"We become not a melting pot but a beautiful mosaic. Different people, different beliefs, different yearnings, different hopes, different dreams." Jimmy Carter

Diversity & Inclusion

ALA's Committee on Diversity and Inclusion
presents

Diversity and Inclusion:
60 Tips in 75 Minutes
with Ruth V. Fry
Saul Ewing LLP

Today's Roadmap

This is what we will cover today:

- Define Diversity
- Give the many Dimensions of Diversity
- Define Inclusion
- Discuss Why It Matters
- Define Success & Challenges to Inclusion
- Policies & Procedures
- Recruiting & Retention
- Resources
- How to Make It Work

EMERGE OUR DIFFERENCES
1 Define Diversity

Diversity speaks to the differences within all of us

- age
- race
- gender
- socioeconomic status
- thinking styles
- geographic location
- sexual orientation
- and all components which make us who we are

2 Dimensions of Diversity

[Diagram showing various dimensions of diversity]

- Personality
  - External Personality
2 Dimensions of Diversity

**Internal Dimensions**
- Age
- Gender
- Sexual Orientation
- Race
- Ethnicity
- Physical Ability

**External Dimensions**
- Marital Status
- Parental Status
- Appearance
- Work Experience
- Educational Background
- Geographic Location
- Income
- Personal Habits
- Recreational Habits
- Religion & Spirituality

**Organizational Dimensions**
- Management Status
- Union Affiliation
- Work Location
- Functional Level/Classification
- Work Content/Field
- Division/Department Unit/Group
- Seniority
2 Dimensions of Diversity

3 Define Inclusion

"Diversity is the mix. Inclusion is making the mix work." - Andréa Tapia

"Diversity is being invited to the party. Inclusion is being asked to dance." - Vern S. Myers

Diversity without inclusion is simply a numbers game.

4 Why Does it Matter?

- Our clients expect and demand it
- Corporate cultures require it
- Working and networking improve in diverse environments
- Globalization changes more effectively with diverse perspectives and solutions to financial goals
- By 2022, Canada will no longer be the world's most diverse country
Why Does it Matter?

Why Diversity?
- Diversity in education has multiple benefits for students, teachers, and society.
- It prepares students for a global workforce, enhancing their critical thinking and problem-solving skills.
- Diversity fosters innovation, encouraging new ideas and solutions.
- It promotes equity and justice, ensuring that all voices are heard and valued.

Define Success

How will you know you are ready to bring Diversity and Inclusion to your firm?

- Does your leadership welcome diverse opinions?
- Is your environment open to new perspectives?
- Even if you have the ‘numbers,’ do you have the inclusion?
- Are you prepared for the long and continuous journey?

REMEMBER: While it might take a village, it only takes one to start making a difference.

If you can't feed a hundred people, then feed just one.

Mother Teresa
Obstacles to Inclusion

Your Unconscious Bias

To uncover your own bias, take the Harvard Implicit Association Tests
www.implicit.harvard.edu/implicit

Educate yourself:
"Blink" by Malcolm Gladwell or Verné Myers' "Moving Diversity Forward" and "What If I Say the Wrong Thing?"

Watch for Your Water

Like water is for fish, realize your environment is your normal. Recognize and appreciate that everyone else's 'normal' may be very different than yours.
8

Alter Your Description Bias

What are your preconceived notions of others?

8

Alter Your Description Bias

What is your image of a surgeon?

8

Alter Your Description Bias

or this?
Alter Your Description Bias

Does your day care worker look like this?

Alter Your Description Bias

or this?

Alter Your Description Bias

Did your last commercial airline pilot look like this?
8 Alter Your Description Bias

or this?

9 Micro-Inequities

Subtle, often subconscious signals may reveal bias or demonstrate the difference between inclusion or exclusion.

"You've really accomplished a lot for a woman."
"Your English is so good; how long have you been in the country?"
"You don't seem gay."
"I attended my first gay wedding."

