



PITTSBURGH
LEGAL DIVERSITY & INCLUSION
COALITION

CORPORATE MEMBERS HANDBOOK

A resource to assist PLDIC in-house legal department members with collecting DEI metrics, relationship building programs, improving visibility of diverse lawyers at small and mid-sized firms, recruitment, retention, and advancement of diverse in-house attorneys, and additional resources.

Corporate Members Handbook

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Vendor options are detailed in [these PowerPoint slides](#). The slides can be modified to use in your presentation to leadership.
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Part II – Relationship Building Programs

This material is forthcoming. This section will include research and best practices for programs that build relationships between diverse outside counsel and in house attorneys in order to encourage retention and advancement at our law firms. In particular, this section will answer the question of what to DO with the data corporations collect from outside legal counsel.

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PART I – COLLECTING DEI METRICS FORM OUTSIDE COUNSEL

A. Determine Your Motivation - Why Does Your Organization Want to Improve Your Outside Counsels' DEI metrics?

Welcome! You are reading this guide because either you or your organization wants to see more diversity in your outside counsel. You have heard that you need to start collecting demographic data on these firms. That is great! But before you do anything, take some time to understand your organization's diversity, equity, and inclusion (DEI) goals, your legal department's DEI goals, and the DEI goals you want to achieve with your outside counsel.

Spending the time upfront to crystalize your goals will help you understand what you will *do* with the data you are about to ask your outside counsel to collect. This process will also help you set up a system of accountability – i.e. an action plan for what to do when goals are not being met, either internally or externally. Finally, having clear goals will make your DEI actions intentional and authentic – something your employees and key stakeholders are paying very close attention to these days.

1. What are the organization wide DEI goals?

Does your company have a diversity, equity, and inclusion statement? Do you have a DEI department or executive in charge of DEI? Start here. Become familiar with your organization's DEI goals and objectives. Most likely, they exist and hopefully they are specific.

Here's an example: ABC Company's CEO has made a public commitment to supplier diversity. In particular, ABC Company has the specific organization-wide goal of 5% of all vendors being minority and/or women-owned businesses. ABC Company department leaders will have to provide supplier diversity metrics on an annual basis.

2. What are the legal department DEI goals?

Now that you are clear on your organization's DEI goals, it is time to understand the legal department's goals. Again, it is likely that someone has already considered these goals. If not, it is time to get concrete. Using your overall organizational goals for DEI, start to get specific.

Does your legal department want to hire more Black lawyers? Does your legal department want to hire more lawyers who are veterans? Does your legal department want to improve your retention of lawyers from historically underrepresented backgrounds? Does your legal department want to retain more minority and women-owned businesses as vendors?

Whatever these goals are, they should be in line with your organization's goals and should be SMART (specific, measurable, attainable, relevant, and time-bound).

Most likely, you have had to make SMART goals for your own professional development. Now is the time to get concrete with your legal department's DEI goals.

Here's an example:

“Diverse teams are more creative, better at solving problems, and approach tasks from a variety of perspectives. That’s why we’re focusing on improving gender diversity at the managerial level. By 2025, we will achieve 40% representation of women in management. To achieve this long-term goal, we aim to get to 20% women in management by the end of Q4, from 13% today.”¹

Once you have established your legal department’s goals, it is time to turn to your outside counsel.

3. What DEI goals do you want to achieve with outside counsel?

You have done the work to understand your organization’s and your legal department’s DEI goals. You know what your company is interested in measuring, and you know what success looks like. Now, you need to get specific about your DEI goals for your outside counsel.

You cannot do everything at once. But you need to start somewhere. Do you want to have more racial diversity on the outside counsel teams that represent you? Do you want to spend a percentage of your outside counsel budget on minority and women-owned firms? Do you want to increase the diversity of the relationship partners from your outside firms?

Whatever your goals, just like with the legal department DEI goals, make them specific, measurable, attainable, relevant, and time bound.

Here’s an example: Supplier diversity is key component in our company’s DEI goals, therefore, in 2023, the legal department will spend a minimum of 1% of the company legal spend on hiring diverse-owned law firms in which the majority ownership is by women, racial/ethnic minorities, lawyers who are openly LGBTQ+ and/or lawyers who have disabilities.

