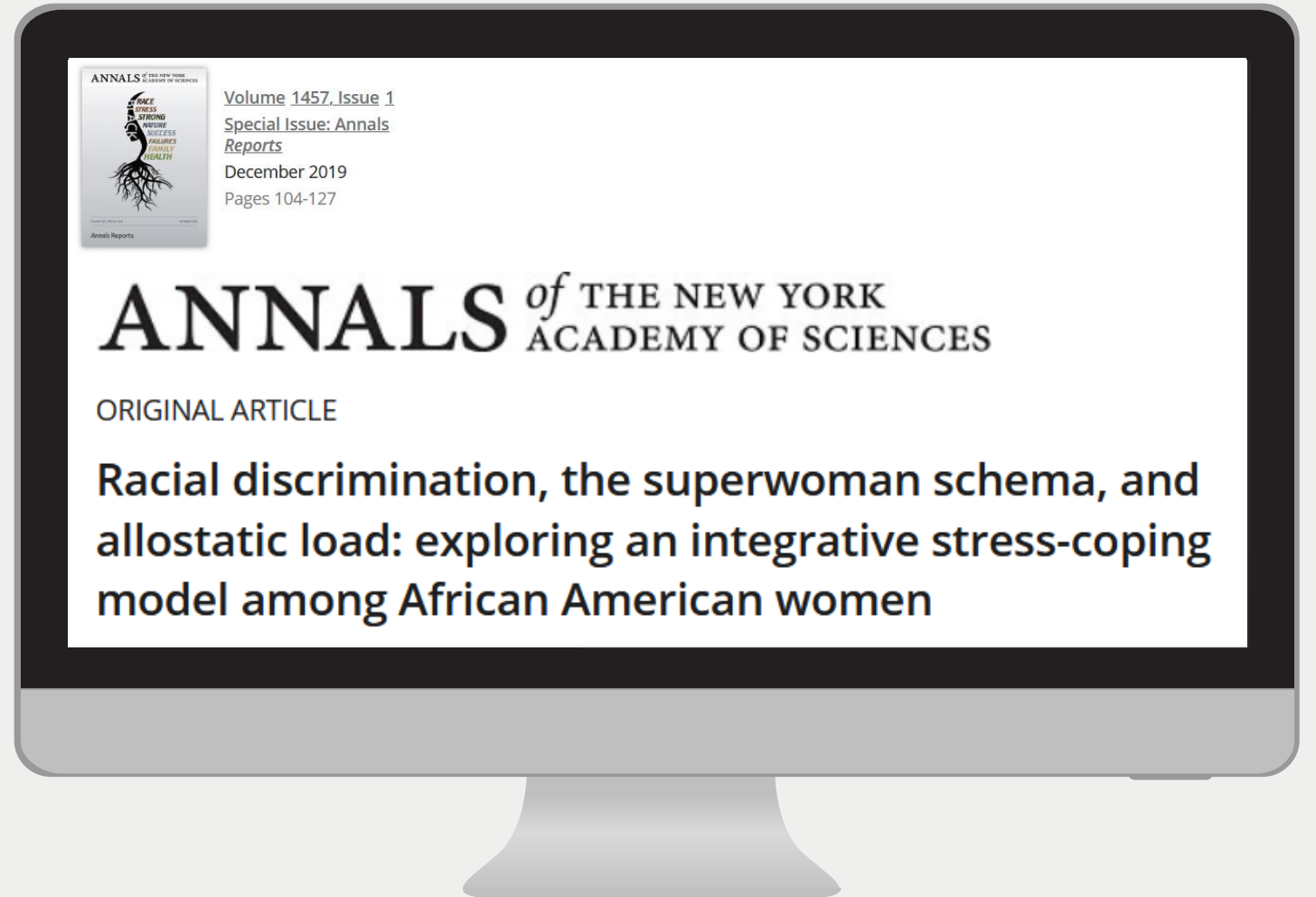
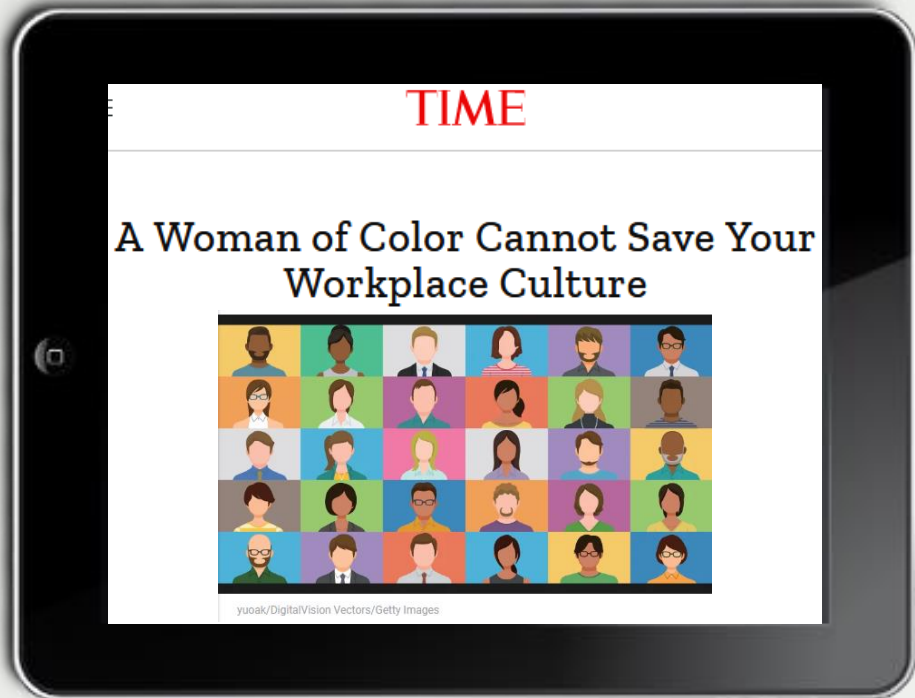
“It’s easy—just talk to your provider about...”

