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# A Workplace Built for 2021 and Beyond: Examining Diversity, Equity, Inclusion & Belonging and Confronting Implicit Bias\*

presented by

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## Learning Objectives

- Define and distinguish between D.E.I.B: diversity, equity, inclusion and belonging.
- Explain why D.E.I.B. matters
- Define implicit bias
- Identify examples of implicit biases
- Describe solutions to reduce implicit bias
- Moving beyond awareness

## Ground rules:

- You-on-you exercise
- Be willing to be vulnerable to your own self-inspection
- Lean into and welcome your growing pains
- Be open to growing and evolving
- Commit to a goal to challenge your own implicit bias



Consensus, overall....

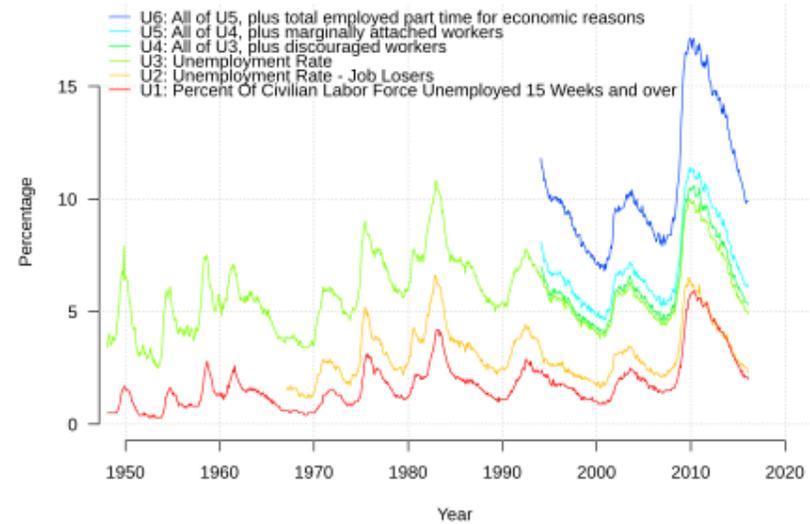


# Economic Devastation



2020 Stock-Market Crash

Measurement of unemployment



Staggering unemployment numbers

World's Economic Programs Against the Coronavirus  
Total Fiscal Stimulus Packages Implemented to Fight the COVID-19 in G20 Countries



Largest stimulus package ever



Trade War/  
Tariffs

# Polarizing Politics

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Impeachment and acquittal of President Trump



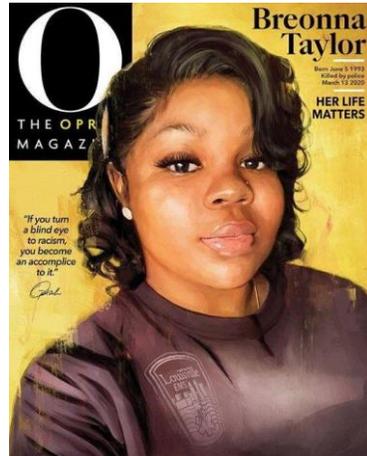
Gridlock



# Racism and Racial Reckoning



Dead: Ahmaud Arbery (25)  
February 23, 2020



Dead: Breonna Taylor (26)  
March 13, 2020



Dead: George Floyd (46)  
May 25, 2020



Targeting of LatinX population

**BLACK  
LIVES  
MATTER**



Exponential growth of  
#BLM movement in the  
U.S. and abroad



Scapegoating Asian  
Americans



Rise of Anti-Asian racism

# Record-breaking Natural Phenomena

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Wildfires burned more than 8.1 Million acres across the Western U.S.



Massive flooding



Murder hornets arrive in the U.S.