If you need help establishing your goals, The Institute for Inclusion in the Legal Profession (IILP) has developed sample Key Performance Indicators (“KPIs”) targeting three levels of DEI efforts: 1) new to, or restarting, DEI efforts; 2) some existing DEI efforts; or 3) in the forefront of DEI efforts. You can find the KPIs [here](#).²

4. Talking Points: Best Practices for “Starting the DEI Conversation” with Leadership

You have your roadmap – now you need leadership buy-in to achieve those goals. Here are some tips to help you with that conversation:

- Prepare! Identify key facts and figures that support the desired outcome.
- Keep it simple. Time with leadership is limited and the best way to maximize the depth of the conversation and their ability to take it forward is to give them 2-3 sound bites.

¹ <https://fairhq.co/how-to-set-diversity-goals-the-smart-way/#:~:text=To%20keep%20goals%20inspirational%20and,%2C%20Relevant%20and%20Time%2Dbound>

² https://www.theiilp.com/resources/Documents/Diverse%20Outside_Counsel_2022_WEB_FINAL.pdf

- Understand your audience and identify your best opportunity. Think about what is important to them and which initiatives they have vocally supported in the past. Do they focus on employee retention? Outcomes? Social justice and impact? Find a natural segue (if possible).
- Identify your ideal takeaway before the conversation starts. What do you want to happen next? Do you need approval to issue an RFI for diverse firms? Permission to speak to HR about changing the hiring practices? Funding to establish a mentorship program? Identify where you want the “yes” and structure the conversation such that the leader’s response *can be* “yes”.
- **Potential Sound Bites:** To support your discussions with leadership we have provided a list of facts and figures. The source for each item has been linked below for reference.
 - Women’s earnings are still only 81% of men’s earnings³
 - Nearly half of post-Millennials are racial or ethnic minorities⁴
 - Male and female managers are more likely to hire men over women⁵
 - Diverse companies enjoy 2.3 times higher cash flow/employee & boosts revenue by 19%⁶
 - Diverse companies 70% more likely to capture new markets & diverse teams are better at making decisions 87% of the time compared to individual decision makers⁷
 - Global GDP could by 26% by equally diversifying the workforce (global GDP could increase by \$28 trillion in 2025 by equally gender-diverse workforce)⁸
 - 86% of women & 74 % of men seek employers with DIE strategies in place⁹

B. Be Intentional in Your Actions

1. Determine Your Budget

- Find out if your organization has a DEI budget, whether that budget is managed by one department or whether each department has its own DEI budget. At some organizations, DEI falls under human resources department’s scope, while at others, the organization creates an independent department to manage the scope of DEI efforts.
- Funds are often allocated in advance so be sure to understand your organization’s timing for proposal submission.

³ <https://www.bls.gov/opub/reports/womens-earnings/2019/home.htm>

⁴ <https://www.pewresearch.org/social-trends/2018/11/15/early-benchmarks-show-post-millennials-on-track-to-be-most-diverse-best-educated-generation-yet/>

⁵ <https://www.spiceworks.com/hr/diversity-inclusion/articles/how-do-female-leaders-hire-trends-challenges/>

⁶ <https://www.forbes.com/sites/annapowers/2018/06/27/a-study-finds-that-diverse-companies-produce-19-more-revenue/?sh=2a42d074506f>

⁷ <https://www.forbes.com/sites/eriklarson/2017/09/21/new-research-diversity-inclusion-better-decision-making-at-work/?sh=60ad2e0f4cbf>

⁸ <https://www.mckinsey.com/featured-insights/employment-and-growth/how-advancing-womens-equality-can-add-12-trillion-to-global-growth>

⁹ <https://builtin.com/diversity-inclusion/diversity-in-the-workplace-statistics>

- Ask about tools other departments may be using in your organization related to vendor DEI initiatives to see if those tools can be leveraged in your department.

2. Determine Who Will Be Accountable

- In addition to securing leadership buy-in, make sure you have identified an individual or individuals that will manage the project.
- Make sure everyone understands the time commitment involved. Even if you are using a vendor, a person in your organization will need to be responsible for providing information, responding to inquiries, and updating leadership on the status of the project, among other tasks.