25% of Americans have no PCP. 10% are uninsured. For whom is this messaging?

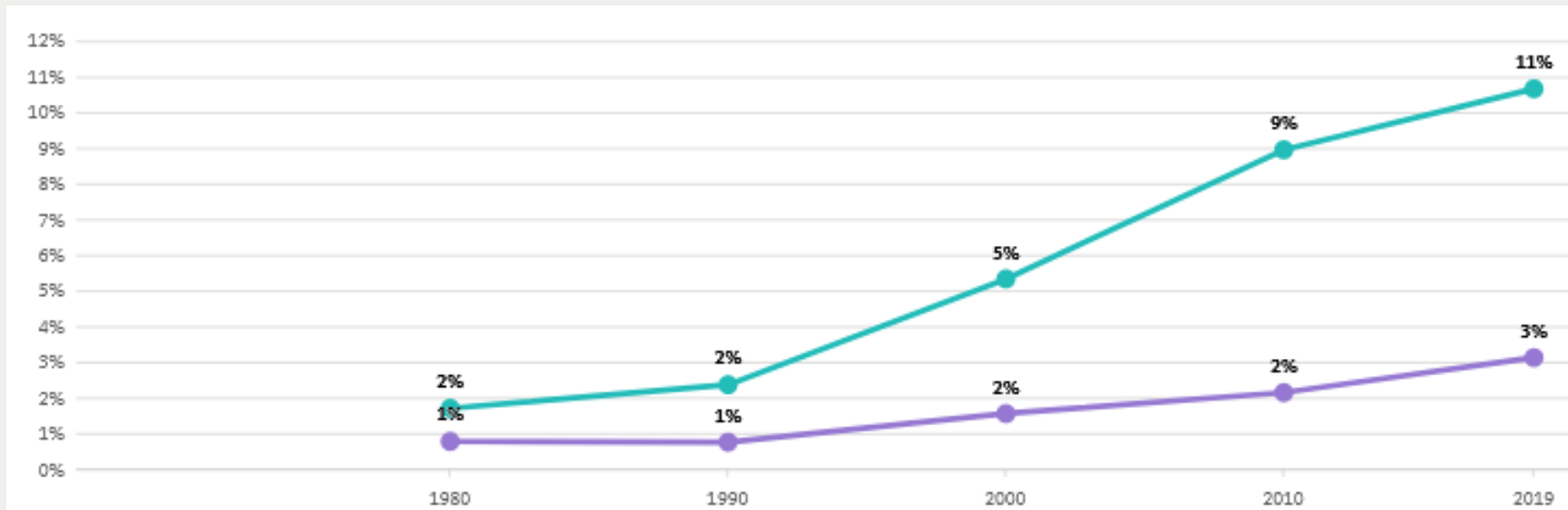
EQUITABLE ACCESS TO HEALTH EDUCATION



BEWARE FALSE SOLUTIONS: TOKENIZING



PURSUE REAL SOLUTIONS: CLOSING THE RACIAL GENERATION GAP



“The U.S. population is increasingly made up of people of color and immigrants, particularly among younger generations. At the same time, the White population is rapidly aging as baby boomers retire. These twin forces are widening the racial gap between the nation’s youngest and oldest people. The growing senior population that has aged out of the workforce carries additional societal costs in health care and Social Security, and funding for these benefits will derive from taxes generated by today’s workers.”