Record number of hurricanes

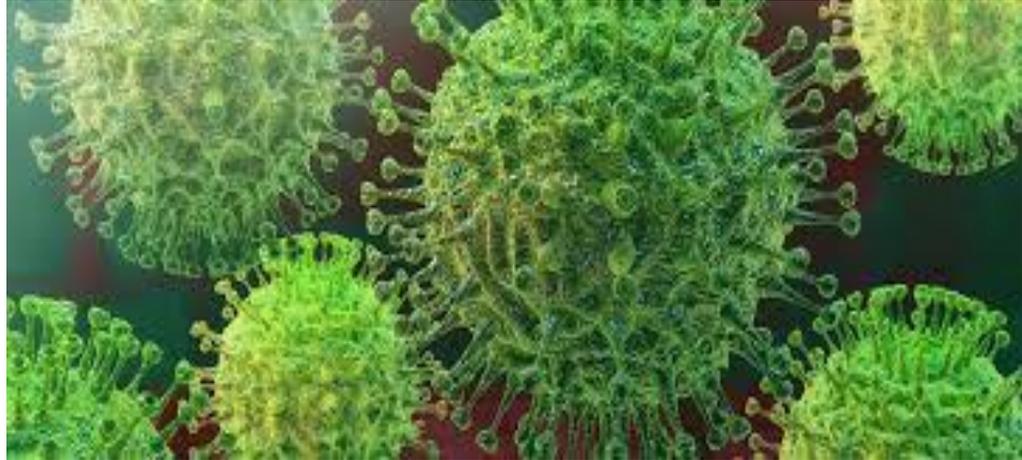


Extreme Heat

# Pandemic of Catastrophic Proportion



Digital Divide  
(educational and corporate)



COVID-19: epidemic to pandemic



Pandemic-related  
school closures



Job closures

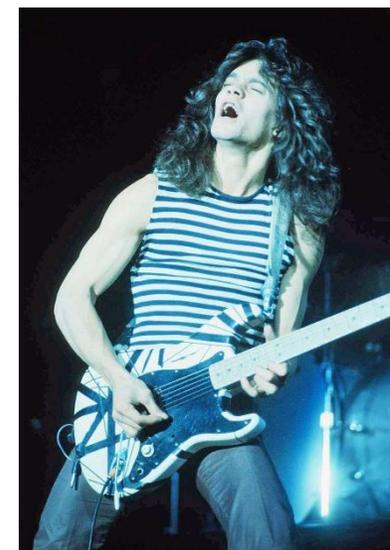
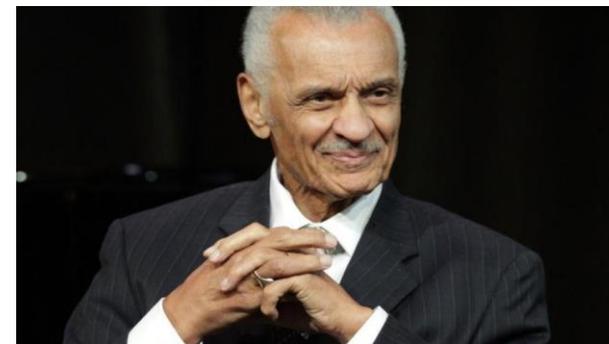


Staggering death toll in the U.S.



Overly-taxed health-care  
system

# The Deaths of Icons



Start the workday...



## Diversity, Equity, Inclusion and Belonging

NOT  
BUSINESS  
AS USUAL

## DEIB: Breaking it Down

*Diversity*

*Equity*

*Inclusion*

*Belonging*

## Diversity.E.I.B

**Diversity:** *presence of difference within a given setting. “Diversity is about a collective or a group and can only exist in relationship to others. A candidate is not diverse – they’re a unique, individual unit”*



## D.Equity.I.B

**Equity:** *Awareness that advantages and disparities exist; not everyone comes from the same starting place. Accommodations must be made to achieve equity.*



## D.E.Inclusion.B

**Inclusion:** *An action – the intentional creation of a space with the individual in mind. The goal should be for individuals to feel they were invited and are welcome to be, and are accepted as, who they are, without compromise.*



## D.E.I. Belonging

**Belonging:** *A feeling of security and support when there is a sense of acceptance, inclusion and identity for a member of a certain group or place.*



Necessary component of inclusion

Strongest correlation to engagement – higher among historically underrepresented groups