3. Make sure whole legal department knows goals/plan

- Getting support from the whole department is key – make sure everyone understands not just what you are doing, but why you are doing it.
- See if you can have your DEI project appear as a reoccurring agenda item for department meetings so the whole legal department is aware of the plan and there is transparency with regard to progress.

4. Select the Vendor that best fits your goals and budget to track DEI metrics

Vendor options are detailed in [these PowerPoint slides](#). The slides can be modified to use in your presentation to leadership.

5. Talk to a PLDIC Member about their experience working with a particular vendor

The PLDIC Members listed below have graciously agreed to be a point of contact/reference for the associated vendors.

Name	Contact Information	Vendor
Allison R. Brown Counsel, Labor, Employment & Benefits PPG	arbrown@ppg.com	ABA Model Diversity Survey
		MCCA Diversity Scorecard
Victoria McKenney Deputy General Counsel US Steel	VMcKenney@uss.com	Diversity Lab Diversity Dividends Collective
Jason Norris Managing Attorney FedEx Ground	jason.norris@fedex.com	Parker Analytics Diversity Scorecard

PART II – RELATIONSHIP BUILDING PROGRAMS

This material is forthcoming and will include research and best practices for programs that build relationships between diverse outside counsel and in house attorneys in order to encourage retention and advancement at our law firms. In particular, this section will answer the question of what to DO with the data corporations collect from outside legal counsel.

PART III - HOW TO ATTRACT DIVERSE TALENT¹

Attracting diverse talent requires intentional recruiting, casting a wide net, and trying to weed out biases from the process. Below are some suggestions that your organization may want to consider.

I. Places To Recruit

Consider expanding the search beyond traditional Indeed, LinkedIn, or other similar job sites. Job boards that reach a wider array of lateral candidates, including those that are historically underrepresented, are excellent avenues that organizations seeking mid-level to senior counsel should utilize.

In addition, employers looking to hire a diverse array of incoming attorneys should expand recruitment efforts beyond the Top 50 law schools, which tend to have a relatively greater homogeneous student body. Employers should consider adding Historically Black Colleges and University (“HBCU”) law schools to their target recruitment schools. In addition, it would also be helpful to reach out to affinity groups at law schools to have recruiting and networking events with students. In-house departments that only hire experienced counsel would still benefit from building strong connections with local schools and their alumni, to build a future pipeline of candidates.

Some suggested resources are below.

A. Job boards

1. National Bar Association
2. Corporate Counsel Women of Color
3. Association of Black Women Attorneys
4. National Association of Women Lawyers
5. Minority Corporate Counsel Association
6. National LGBT Bar Association
7. National Black Lawyers
8. Hispanic National Bar Association
9. National Asian Pacific American Bar Association
10. The Leadership Council on Legal Diversity
11. National Native American Bar Association

B. HBCU law schools

1. Howard University
2. Florida A&M University
3. North Carolina Central University
4. Southern University

¹ While every effort has been made to provide accurate information, neither the author nor PLDIC warrants the completeness or accuracy of the information herein, nor assumes any responsibility or liability for any errors or omissions. Readers of this material are strongly encouraged to conduct their own research and diligence.

5. Texas Southern University
6. University of the District of Columbia

C. Law school student organizations in the greater Pittsburgh area

The following groups are in several law schools in the greater Pittsburgh area

1. Black Law Students Association
2. Asian Pacific American Law Students Association
3. Disability Law Caucus
4. Hispanic American Bar Association
5. Lambda Law Society
6. Latino Law Student Association
7. Latinx Law Students Association
8. OUTlaw
9. Pitt Law Women's Association
10. South Asian Law Students Association (SALSA)
11. Women's Law Association
12. Women's Law Caucus

II. How to Recruit

A. Participate in internship/summer programs

Whether looking for a pool of future potential candidates or just to boost DE&I efforts through local partnerships while providing an amazing opportunity to students, organizations should consider participating in internships and summer programs geared towards historically underrepresented law students. Below is a sample of programs in the greater Pittsburgh (and a bit beyond) area that provide ideas on what type of programs in-house legal departments can participate in,