10 How Do You See the World?

We all have preconceived notions of how and what we see in the world. If we don't have an appreciation and manage our unconscious sense of the world, then...
How to overcome our biases? Walk boldly toward them

Policies and Procedures
11 Discrimination

Ensure your handbook, intranet pages and employment policies are up to date to include new laws in your state or province. These can change frequently, so have resources to keep you informed.

12 Flex Scheduling

- Alternative Scheduling
- Staggered Start Times
- Accommodation for Disabilities
- Accommodation for Medical Situations
- Accommodation for Caretaking

13 Event Inclusiveness

- Non-gender specific language when sending out invitations
- Alternate language: "plus one" or "guest"
- Avoiding event dates which are in conflict with religious observances
14 Holidays

What Holidays does your Firm/Legal Department honor and celebrate?

Christian? Islamic? Jewish?

Would you consider swapping holidays?

"Accommodation Mindset"

ALA Website:
ala.net/diversity/planning_inclusive_events.pdf

15 Telecommuting

- Technology has created a whole new work world
- Generationally, Millennials want increased flexibility to accommodate a balanced lifestyle
- Reality Check: timekeepers already telecommute
- What about non-exempt employees telecommuting?
  - Have good policies about reporting overtime and capturing billable time where appropriate

16 Domestic Partner Benefits

- Do you allow domestic partner benefits for both same and opposite gender domestic partners even though same sex marriage is legal?
- Watch your language throughout your policy manual (spouse, significant other, partner)
- Know your own state/province legislation; may be a required benefit
17 'Grossing Up' Benefits

- Understand your own state/province laws
- Mitigate institutional discrimination
- Do you provide this benefit if same gender marriages are allowed in your jurisdiction?

18 Self-Identification LGBT

- Provide opportunity for voluntary self-identification of sexual identity
- Guarantee privacy if not 'out'
- Request for domestic partner benefits does not necessarily mean the person wants to be out

19 Employee Assistance Programs

Make sure your EAP has resources and support systems for the changing workplace

Regularly remind employees of the EAP
Rooms

- Do you have a room for:
  - prayer?
  - quiet and rest?
  - lactating?
  - reflection?
- Can they be one in the same?
- Check your state laws to be sure to comply!

Transgender

- An individual whose gender identity differs from what is typically associated with the biological sex at birth.
  - Transgender persons may or may not desire to alter their bodies hormonally and/or surgically.
  - May also use the term transsexual or genderqueer.
  - It is an adjective not a noun. "Max is a transgender person, not a transgendeer."
  - "Gender Preference is who you go to bed with. Gender Identity is who you go to bed as." Bruce Jenner

Transgender

- Educate and familiarize yourself with issues surrounding transgender transition
- Consider gender neutral/family rest room facilities
- Check your dress code policy to eliminate gender bias (do you have a separate policy for men and women?)
- Excellent resources at www.alanet.org/diversity for gender transition guidelines
- Suggested reading: "Getting to Ellen" by Ellen Krug
22 Accessibility
Renovating or Moving?

✓ Check your state/province laws for requirements; architects should be knowledgeable.
✓ Build new space or renovate keeping in mind accessibility for all.
✓ Ensure doorways, light switches and elevator buttons are accessible to wheelchair bound staff or visitors.
✓ Create flexible work station heights to accommodate disabilities and wellness.

23 Not all Disabilities are Visible

One in five Americans is disabled. Most in ways that cannot be perceived just by looking at them.

Recruiting, Selection, and Retention
Recruiting: Attracting the Best

"Strength lies in differences, not in similarities."
- S.R. Covery

24 Establish a Diversity Pipeline

Under supportive and committed firm leadership, identify where you will find your next generation of diversity.

- Where is your pipeline?
- What law schools and organizations are creating your pool of talent?
- What diverse recruiters can you use for your legal team?