Results in increased sharing of ideas, boost in confidence and meaningful contributions



- More than 35% of population is considered multi-cultural
- In 2018, the 50% threshold was reached wherein most babies born in the U.S. are non-white
- As of 2020, more than half of all children will be a part of a minority race or ethnic group
- By 2044 no one racial or ethnic group will dominate the U.S. in terms of numbers

## Bottom Line: Credibility

[Source: U. S. Census Quick Facts: [www.census.gov/quickfacts](http://www.census.gov/quickfacts)]

## Elite Law Firm's All-White Partner Class Stirs Debate on Diversity



Paul, Weiss Announces Election of New Partners

paulweiss.com

[Source: <https://www.nytimes.com/2019/01/27/us/paul-weiss-partner-diversity-law-firm.html>]



#### An Open Letter to Law Firm Partners:

We are General Counsels and Chief Legal Officers of more than 170 companies. We represent public and private companies, start-ups, and non-profit organizations. Our businesses span industries from advertising to technology, business and consumer facing products and services to retail and manufacturing, healthcare to software, publishing to life sciences, and hospitality to financial services. We engage law firms to help us launch IPOs, safeguard customers' privacy and data protection rights, litigate "bet the company" suits, bring life-saving drugs to market, navigate challenging regulatory obstacles, and engage in high stakes mergers and acquisitions. Collectively, our companies spend hundreds of millions of dollars annually on legal services and we are committed to ensuring equality in the legal profession.

We expect the outside law firms we retain to reflect the diversity of the legal community and the companies and the customers we serve. We applaud those firms that have worked hard to hire, retain, and promote to partnership this year outstanding and highly accomplished lawyers who are diverse in race, color, age, gender, gender orientation, sexual orientation, national origin, religion, and without regard to disabilities. You and your firms have shown leadership by putting into place practices, policies, and priorities to ensure that a broad spectrum of attorneys are attracted to your firms, have a chance to demonstrate their talents, are able to successfully navigate both their professional and personal lives, and are rewarded for their exemplary performance. We believe that a diverse workplace is evidence that you have created an environment where all employees feel they belong and are accepted. We appreciate and acknowledge that effort and investment.

At the same time, we are disappointed to see that many law firms continue to promote partner classes that in no way reflect the demographic composition of entering associate classes. Partnership classes remain largely male and largely white. We have no doubt that these lawyers worked hard to earn partnership and deserve the success they have obtained at your firms. We also know that there are women, people of color, and members of the LGTBQIA community and others who are no doubt equally deserving, but are not equally rewarded. We are left to wonder if you and your partners value diversity enough to put into place programs to develop, promote, and retain talented and diverse attorneys. It is not enough to commit your firm to diversity during the recruiting process or to hire a diversity and inclusion officer and expect that person can effect change without the full commitment of each member of the firm. Instead, the reality is that you must consciously and personally invest in diversity and inclusion and interview, hire, mentor, support, sponsor, and promote talented attorneys who don't always look like you or share your background.

We, as a group, will direct our substantial outside counsel spend to those law firms that manifest results with respect to diversity and inclusion, in addition to providing the highest degree of quality representation. We sincerely hope that you and your firm will be among those that demonstrate this commitment.

*Dear Your Law Firm,*

*“ We expect the outside law firms we retain to reflect the diversity of the legal community and the companies and customers we serve..We, as a group, will direct our substantial outside counsel spend to those law firms that manifest results with respect to diversity and inclusion, in addition to providing the highest degree of quality representation. We sincerely hope that you and your firm will be among those that demonstrate this commitment. ”*

*Sincerely,*

**What is the most significant  
impediment to achieving DEIB in your  
workplace?**

## What is Implicit Bias?

As defined by the Kirwan Institute for the Study of Race and Ethnicity:

*“the attitudes or stereotypes that affect our understanding, actions and decisions in an unconscious manner. These biases which encompass both favorable and unfavorable assessments are activated involuntarily and without an individual’s awareness or intentional control. **Residing deep in the subconscious**, these biases are different from known biases that individuals may choose to conceal for the purposes of social and/or **political correctness.**”*