1. **K&L Gates Power of Partnership Program:** The Power of Partnership Program is a diversity initiative sponsored by K&L Gates in which it partners with clients to hire diverse 1L law students for a combined summer internship to provide experience at both a law firm and corporate law department.
<https://www.klgates.com/law-students-diversity-programs>
2. **Allegheny County Bar Association Summer Clerkship program** – 1L law students who identify as historically underrepresented, have a disability, or identify as LGBTQ and attend Pittsburgh area schools (or otherwise have a connection to Pittsburgh) are placed with in-house legal departments, law firms, government agencies, or nonprofits in the Pittsburgh area
<https://www.acba.org/summer-clerkship/information-for-students/>
3. **Reed Smith's Leadership Council on Legal Diversity 1L Scholars Program** – provides diverse 1Ls with the opportunity to split their summer between Reed Smith and Highmark's legal department in Pittsburgh
<https://www.reedsmith.com/en/careers/general/diversity-initiatives>

4. **Fox Rothschild/VF Diversity Fellowship Program** - historically underrepresented 1Ls spend their summer working both with VF's in-house legal department (a worldwide apparel and footwear company), as well as Fox Rothschild. [VF's Diversity Fellowship Program :: VF Corporation \(VFC\)](#)
 5. **Jones Day's Perspectives and Pathways 1L Diversity Conference** - an annual event comprised of Jones Day lawyers, clients, and selected 1L law students (that submit a diversity statement and other application material) focused on networking and relationship-building. [Diversity | Jones Day](#)
- B. Ensure that your job postings and screening are inclusive
1. **Ensure job descriptions are inclusive**
Organizations should review and, if necessary, modify their job descriptions to make sure that the language they use is inclusive. Organizations can do this manually or through software, such as Textio², which scans and identifies verbiage that may indicate a certain preference of applicant in order to suggest more gender-neutral alternatives. Some examples of "masculine" language includes words like "competitive" and "determined," which may turn women off from applying; by contrast, words like "collaborative" and "cooperative" attract female applicants. Rebecca Knight, [7 Practical Ways to Reduce Bias in Your Hiring Process \(hbr.org\)](#), June 27, 2017
 2. **Differentiate between requirements and preferences**
Among other things, we know that certain groups tend to apply for positions if they fill almost all of the requirements, while others tend to apply for positions even if they fulfill only some of the requirements. Try to distinguish between qualification requirements ("must haves") and preferences ("nice to haves", but not required).
 3. **Communicate with your recruiter**
Communicate diversity goals to the internal or external recruiter who is tasked with finding candidates for the open position. Ensuring that the recruiter is aware of your goals for a diverse slate of candidates as well as the different job boards that are available (see section I, above) will help the recruiter cast a wide net.
 4. **Consider a form of blind resume**
Consider masking names in initial screening resumes – that way, you can focus on the candidate's specific skills instead of their name/background. Certain studies have shown that applications with "black" names were less likely to get past the initial resume screen than applications with traditionally white names. Payne Lubbers, *Bloomberg*, July 29, 2021 [Job Applicants With 'Black Names' Still Less Likely to Get the Interview - Bloomberg](#)

² Neither the author nor PLDIC endorses Textio or any other software or tools cited herein.

C. Highlight Inclusive Culture at Your Organization

1. **Leverage Employee Resource Groups (“ERGs”)**

Organizations that wish to attract diverse candidates should emphasize the diverse and inclusive nature of their own organization. Highlighting ERGs – employee-led groups based on shared characteristics or life experiences – demonstrates to the candidate that an organization takes diversity and inclusion seriously, provides a sense of community, and can help answer the “Can I see myself working at X” question for the candidate. Other strategies to leverage the power of ERGs is to have ERG representatives participate in on-campus recruiting or speak at similar student groups on law school campuses to demonstrate the importance of inclusivity to the organization.

If an organization does not have any ERGs, it may be a good idea to survey employees to see if there is a desire to create one or more. All employees should be invited to participate in ERGs, either because they identify as a member of the group or are an ally.

2. **Highlight Inclusive Benefits and Recognition**

Highlighting flexible and inclusive benefits that your organization offers is critical to attracting candidates in any competitive labor market, including diverse candidates. Many organizations have generous parental leave, flex-time or remote work capabilities, LGBTQ+ inclusive policies, and generous medical and health benefits. Linking to these policies as well as any external recognition that the organization received for such benefits (such as Human Rights Campaign’s Corporate Equality Index, Seramount 100 Best Companies, Disability:In Best Places to Work, among others) on your job postings underscores the company’s financial and social commitments to inclusion.

