
DOCKET

INFORMED. INDISPENSABLE. IN-HOUSE.

In-house Counsel as Champions of Organizational Diversity and Inclusion

Cultural Competence

Employment and Labor



I started practicing law in private practice in 1990. That first year, during a bar association event, a seasoned attorney brought me a glass of wine and said, “Even if you do not want to drink it, hold it. If you are not drinking, folks will assume that you are pregnant and that will hurt your career.”

This experience, and similar ones over more than a quarter of a century of practice, demonstrate several things: First, bias shows up in many ways. Second, small suppositions have the potential to be damaging to individuals and to companies. Third, my status as a white woman has impacted my career.

Here is another story: I have been practicing in-house for most of my career. Many times, I was the only woman in a room. Once, a talented, charismatic, and well-respected white male executive arrived at an early morning meeting completely out of character, in a disheveled and distracted state. The night before, his wife was hospitalized with a minor injury. She was fine but unavailable.

Wiped out from getting his kids ready for school and after school sports, the executive described the routine as chaotic. When he started to complain about prepping lunch for the day, I had to conceal my smile. I ask him what he planned to cook for dinner and he blanched. Prepping another meal later in the day was not part of his reality. Well, it is my reality every day. Parenting is my second shift. This male executive had no concept of my reality — none. I want to suggest, despite this one experience, he still does not.

What does this have to do with diversity and inclusion in our workplaces? I consider myself to be a diversity and inclusion activist. I work on this in different ways and have for many years. With that said, I realize I benefit from privilege related to being straight, cisgender, non-disabled, Christian, and white.

Like the exec from my story, I have a lot to learn about the experiences of people in my workplace and my profession that differ from my own. What do under-represented individuals in my workplace encounter that I don't perceive or fully understand? Where are my blind spots? I will not live up to the title of "ally" unless I'm willing to examine my own privilege, the narrowness of my views, and my role in the professional and social groups where I spend my time.

Similarly, companies looking to embrace diversity and inclusion must acknowledge implicit bias within their own ranks, marry diversity and inclusion programs to their strategic objectives, and ensure that this work does not become the sole responsibility of under-represented employees. It is not their work — it is our work.

What can we do as individuals? As I mentioned above, in many meetings throughout my career, I was the only female. Early on, outsiders walked into these meetings and ask me to make copies, take coats, or get coffee. At other times, in meetings I attended that included one person of color, outsiders would always approach the white men first, assuming they were in charge. This assumption is fraught with implicit racism and sexism.

As individuals, we must address this behavior on the spot. I challenge you to take steps every day to promote individuality and differences amongst your teams. Find tools to foster inclusive behaviors that in turn will increase engagement. Take broad steps such as determining if your suppliers and customers align with your organization's diversity and inclusion goals.

Simply having a diversity and inclusion program is not enough. It should be a strategic business goal with investment from the C-Suite down. In a recent issue of *ACC Docket*, Mark Roellig of MassMutual Financial Group wrote an article entitled "Why Diversity and Inclusion Will Advance Your Business and Your Career" (login required). He states:

"If you truly aspire to be a leader, you need to make developing a diverse and inclusive

culture as important as any other operational and leadership action you take to drive performance.”

Study after study supports his statement. Companies with diverse leadership have stronger performance metrics. Organizations that prioritize the promotion of diverse employees enjoy a competitive advantage in the global business world by retaining a workforce that understands multiple cultures, speaks a variety of languages and reflects the customer base they serve.

ACC Northeast examined the competitive advantage of diversity and inclusion during a recent program at the Boston Public Library. On June 26th, in conjunction with our diversity and inclusion sponsor, Mintz Levin, members spoke with author Carol Fulp about her most recent book Success Through Diversity. I've always believed honest discussions give rise to positive change. By joining this conversation, members of the Chapter had an opportunity to learn and engage in a subject that impacts each of us.

As Roellig states, by championing the value of diverse and inclusive teams, one can attract and lead talented individuals for both corporate and personal success. I, for one, am ready to move outside my comfort zone, make myself vulnerable, and try to listen as an ally. I won't always get it right but will strive to hear what others are saying and ensure that all points of view receive consideration.

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She also serves as the vice president for the Association of Corporate Counsel (ACC)-Northeast Chapter.