## New York Times Article – October 14, 2016

- Dr. Tamika Cross, a black female physician, was on a Delta Airlines flight when a passenger became sick. The flight attendant asked for a physician, but when Dr. Cross rang her call button and attempted to help, the flight attendant said, “Oh no, sweetie put your hand down. We are looking for actual physicians. We don’t have time to talk to you.”
- After producing her credentials, the flight attendant still did not believe Dr. Cross. A white male passenger walked up, said he was a doctor. The flight attendant told Dr. Cross, “Never mind we don’t need you now.”
- Who was harmed?
  - The patient
  - Dr. Cross
  - Delta

## Truths About Implicit Bias:

- Everyone has them
- They are not necessarily reflections of our conscious or declared beliefs
- In practice, they tend to favor ourselves and those like us
- Often not based on rational information, rather an emotional or visceral response
- Good news: can be redirected; not permanent.

## What informs our implicit/unconscious bias?

How we are socialized...Our contextual lens through which we view the world around us and the people in it.

- Life experience – what was “normal” in our communities, region, homes, etc.
- Family
- Friends
- Colleagues
- Education
- Media

Our implicit biases are:

Formed:

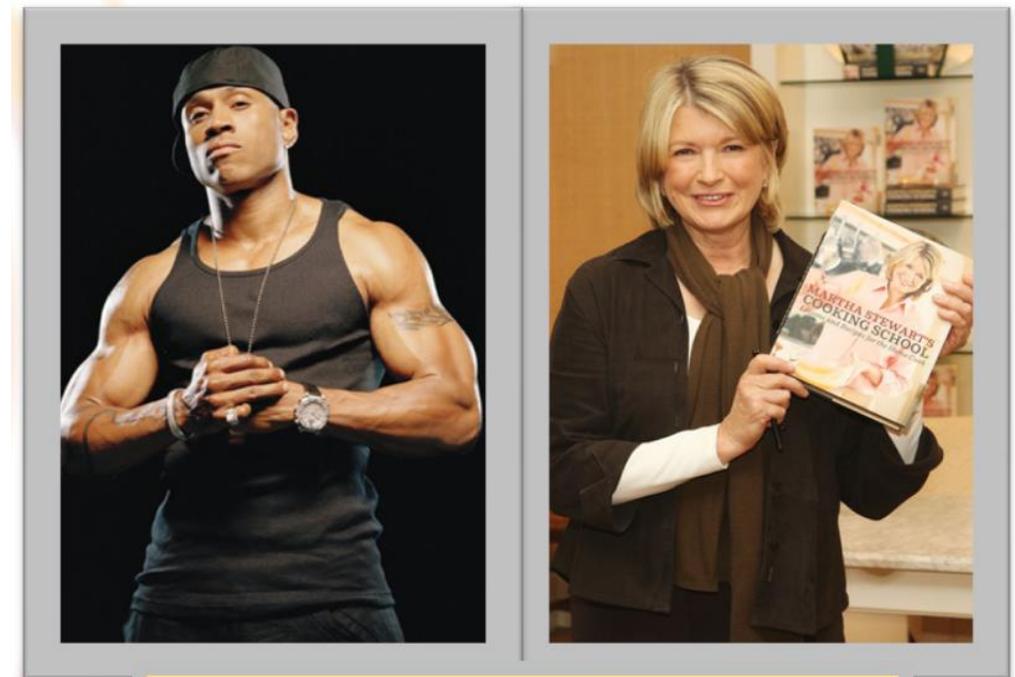
Childhood (mis)education



Often, well-settled by adulthood:

LL Cool J.