3. **Discuss diversity strategy/efforts**

Does your company have a Chief Diversity Officer? Does it have public goals for increasing diverse representation in its ranks? Does it have specific mentoring or training programs that demonstrate its commitment to DE&I? Is it a member of various inclusivity-related organizations, such as PLDIC or Vibrant Pittsburgh? If so, shout it from the rooftops on the organization’s website, its LinkedIn and other social media accounts, and anywhere else that a candidate may look for information about your organization.

III. **Interview Guidance**

A. Consider adopting Mansfield Rule

The Mansfield Rule requires participating legal departments to consider historically underrepresented counsel for various positions. This rule does not set any particular quotas or hiring directives, rather it stresses *consideration* of diverse attorneys for roles. The idea is that if a candidate slate is diverse, the chances of hiring a diverse individual is greater. Participating law firms must affirmatively consider candidate pools that are 30% diverse for senior roles and

leadership positions --- which applies both to current attorneys at the firm as well as outside lateral candidate recruitment efforts. That includes practice group and leadership appointments in the law firm, client pitch teams, as well as lateral recruitment of senior associates and partners. The in-house legal department corollary of the rule requires that 50% of candidates for new hires or internal promotions must be diverse individuals (and 20% of those cannot be women), and that when selecting counsel for new matters/new engagements, 50% of the teams considered must be led or co-led by a historically underrepresented lawyer. For more information, including a detailed set of requirements for legal departments, see the Diversity Lab site. [Mansfield Rule: Legal Department 3.0 Edition - Diversity Lab Diversity Lab](#)

Even if an organization does not wish to formally become Mansfield certified, it can adopt its own set of diverse slate requirements that can help increase the chances of hiring diverse individuals for open legal positions.

B. Prevent hiring bias

Companies should consider having interviewers (which may include HR personnel, recruiters, hiring managers, or others) to take unconscious bias training in order to mitigate against the type of biases that can creep into interviews. Learning to recognize and control unconscious biases, and not let them influence hiring decisions, is key to attracting a diverse workforce.

1) Unconscious Bias Training

Unconscious bias training should target some of the common biases that may sneak into the hiring process, including those found below:

- a. “Double bind” bias: competent women are seen as abrasive; empathetic women are seen as too soft Catalyst, *The Double-Bind Dilemma for Women in Leadership* (August 2, 2018).
- b. “Affinity bias”: people are often drawn to candidates who are similar to them in terms of school, culture, upbringing, race, and gender [How to Reduce Personal Bias When Hiring \(hbr.org\)](#)
- c. Prove-It-Again bias: Certain groups have to prove themselves more than others --- ie, white men are judged on potential whereas PIA groups are judged on their accomplishments. [Four Patterns of Bias: Tips, Strategies & Exercises | Bias Interrupters](#)
- d. Tightrope: Behavior that’s acceptable for white men is not acceptable for underrepresented groups. For example, direct and assertive may be OK for white majority men but could be considered threatening in people of color. [Four Patterns of Bias: Tips, Strategies & Exercises | Bias Interrupters](#)

- 2) **Challenge assertions about cultural fit**
Ask what does “cultural fit” mean? Who is determining what the company’s “cultural fit” is? Consider if the candidate was a member of the majority population of the company (for example, white men), would their cultural fit still be questioned?
- 3) **Be deliberate about interview questions**
 - a. Utilize or draft interview guide - select and tailor questions to elicit information relevant to must haves. HR can assist in designing questions to evaluate relevant skills and qualifications, while also reflecting core leadership, analytical, and communication competencies.
 - b. Questions should be performance based/behavioral and relevant to work. Behavioral interview questions ask about a real-life situation where you previously used or demonstrated the required job behavior or competency. Interviewers can ask for an example of a situation where a candidate was required to take a specific action (for example, change in job responsibilities or a challenging work situation); the actions the candidate took in response; and the results of that action.
 - c. Use pre-scripted questions. Ask each candidate the same questions to the extent possible, so that you are comparing candidates similarly.
- 4) **Avoid certain questions that can veer into protected characteristics.**
Focus on asking questions that are directed towards finding the best qualified individual for the position, and supports the organization’s commitment to diversity and inclusion. Avoid questions that have the potential to implicate any legally protected characteristics (race, religion, etc.) and/or make the candidate feel unwelcome. Some “don’ts” are below.
 - a. Do not ask candidate what country they are from
 - b. Do not ask if they are married, have children, or are expecting to have children (now or in future)
 - c. Do not ask whether an applicant has a specific disability
Tip: Instead of asking candidate about a potential disability, review the essential functions of the job and ask the candidate if they can perform them. If the applicant needs an accommodation in order to perform the essential functions of the job, discuss with HR.
 - d. Do not ask about age, his/her general physical condition, any impairments
 - e. Do not ask questions regarding applicant’s complexion, color of eyes, hair
 - f. Do not ask questions about sexual orientation or gender identity
 - g. Do not ask candidate about their religion