25 Post Widely

Post openings to organizations which have diverse constituencies:

- Bar associations for diverse groups (NAPABA, NBA, HBA)
- Diversity focused organizations (MCBA, ILI)
- Law Schools with diverse candidates
Target Diverse Candidates

- Watch for opportunities to attend career fairs which promote diverse candidates:
  - Vault/ACPA Diversity Career Fair
  - Law School Diversity Student Organizations
  - Local Consortiums for Recruiting Diversity Candidates (TCMP)

- Use recruiters who specifically recruit diverse candidates

Equip Your Recruiters

- Diversity Brochures
- Braille Business Cards
- Documents for Visually Impaired
- Research on recruiting opportunities and how to maximize experience

Institute the Rooney Rule

Rooney Rule: NFL teams are required to interview under-represented candidates for head coaching and senior football operations jobs. Does not provide preference but ensures exposure to the opportunities.

Demand a slate of diverse candidates from your recruiters!
29 Recruit Disabled

Include in all advertising:

"Persons with disabilities are encouraged to apply."

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30 Recruit Heroes

Align existing job functions with military skill sets and create best fit opportunity for high quality talent.

HIRE HEROES USA

www.hireheroesusa.org

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Selecting the Best Candidate

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31 Hire the BEST Candidate

- Never hire a candidate for diversity's sake.
- Do not hire a candidate who does not fit your culture, values and performance expectations.
- "Diversity is not an excuse to hire diverse vs. best." Verna Myers

Use Top Ten Hiring and Interviewing Tips from Verna Myers website

32 When All Things are Equal

When two candidates are 'equal' in all categories and one is from a disadvantaged group (race, disability, gender, social status, etc), select the candidate from the disadvantaged group.

They have already had to work harder to get to 'equal'.

Retention: Keeping the Best
33 Employee Resource Groups (ERG)

- Also referred to as Affinity or Ally Groups, creates opportunity for diverse parties and allies to gather to share experiences reflective of their commonalities.
- Exclusive to some degree but the value of the support system is immeasurable.

34 Mentoring Programs

Core Objective: Attract, motivate and retain profitable talent while increasing productivity. Primarily fosters professional growth.

34 Mentoring Programs

Mentors:
- Know the lay of the land in your firm.
- Help mentee learn to navigate the corporate ladder.
- Help mentee understand the unwritten rules
- Provide a map for the uncharted corridors to power
- Reveal "the business behind the business."

**Most importantly, by assisting mentee with this essential assessment, they prepare him/her to attract sponsors.**
Sponsors deliver. They create visibility to leaders within the company — and to top people outside as well. They connect to career opportunities and provide air cover when trouble is encountered. When it comes to opening doors, they don’t stop with one promotion; they’ll see you to the threshold of power.

A sponsor is much more than a mentor. Unlike a mentor, who is usually a senior colleague, a sponsor functions as:
- an advocate,
- a supporter,
- a defender,
- and opens doors.

A sponsor is generally someone in power or leadership within the firm.

Meaningful Work
Create teams promoting diversity
Create teams that are representative of the client
Remember: diverse teams produce the best, most creative results
Resources

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ALA Diversity Resources

Available at www.alanet.org/diversity:

- Tip Sheets
- Speaker List
- ALA Diversity and Inclusion Scorecards
- Must Read Reports
- Podcasts
- Recommended Publications and Books
- ...and More

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ALA Diversity Toolkit

Need help starting your D&I initiatives?
Use our Toolkit to kick start your program

www.alanet.org/diversity/Diversity_Toolkit.pdf
For more help, tap the resources provided in the ALA Mentoring Guide

www.alanet.org/diversity/mentoringguide.aspx

Performance Reviews

Make diversity a part of the job by incorporating it into the performance review.

"Does this employee treat others with respect and foster inclusion?"

Consider incorporating an Inclusion Checklist to grow understanding and foster acceptance.

Diversity and Inclusion Training

ALA's Diversity webpage includes a speaker/trainer list including these on the forefront of change:

Andrés Tapia  
Verná Myers  
Tim Wise  
Dr. Arin Reeves  
Mauricio Velásquez  
Chris DeSantis

Purchase programmed training on Diversity and Inclusion e.g.  
www.navecglobal.com
42 Leading Your Efforts

Depending upon the size and scope of your program, you may need a full time professional to manage your program.

43 Outreach & Connections in Community

Tell your Firm's story

Volunteer in your community

Join any diversity groups not only for the exposure but also as a resource for firm efforts (guest speakers, workshops) at low or no cost.

