The Legal Intelligencer

 $\begin{smallmatrix} T&H&E&&O&L&D&E&S&T&&L&A&W&&J&O&U&R&N&A&L&&I&N&&T&H&E&&U&N&I&T&E&D&&S&T&A&T&E&S&&1&8&4&3&-2&0&2&0\\ \end{smallmatrix}$

PHILADELPHIA, WEDNESDAY, NOVEMBER 18, 2020

VOL 262 • NO. 99

An **ALM** Publication

INSIGHT ON DIVERSITY

Being Inclusive About Inclusion— How to Achieve Buy-In From Your Organization

BY BRIAN P. SEAMAN

Special to the Legal

ot too long ago, my firm's diversity committee hosted an after-work cocktail party that was simply (but accurately) named as an "Inclusion Happy Hour." Our reasons for hosting this event were entirely transparent—we wanted to invite all members of the firm to join committee members in their efforts to make Stradley Ronon Stevens & Young a more inclusive place and recognize that their participation and passion are necessary for our success.

Nonetheless, during the event, an attorney pulled me aside and asked whether he was "welcome" at the party. When I pressed him on what that meant, he just said, "this is a diversity event. I'm not diverse. I'm not gay. I'm not a woman. I'm not disabled. I think I'm an ally, but I am not exactly sure what that means, and I'm not sure whether I should be here."

I stopped and took a moment to take in this statement. An intelligent and highly empathetic lawyer truly believed that he was not welcome at an event, the fundamental characteristic of inclusion. This got me thinking—how many other members of the firm—and the world—felt the same way? How many wanted to become involved in diversity and



BRIAN P. SEAMAN
is chief diversity officer
and counsel at Stradley
Ronon Stevens & Young in
Philadelphia. He can be
reached at bseaman@stradley.com or 215-564-8171.

inclusion efforts but felt either excluded or unsure of how to become involved? How many ignored these invitations because they were afraid of demonstrating their lack of knowledge in these areas? And how many failed to participate simply because they did not think that a more inclusive environment would affect their happiness or success?

These questions led me to scrutinize what more we could do to ensure everyone at Stradley—not just the diversity committee—was promoting inclusion at the firm. The answer was simple. We needed to make clear that creating an inclusive environment is not the sole responsibility of firm management or the diverse attorneys; it is instead the obligation of each and every individual that makes up the firm. Only when the efforts of the collective and the individual align can meaningful change occur.

When I pressed my colleague on why he believed his contribution

was neither welcome nor requested, he presumed that he did not have the individual power or position to make meaningful change within the firm. He was also afraid of demonstrating his lack of cultural competency. While I recognized that both of these notions are valid, I pointed

To ensure maximum buy-in, it is imperative to welcome individuals into inclusion efforts without scrutiny as to why they did not become involved earlier.

out that these perceptions should not and cannot stand in the way of individual responsibility for promoting inclusion.

Sadly, I have discovered over my time as the firm's chief diversity officer that my colleague's questions and concerns are widely held throughout corporate America and stand in the way of meaningful change. Often, individuals fail to take action to promote inclusion because they do not believe they have the power to affect the culture of the firm. This is simply wrong.

The Legal Intelligencer

The true impact of inclusion is most often felt in individual moments—in a moment when a junior associate is asked to join a well-established group for lunch, when a partner asks a colleague to join a pitch team and to perform meaningful work on that project, or when an employee asks her co-worker about her life experience and truly listens, even if for a short period of time. All of us can—and must—identify these moments in our lives and take individual action. The sum of those actions within a firm can be remarkable.

To ensure maximum buy-in, it is imperative to welcome individuals into inclusion efforts without scrutiny as to why they did not become involved earlier. Often, the failure of nondiverse individuals to become involved in diversity and inclusion is not because these individuals are racists, sexists or bigots. It is instead likely because those individuals never critically evaluated how their race, gender, sexual orientation and disability status may have affected their lives and successes, either positively or negatively. These individuals did not become involved because these efforts did not directly affect them. However, instead of critiquing past inaction, firms should welcome them now and retain and support their passion for becoming an ally of inclusion.

Conversely, firms must respect and recognize that certain individuals may choose to opt out of inclusion efforts. This is especially true of underrepresented and diverse individuals who may feel like the burden of these efforts has been placed squarely on them or who may feel a responsibility to champion issues they are not passionate about. Firms must create environments where opportunities exist and where everyone understands their individual role in creating an inclusive workplace.

One of the most effective ways to achieve buy-in from all members of your organization is to be strategic about changing firm habits and culture since the importance of participation is hard to ignore. Here are three techniques that can build inclusion into the DNA of your firm:

First, make it a requirement that all department, administrative and practice group meetings actively embrace diversity and inclusion. This can take the form of including an agenda item at every meeting where a member of your diversity group reports on the status of the firm's efforts or leads a discussion on a specific diversity topic. It can involve setting ground rules to ensure that the conversation is not dominated by any one individual (or group of individuals) and that interruptions are not tolerated. Or it may involve merely reviewing the invited participants at each meeting to ensure that the group is diverse.

Second, embolden members of your firm to speak up and take action when they witness anti-inclusive behavior. I always recommend the three Cs-Cut in and stop the behavior, Challenge the speaker (either immediately or in private), and Comfort the affected individual. Not all of these options fit every situation, but every situation requires action on the part of witnesses. It is not enough for a member of your firm to refrain from using anti-inclusive language; that individual must speak up in any instance where that language is used. It is also crucial as a firm to communicate that no one will face reprimand for speaking up in these situations.

Third, recognize contributions to inclusion when considering compensation or advancement. While every firm would prefer that all of their members actively engage in diversity and inclusion efforts voluntarily,

there will always be those who ask why they should or need to participate. To provide that incentive and indicate that diversity and inclusion contributions will be considered in the same way that marketing efforts, pro bono hours or mentorship contributions are considered. And be sure to provide an opportunity in self-evaluation forms for attorneys to describe the specific efforts they have made to promote inclusion at the firm. Sometimes simply asking the question year after year will encourage participation.

So back to my colleague, the one who questioned whether he belonged at an inclusion event—I now speak with him almost every week about diversity issues. He is a vocal proponent of inclusion. He takes personal responsibility for making the firm a place where everyone is treated with respect and has an equal opportunity to succeed. He is completely bought in. And I have a feeling he will be the first to RSVP to the next Inclusion Happy Hour.

Reprinted with permission from the November 18, 2020 edition of THE LEGAL INTELLIGENCER © 2020 ALM Media Properties, LLC. All rights reserved. Further duplication without permission is prohibited. For information, contact 877-257-3382, reprints@alm.com or visit www.almreprints.com. # TLI-12012020-467944