Source & Quote: National Equity Atlas

PURSUE REAL SOLUTIONS: CLOSING THE RACIAL GENERATION GAP

- **Grow an equitable workforce and economy:**
 - equitable school funding.
 - universal pre-K.
 - expanded free college programs that cover living expenses in addition to tuition costs.
 - cradle-to-career support systems for low-income children of color.
- **Strengthen the elder care sector with living wages, benefits, and adequate training/standards for care workers:**
 - worker organizing.
 - innovative business models.
 - policy changes.
- **Help older adults age in place and provide safe & healthy places to raise children:**
 - intergenerational programming.
 - intergenerational communities.
- **Build policy for benefit youth, older adults, and the "sandwich generation" caring for children and parents:**
 - intergenerational alliances, coalitions, and campaigns.
 - lower and/or eliminate tuition for higher education.
 - eliminate current student loan debt.
 - free healthcare for all.
 - expand the National Family Caregiver Support Program.
 - require all employers to offer paid family leave.

EQUITY IMPACT ASSESSMENT TOOL

STATE OF VERMONT EQUITY IMPACT ASSESSMENT TOOL

The State of Vermont is committed to advancing equity for all those who live, work, play, and learn in Vermont. Through data-informed program design and careful consideration of compounded historical inequity, agencies across the state can craft budgetary and programmatic proposals that align with the State's values and meet individual and shared goals.

Instructions: Complete this form as thoroughly as possible and submit with any supporting documentation to your reviewer/approver. For questions regarding this form, contact Racial Equity Director Xusana Davis or Policy and Legislative Affairs Director Kendal Smith.

At a minimum you must answer the bolded questions: 1-8, 12, 14-15, 17, 21 -22, 24-25

PROPOSAL BACKGROUND

- Briefly describe the proposal. Include background information regarding the problem the proposal is intended to address.**
- Is the proposal related to COVID-19 response or recovery?**
 - If so, is there federal or other COVID-19-related funding that may support the proposal?**
- What are the intended outcomes of the proposal?**
- What are the consequences of not implementing this proposal?**
- Are there fiscal implications of this bill for the Agency/Department? If yes, please describe.**
- Is the policy evidence-informed?**

STRATEGIC PLAN, METRICS, GOALS, INDICATORS

- Does this proposal advance a strategic goal and/or key performance indicator of your Agency/Department, or State Government, as defined here: <https://strategicplan.vermont.gov/>. If yes, which?**
- Are the desired outcomes specific and measurable?**
- Do you have sufficient population-level data to understand whether the proposal would address or create any racial disparities?
 - If not, what data would be needed?
- If implemented, can you collect disaggregated demographic data, track it, and evaluate it to assess equity impacts?
- Are there staff trained to analyze the data related to the proposal?

Inter-Agency or Multi-Sectoral Collaboration

- Which other agencies (SOV or non-SOV) may have an interest in this proposal or its outcomes?
- Does the proposal encourage or prioritize contractors led by members of marginalized groups? This may include but is not limited to vendors designated as Minority- or Women-Owned Business Enterprises or Disadvantaged Business Enterprises.

1 OF 2

- **Systematic examination** of how different marginalized groups will likely be affected by a proposed action or decision.
- **Used to minimize unanticipated adverse consequences** in proposed policies, institutional practices, programs, plans and budgetary decisions. Reduces risk of discrimination complaints.
- **Maximizes investments and staffing** by anticipating needs, benefits, and harms.
- **Best conducted during the decision-making process, prior** to enacting new proposals. They are used to inform decisions, much like environmental impact statements, fiscal impact reports, and workplace risk assessments.

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1 OF 2

EIA Sections

- Proposal Background & intent
- Identifies Stakeholders & level of engagement
- Agency/Sector collaboration
- Evaluates benefits and burdens
- Data collection plan

EIA USE CASE: TOBACCO 21

DID NOT DO AN EIA → CREATED RACIAL DISPARITY

- There was no religious exemption in the Tobacco 21 legislation, which inhibits indigenous Vermonters under 21 from participating in the ceremonial and ritual use of tobacco.
- Tobacco is a sacred plant for Vermont's indigenous communities (used in purification & conveyance of prayers).
- Religious exemptions for certain substances are common (i.e. allowing minors to receive communion wine).