44 Support Organizations Representing Diversity

- Minority and Specialty Bar Associations
- Minority Corporate Counsel Association (MCCA)
- Encourage and provide financial support for minority bar membership to promote and encourage attorney involvement.
- Give attorneys billable hour credit for participating in minority bar membership events.
- Check for local consortiaums promoting diversity.
45 Seek Diverse Experiences
- Attend a function sponsored by a minority bar association
- Attend a networking function geared toward diverse attorneys
- Serve on a bar association's diversity committee
- Attend a diversity and inclusion conference
- Attend an event where you are the minority

46 Dignity and Respect
- www.dignityandrespect.org/practicetips.org
- Sweat the Small Stuff  
  \textbf{Dignity \+ Respect}
- It's often the small things, such as being kind, courteous and generous, that make a difference.

47 Benchmarking Surveys
Take advantage of other's success by learning what they have done via surveys
- PWC
- ALM
- Vault/MCCA

- NALP
- HRCI
- SHRM
How to Make it Work

Set the Example

Internal Communications

1. Do you have a Diversity and Inclusion policy, mission statement or purpose statement?
2. Is everyone in your firm able to articulate what it is?
3. Is it consistently displayed?
4. Do you recognize efforts toward Diversity & Inclusion?
5. Do Diversity and Inclusion is a core value of the firm?
External Communications

- Participate in surveys; your firm's name will be prominent
- Report success stories
- Make your diversity and inclusion efforts prominent on your firm's webpage
- Share your efforts with your clients
- Create a Diversity and Inclusion brochure for your firm
- Apply for awards and recognition
- Ensure your recruiting resources know your successes

Internal Assessments

- Ask for assessment of how the firm is doing toward achieving its diversity efforts
- Decide how you will measure success
- Survey people from all areas of your firm

Make it Consistent and Relevant

- Keep it front and center on your communication vehicle
- Be sure inclusion is part of your decision making committees and client work assignments
- Engage an active D&I committee with members from all layers of the firm
- Use AIA webpage for ideas to share with your firm
53 Make it Interesting

Bring diversity to your firm in many different ways:

- speakers
- lunches
- theme events
- education
- reading lists
- recommended films

GET CREATIVE

54 Reward Good Behavior

- Credit Timekeepers with hours spent on diversity and inclusion, pro bono and mentoring
- Include diversity and inclusion on performance reviews
- Publicly and privately recognize kindnesses and inclusion

55 Use Resources & Tools for Success

ALA's Diversity and Inclusion Scorecard – Roadmap to Change

We Participate
55 Use Resources & Tools for Success

<table>
<thead>
<tr>
<th>Task Position (Task/Responsibility)</th>
<th>Sample Areas Available</th>
<th>Key Issues/Topics</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. New hire management is evaluated individually, engage several individuals, depending on hiring rate, to manage their current and inclusive profiles.</td>
<td>New Hire Training</td>
<td>Hiring diverse profiles.</td>
</tr>
<tr>
<td>2. Senior review of professional staff is actively involved in firm diversity and inclusion strategy and initiatives.</td>
<td>Senior Review Training</td>
<td>Overseeing diversity and inclusion initiatives.</td>
</tr>
<tr>
<td>3. Leadership track on active role in communicating to the organization about the commitment to diversity, the diversity strategy, and diverse initiatives.</td>
<td>Leadership Development</td>
<td>Communicating diversity strategy and initiatives.</td>
</tr>
</tbody>
</table>
"If you can't fly then run, if you can't run then walk, if you can't walk then crawl, but whatever you do you have to keep moving forward."

MARTIN LUTHER KING JR.

58
Stay Sane

Stay Sane
Be Patient
Celebrate Small Victories

59
Remember

"It is a marathon with no finish line"

Hannibal Johnson
Do Not Hesitate to Seek Help

First Call for Help =

ALA's Committee on Diversity and Inclusion

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- Resources
- How to Make It Work
Be the change you want to see in the World

Mohandas Gandhi