C. Utilize a diverse panel to conduct interviews

Organizations should consider using diverse panel interviews, which consist of no less than two interviewers. Ideally, the panel is diverse in terms of race, gender, age, status as a veteran or individual with a disability, identifying as LGBTQ, experience, perspective, or position, for example. If possibly, conduct interviews as a group. Invite HR to participate in the interviews.

Conducting interviews as a diverse panel helps mitigate affinity bias where people feel inclined to hire individuals who look like them, went to the same schools as them, etc. In addition, it prevents an echo chamber effect where interviewers reach the same conclusion as a candidate because they all come from similar backgrounds. In addition, a diverse interview panel projects to a diverse candidate that the organization is inclusive and may help a candidate feel a sense of belonging, or a cultural fit, with the organization --- in other words, that they will be able to bring their authentic selves to work.

Try to have the same employees interview all of the candidates for a specific position and use a standardized method to rate candidates. Focus on each “must have” category, giving a rating that is supported by evidence/examples. Rate responses to the questions individually, and then review as a panel, including HR. Rating individually helps prevent interviewers being influenced by others’ point of view on the candidate. [How to Reduce Personal Bias When Hiring \(hbr.org\)](https://hbr.org/2016/06/how-to-reduce-personal-bias-when-hiring/)

D. Keep accurate data

Collect and analyze metrics on the pool of candidates contacted, interviewed, and hired; share those metrics with HR, the hiring managers and the relevant senior leaders. Analyze where any “drop-off” in diverse candidates occurs in the hiring process: Is it between the phone screen and the first interview? Between the first interview and callback? Between the callback and the offer? Analyze why the dropoff occurs, set recommendations, and target continuous improvement.

HOW TO RETAIN DIVERSE TALENT

To retain diverse talent, analyze and monitor diversity data and trends. This information will help shape your retention strategy, with a focus on creating an inclusive culture, employee benefits, well-being, and support, onboarding, and advancement and development opportunities.

I. Company Metrics

To understand if you're retaining diverse talent, a good place to start is evaluating your current diversity numbers. You can partner with HR to determine the diversity metrics your company tracks and the specific metrics for your department. Review your department's aggregated and anonymized diversity data and track the data at regular intervals (monthly, quarterly, etc.). This information will help you track your retention rate and turnover rate which will, in turn, help to inform your retention efforts and strategy.³

A. Retention Rate

A company's retention rate represents the number of employees that stay at the company over a set period, typically twelve months.

Calculation example: Determine your period and divide the employee count on the end date by the employee count on the start date and multiply by 100 to reach a percentage, excluding any new hires made in between this period. [Retention vs. Turnover: What's the Difference? | Indeed.com](#)

B. Turnover Rate

A company's turnover rate represents the number of employees that leave a company during a set period. Turnover rate includes both voluntary and involuntary separations.

Calculation example: Divide the number of employees who left during the year by the total number of employees and multiply by 100. [Retention vs. Turnover: What's the Difference? | Indeed.com](#)

Analyze your turnover rate and consider why and when your employees are leaving. Are they leaving within the first six months? Was there any way to retain the employee? This analysis should help shape your strategy.

³ Understanding and tracking your company diversity metrics is also one of the activities for programs like the Mansfield Rule. For more information, including a detailed set of requirements, see the Diversity Lab site. [Mansfield Rule: Legal Department 3.0 Edition](#)

II. How can we retain diverse talent?

A. Create a culture of inclusion

Listen:

Employees are more likely to stay at a company with a culture of inclusion and belonging. To understand your current culture state, ask for feedback and listen to your employees.