KEY EIA QUESTIONS

If an equity assessment had been conducted, this disparity would have been discovered through questions like

- How will the proposal incorporate cultural concerns of specific groups? (i.e. use of traditional healing practices, use of culturally appropriate diagnostic assessment tools, etc)?
- Did you meaningfully consult with community members in developing this proposal? If so, how? If so, did those community members include persons of color?
- Could a disparate racial impact or other unintended consequence result from the proposal? If yes, what steps are you taking to mitigate the disparate impact? Beyond these steps, what additional steps could be taken to mitigate the disparate impact?
- Is there a disparate impact for any other marginalized group (including but not limited to groups identified by national origin, religion, sexual orientation, gender identity or expression, age, etc.)? If yes, what steps are you taking to mitigate the disparate impact? Beyond these steps, what additional steps could be taken to mitigate the disparate impact?

EIA USE CASE: MWBE RECOVERY GRANTS

DID DO AN EIA (SORT OF) → MITIGATED RACIAL DISPARITY

- A formal assessment wasn't done, however, the existing disparity between business owners of color and other business owners was acknowledged and as a result, a set-aside of \$5M (with an accompanying translation plan) was established in an earlier round of COVID-19 relief grants to ensure that MWBEs did not get left behind in recovery funding.

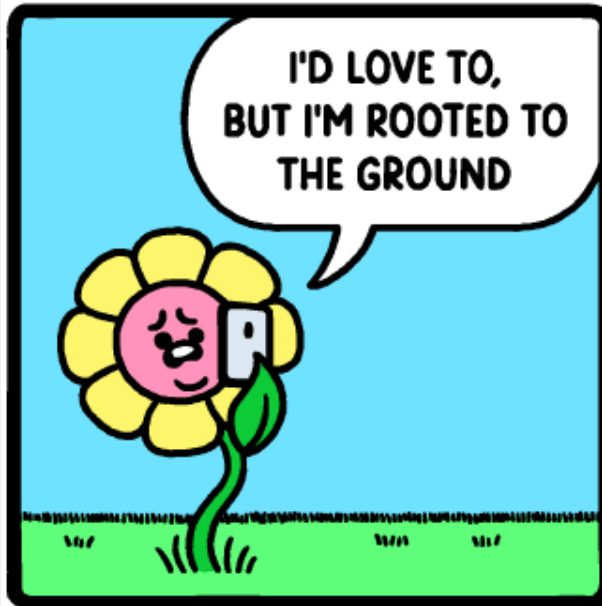
KEY EIA QUESTIONS

If an equity assessment had been conducted, the following information would likely have been surfaced

- MWBEs have lower access to credit and lending due to discrimination and fewer assets
- MWBEs were severely hindered in being able to access PPP funds (over 80% nationally)
- Immigrant-led MWBEs tend not to be among the first applicants because of language barriers, and often to not apply at all due to lack of translated materials.

If an equity assessment had been conducted, these disparities would have been discovered through questions like

- Will public written materials generated through this proposal be translated? If so, in which languages? If not, why?
- Does the proposal encourage or prioritize contractors led by members of marginalized groups? This may include but is not limited to vendors designated as Minority- or Women-Owned Business Enterprises or Disadvantaged Business Enterprises.
- Does the proposal seek to reduce disparities for marginalized or underserved groups? If so, how?



THIS COMIC MADE POSSIBLE THANKS TO JARED LUSTIG

@MrLovenstein • MRLOVENSTEIN.COM

THOUGHT QUESTIONS...

- **Why is equity important in planning for Vermont's aging population?**
(demographics, population pyramid, infrastructure and aging in place)
- **How do we ensure equity at each phase of VAPAW planning process?**
(process equity, seek community input, pause/delay when needed, measure progress)
- **How can we make sure ageism is considered in VAPAW process & beyond?**
(advanced language, tech access, terminology like "dinosaur," schooltime meetings)
- **What equity metrics could help us make/measure meaningful progress?**
(school enrollment, women under 15, homeownership & lending, access to care, job security)
- **How can we better connect statewide equity work to this initiative?**
(supporting youth supports older adults, IDEAL VT, work with immigrant communities)



GRACIAS

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