Martha Stewart



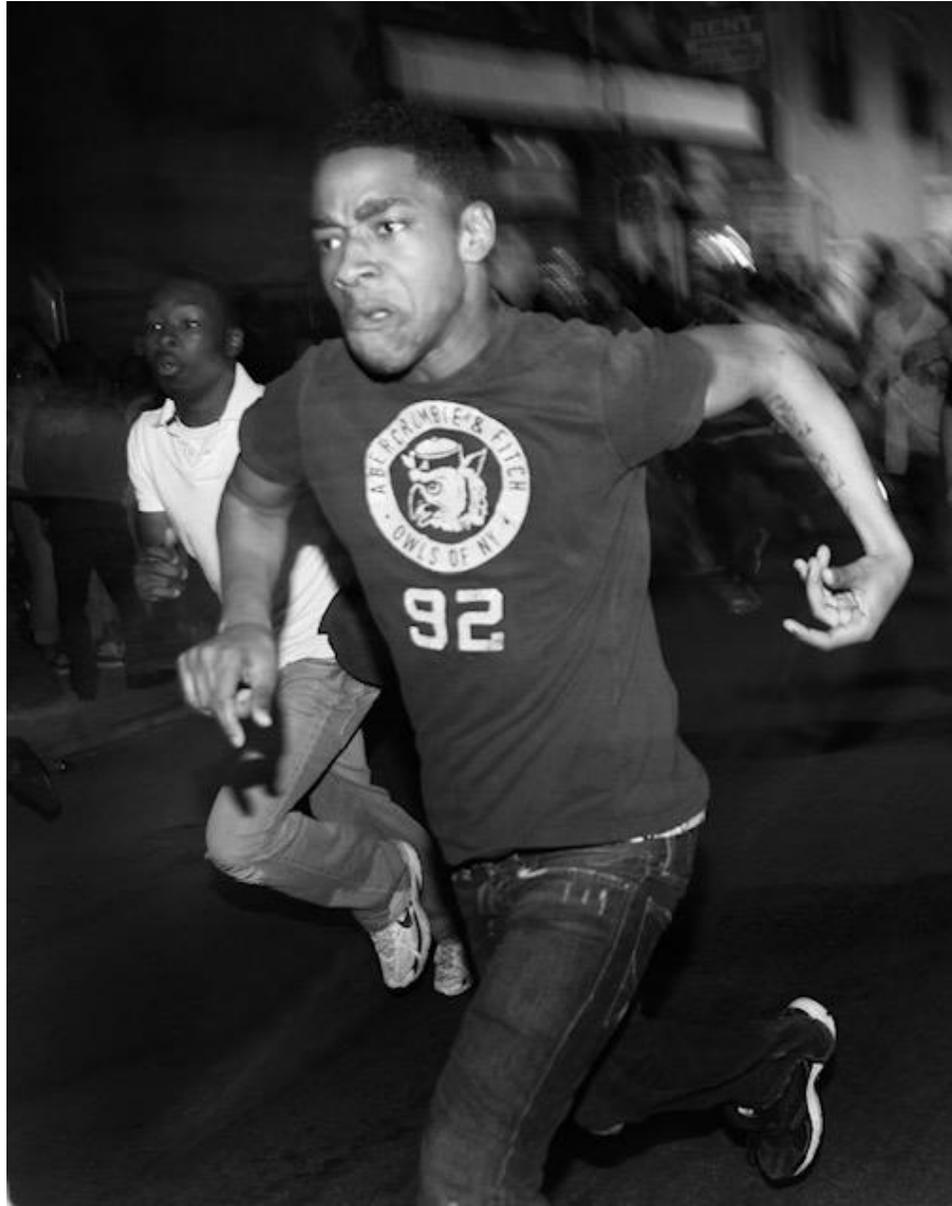
Be Careful of Stereotypes!  
Only One of Them is a Convicted Felon.

## Benefits of Implicit/Unconscious Bias

- Short-cut thinking.
- Split-second decisions to avoid situations that make us feel threatened, instinctively.
- Ability to sift through and distill innumerable sensory cues to conduct a threat analysis of a person, situation, or event that then informs our next steps.







