

Diversity, Equity, and Inclusion: More Transparency and Accountability

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About the Presenter



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Emily Cuneo DeSmedt, associate at Morgan, Lewis & Bockius, LLP, represents employers in a wide variety of employment-related matters, including the defense of wrongful termination, harassment, discrimination, and retaliation claims. Emily regularly helps employers develop current, compliant, and effective employment policies, with a particular focus on leave, reasonable accommodation, and diversity, equity, and inclusion (“DEI”) policies.

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The Past 18 Months

- Over the past 18 months, we've seen an unprecedented urgency for organizations to reexamine their diversity, equity, and inclusion ("DEI") policies.
- Internal and external stakeholders have demanded a more deliberate and intentional approach to enhancing DEI.
- Employers have looked to diverse teams of DEI professionals, recruiting managers, in-house counsel, human resources partners and C-suite executives to answer that call.



2021 & Beyond

We expect a more comprehensive approach to DEI that includes legal, ethics, HR, DEI, and compliance teams. We anticipate increased transparency, leadership buy-in, accountability, and enforcement.



Increased Transparency

- More employers are collective and publishing descriptive demographic data about their workforce
 - Publishing descriptive demographic data can encourage employee dialogue about DEI efforts
 - Helps to identify root causes of underrepresentation in the workforce
 - Establishes a baseline against which the employer can measure progress



Leader Buy-in and Employee Engagement

- Unacceptable and ineffective to compartmentalize DEI efforts
- Or to expect employees to shoulder the responsibility of advancing DEI
- Executives demonstrate a personal commitment to moving the needle on diversity
 - Implement mechanisms to engage a range of employees
 - Develop ideas for greater DEI
 - Implement across the entire enterprise
 - Create both an employee-driven DEI council and executive-led DEI council with clear communication lines between the two groups



Increased Accountability

- Implement mechanisms to hold managers accountable for diversity and inclusion
 - Performance reviews that require managers to provide concrete examples of their efforts
 - Policies that ensure consistent consequences for uncivil behavior and empower bystander engagement and reporting
 - Programs that require managers to regularly review and hold each other accountable for their respective DEI efforts



DEI Recruiting Strategies

1. Examine the schools or groups with which you advertise your positions
2. Review your job descriptions to make sure a commitment to diversity and inclusion is an essential requirement of every position
3. Reconsider your referral sources
4. Train your hiring managers on strategies to check implicit biases
5. Ensure that your hiring and interviewing team is as diverse as possible





Thank You!