1. Survey assessments – survey your employees at all levels and, if possible, segment the results based on diversity data
2. Focus groups – use independent facilitators to conduct focus groups
3. One-on-one conversations – a one-on-one conversation with a manager can be a direct way to learn what is important to employees
 - i. Consider inclusive leadership training for your people managers to learn about inclusive leadership concepts such as unconscious bias, building inclusive teams, and making effective decisions in the areas of recruitment, selection, growth, and development

Act:

After listening to your employees through surveys, focus groups, or in one-on-one conversations, analyze the results and identify key themes. Next, develop a strategy or action plan to address the areas of opportunity that were identified and then implement the strategy.

B. Employee compensation, benefits, well-being, and support

Evaluate your benefit programs, including pay, regularly to ensure you're meeting the needs of your employees. Are your benefits competitive and inclusive? Consider conducting pay equity reviews regularly to assess and address any inequities. Another major benefit for employees is flex/remote work. Flexibility provides freedom many employees need to ensure better work/life balance. Employees also want to feel valued, appreciated, and recognized. Consider implementing an employee recognition/reward program.

Lastly, be cognizant of the time and effort employees dedicate to extracurriculars like employee resource groups. Often these activities are not included in employees' job descriptions and there is no compensation for leading or participating in these activities. Consider providing benefits for these efforts and/or incorporating them into job descriptions so they don't disadvantage employees or impact their core job function.

C. Onboarding

An employee's onboarding process is one of their first experiences with your company/firm. This is an opportunity to make a strong first impression and share your company's values and opportunities for employees. Ensure your new hires have an onboarding buddy/mentor. Share their options for employee resource groups or other communities within your company that they can explore. Consider creating a new hire onboarding manual and regular check ins to really engage with your employees and ascertain any needs or concerns.

D. Advancement and development opportunities

Offer training, learning, and development opportunities for employees. Benefits like tuition assistance and LinkedIn Learning can provide employees with opportunities to advance their skills and education. Consider creating roadmaps for advancement so employees know that there are career ladder options for them at your company. More information on advancement and development opportunities can be found in the following section.

III. Opportunities for Attorneys

Encourage participation in programs that further the development and opportunities for employees. The following is a non-exhaustive list of programs:

- [Women's Institute for Leadership in Law](#)
- [Leadership Council on Legal Diversity](#) (requires membership)
- [McKinsey & Company Black Leadership Academy](#)
- [ACBA's Affinity Groups](#)
- [ACBA Gender Equality Initiative](#)

HOW TO ADVANCE DIVERSE TALENT IN THE WORKPLACE

In order to advance diverse talent and create equity within the workplace, leadership needs to empower diverse employees by changing systems and processes that deter equal opportunity.

I. Communication

A. Listen to your employees

If you are not already doing so, your organization should actively poll your employees to get a pulse on their thoughts and opinions. While many employees may dismiss this as perfunctory, as a leader, you should use the data that is collected in the surveys to shape your leadership strategy.

Employees will appreciate if their employers are addressing issues that impact their day-to-day working experience. If you discover that career advancement or opportunities for underrepresented employees is an issue, you can address it and use the survey results to shape your plan.

B. Be Authentic

As in interpersonal interactions, it is important for employers to be authentic in communicating with their employees and developing plans for advancement. In Gartner's study of the general population, stakeholders are:

- 11 times more likely to respond positively when they believe the company stayed true to its values,
- 4.5 times more likely to respond positively when they believe the company's engagement was consistent with its business goals,
- and 6 times more likely to respond negatively to a message that they believe to be inauthentic.⁴

You should also aim to address unconscious bias. Our unconscious biases may impact the way in which we advance and promote employees. Behaviors may have a significant impact on the way in which employees feel included, and also will create institutional barriers over time.

- A female may be looked over for a promotion if she is "aggressive."
- Managers may only eat lunch with a few of their friends and exclude others that are not within their circle
- New candidates are recruited from alumni organizations of prestigious institutions that may have mainly white alumni

If your organization is committed to retaining and promoting diverse talent, you must address unconscious biases that are present within everyday interactions.