## Affinity (Similarity) Bias

### Common tendencies:

- connect with people who share similar backgrounds, experiences, or interests.
- act favorably toward those we know and who resemble us
  - Interviewer W may have a tendency to hire candidates who attended the interviewer's alma mater.
  - Interviewer X, a former college athlete, may have a tendency to hire candidates who also played college sports.
  - Interviewer Y may have a tendency to hire candidates who are from his home town.
  - Interviewer Z may have a tendency to hire candidates who vacationed at the same lake during summers.

Source: <https://builtin.com/diversity-inclusion/unconscious-bias-examples>

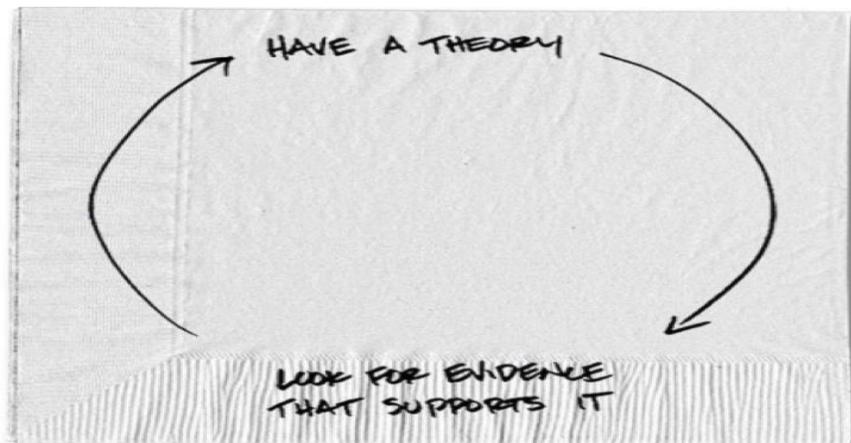
## Avoiding Affinity Bias:

- Standardized questions; standardized process
- Diverse hiring team
- actively take note of similarities you share with the candidate so you can distinguish between attributes that may cloud your judgment vs. those that may be a “culture add” rather than “culture fit”

*Source: <https://builtin.com/diversity-inclusion/unconscious-bias-examples>*

# Confirmation Bias

- Confirmation bias is our inclination to favor information that confirms our beliefs.
- We draw conclusions about a person or situation based on our personal prejudices, beliefs, or personal desires rather than on unbiased merit. **We believe what we want to believe!**
- Confirmation bias is the tendency to accept evidence that confirms our beliefs and to reject evidence that contradicts them.



Sources: <https://builtin.com/diversity-inclusion/unconscious-bias-examples>

<https://www.thoughtco.com/what-is-confirmation-bias-1689786>

## Examples of Confirmation Bias in the Workplace

- Manager A subconsciously believes all workers of the orange race are inherently lazy. As a result, manager X never provides key assignments to employees of the orange race. At the end of the year, no orange-race employees have worked on key assignments.

### **Manager A: “See, I knew they were lazy.”**

- Manager Z subconsciously believes female employees place a premium on managing the home front for the family, and as a result, Manager Y (in an effort to be respectful) never provides women professional development opportunities that involve travel – these opportunities are a fast-track to promotion. Women are not promoted at the same rate as men.

### **Manager Z: “That’s too bad. If they [women] would just devote a little more time to work; go that extra mile...”**

## Other Types of Unconscious Bias

- Gender bias- The tendency to prefer one gender over another gender or to make assumptions about a person because of his/her/their gender.
- Examples

- Interviewer A believes that women will leave the workforce to have children.

**As a result, Interviewer A tends to hire more male candidates than female candidates.**

- Interviewer B presumes men are more confident than women.

**As a result Interviewer B tends to notice lack of confidence when he interviews female candidates as opposed to male candidates. Thus, Interviewer B tends to hire more male candidates than female candidates.**

## Age-based Bias:

The tendency to have negative feelings about another person based on their age.

### Examples

- Interviewer C believes that millennials are more likely to job hop than their peers.

**As a result, Interviewer C is more inclined to hire older candidates.**

- Interviewer D believes that an older candidate who is overqualified for a position is less likely to stay in the role than a younger candidate.

**Interviewer D tends to avoid hiring older overqualified candidates and prefers to hire younger candidates.**

## Name Bias: Preference based on name association

### Interviewer C: Ebony Williams v. John Cranston.

- ❖ Based solely on the names of the candidates, Interviewer C believes that Ebony is African American and John is white.
- ❖ Before Interviewer C meets the candidates, based on their names alone, Interviewer C believes that John is a more capable candidate than Ebony.

**HOW DOES IT GO???**  
**YOUR THOUGHTS...**

## Ebony v. John

- ❖ During the interview, **Interviewer C gives John the benefit of the doubt and opts to not ask tough follow-up questions.**
- ❖ During Ebony's interview, **Interviewer C peppers her with difficult questions to expose the inadequacies that *must* exist**

**Effect?**

## Micro-aggressions

“Everyday verbal, nonverbal and environmental slights, snubs, or insults whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.”

## For example:

[To a black female] “Don’t get angry, but...”	“You are so articulate”
You must be so proud of his success in politics (e.g. Ben Carson, but you are a democrat and disagree entirely with his views.)	That’s not racist. Don’t be so sensitive. Can’t you take a joke?
How did you get this [insert seemingly prestigious position] job?	Your skin is so dark, but so beautiful Can I touch your hair?
Wow, you look so professional. [In an environment where professional dress is expected; often, the aggressor would consider him/herself as “looking professional, as well.”]	“I am color blind – I don’t see color”
“I am very proud of you” – from a person of equal rank, but different race.	I’m sure you heard about the gang-related shooting that happened in [pick a stereotypical black neighborhood.]

## Awareness

- Trainings, readings, etc.

## Dialogue

- Trainings, lunch-n-learns, small group discussions

## Individual Change

- New connections, going deeper in current relationships, paying attention to surprise

## Organizational Change

- Infusion of transparency, objectivity in hiring, evaluation, compensation and promotion processes

## Continuous Improvement

- Identifying more processes & systems that can be scrubbed for implicit biases

## Ten *Organizational* Tools For Recognizing & Mitigating Bias

1. Continued strong commitment from leadership and collective ownership of inclusion dynamic.
2. Consistent communication/signaling of importance of inclusive workplace.
3. Introduction of accountability and mitigation of bias into processes at each point of the career trajectory
  - Including diverse interview teams; rotating work assignments; blind work evaluation systems; more transparent evaluation and promotion processes.
4. Casting broad nets in recruiting practices; addition of diverse team members in interviewing process.
5. Top/Down Infusion of inclusiveness into the DNA of the Organization



## Ten *Organizational* Tools For Recognizing & Mitigating Bias

6. Review of work assignment processes to ensure equitable allocations of stretch assignments.
7. Proper formal mentoring/sponsorship program to ensure equal opportunity for growth and development.
8. Respect for individual contributors and embracing differences.
9. Candid 360 degree feedback loops.
10. Reward contributions to diversity and inclusion efforts.



## Ten *Individual* Tools For Recognizing & Mitigating Bias

1. Don't Walk on Eggshells - provide feedback in a consistent fashion.
2. Colorblindness is not a solution – Saying “I don't see color” is not only disingenuous, it means you choose not to see the whole person.
3. Understand and appreciate other people's culture, differences, etc.
4. If you stumble...recover.
5. Before you make a decision, ask whether your bias is influencing you in any way.
6. Stick to the script (Interview Guide).



## Ten *Individual* Tools For Recognizing & Mitigating Bias

7. Focus on skills, experiences, and unique qualities that could enhance your team.
8. Don't attribute the failings of one person to an entire group.
9. Cultivate cross-group friendships. Cross-group friendships change your attitudes about people from different groups.
10. Work to combat your own biases. Take the Harvard IAT test and make deliberate attempts to counter your automatic biases.



## Reminders

- ❖ Stay encouraged
- ❖ Keep up the hard work
- ❖ Celebrate the wins
- ❖ Recalibrate when necessary
- ❖ Know when to bring in reinforcements

**Diversity, Equity, Inclusion & Belonging**  
is a journey, not a *destination*

Customize

Grow

Adapt

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