⁴ *Id.*

II. Advancement Within the Organization

Since we are in Pittsburgh, it may be appropriate to use a sports analogy here – your organization needs to be sure that its bench strength is strong. To develop strong leaders within the company, it may be time to revisit the ways in which you advance minority employees within your organization. Here are some suggestions on how to get started.

A. Encouraging a Strong Manager-Employee Relationship

Your organization should consider ways to ensure that diverse employees have a strong relationship with their managers. Managers are crucial to an employee's success, as they are the key to help employees advance in their career. If managers and employees come from different backgrounds or have had a different set of professional and personal experiences, they may not be able to relate to each other.

Organizations should focus on ways to help managers learn to advocate for their employees, despite differences. Managers must gain the trust of a minority employee and help them develop personalized support plans to develop their careers.

Additionally, managers should develop frequent performance feedback meetings with their employees. It is essential to keep employees feel like they are engaged and connected. Employers should create a work environment where underrepresented employees feel seen and valued.

Organizations should invest in leadership development programs for managers. There are programs that specialize targeted areas, such as:

- Standard LGBTQ Executive Leadership Program:
<https://www.gsb.stanford.edu/exec-ed/programs/lgbtq-executive-leadership-program>
- The ACBA Women's Institute for Leadership in Law
<https://www.acba.org/acbawill/>
- NAPABA Leadership Advancement Program
https://www.napaba.org/page/19_LeaderWorkshop
- TALI – Advanced Leadership Institute – and for scholarships with PLDIC, see [The Advanced Leadership Institute Scholarships - Pittsburgh Legal Diversity & Inclusion Coalition](#) (pghlegaldiversity.org)

B. Shifting the HR strategy

Often times, HR may use supply-driven planning for departments, by assessing roles and gaps in the organization. This method may neglect minority employees that are not within leadership positions.

When working with your HR teams to fill roles, you should consider looking *across* your organization, and not just *within* your immediate department, for qualified candidates. There may be attorneys across your company in non-lawyer roles that may be well suited for your open position. This increases cross-organizational access and encourages employees to apply for positions that they otherwise would not have applied.

Your organization should also consider a formal retention plan for employees. These plans can include regular interviews or check-ins with diverse employees to ensure that their needs are being met. Consider frequent intervals – whether quarterly or biannually.

C. Diversify Career Paths

Organizations should rethink the way in which they promote employees. Typically, promotion is linear – people move up the ladder to the next spot. By this linear advancement, we may neglect those in other positions within the company, or within the department. Of course, not all positions can be filled attorneys from a broader talent pool, but organizations should consider building the path to leadership with diverse experiences as opposed to just “climbing up the ladder.”

III. Mentorship and Involvement within the Company and the Community

A. Within the Company

i. Growth-Focused networks

Growth-focused networks provide a diverse pool of employees in role, skill, and experience. Generally, these networks have an executive sponsor, which provides underrepresented talent access to leadership. Research shows that in organizations that create networking programs for underrepresented talent, HR leaders are two times more likely to report they are effective at improving organizational inclusion and 1.3 times more likely to report they are effective at increasing diverse employee engagement.⁵

By promoting a formal networking organization, underrepresented talent will be able to actively network with those within the organization they may not have met before, and managers are able to build and manage networks to help underrepresented talent to perform, develop and advance.

⁵ <https://www.gartner.com/smarterwithgartner/corporate-advocacy-of-social-issues-can-drive-employee-engagement>

ii. Formal Mentoring

All employees, not just underrepresented employees, can benefit from a mentor. However, minority candidates may benefit from a formal mentor even more because mentors serve as advocates for employees. If your organization does not have a formal mentoring program, you should consider starting a program targeted at diverse employees.

To take things a step further, instead of a mentoring program, perhaps your organization will be willing to consider a sponsorship program. A sponsor is someone that is willing to advocate for someone's next key role or promotion, and who can protect them in dealing with upper management. Research from Coequal suggests that sponsorship could be "the most effective antidote to unconscious bias and entrenched leadership norms that serve as career obstacles for people of colour and women."⁶

⁶ <https://coqual.org/wp-content/uploads/2020/09/Sponsor-Effect-Canada-4.pdf>