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Elimination of Bias CLE: Fostering Inclusion at Work

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Agenda

- The business case for diversity, inclusion, and belonging
- Understanding unconscious bias and microaggressions, and their impact on workplace inclusion
- Strategies for combatting unconscious bias and microaggressions

The Business Case for Diversity, Inclusion, and Belonging

Performance.

Forbes: Diversity + Inclusion = Better Decisions



2018 McKinsey Study

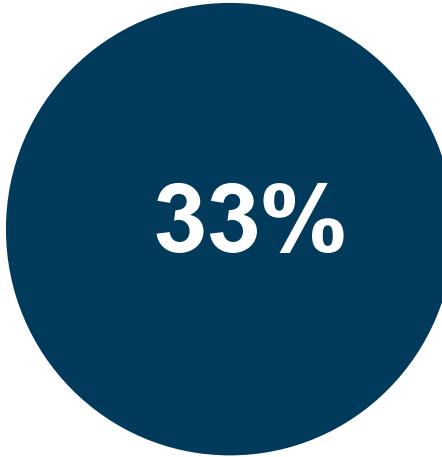
Companies in the top quartile for gender or racial / ethnic diversity are more likely to have financial returns above their national industry medians



21%

more likely to outperform

Gender-diverse companies



33%

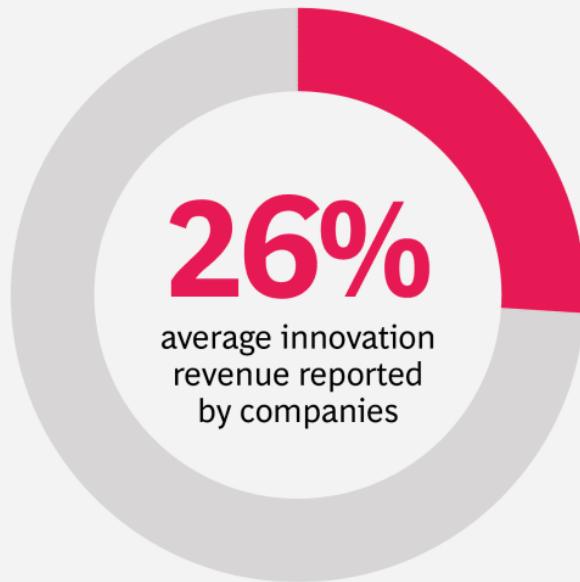
more likely to outperform

Ethnically diverse companies

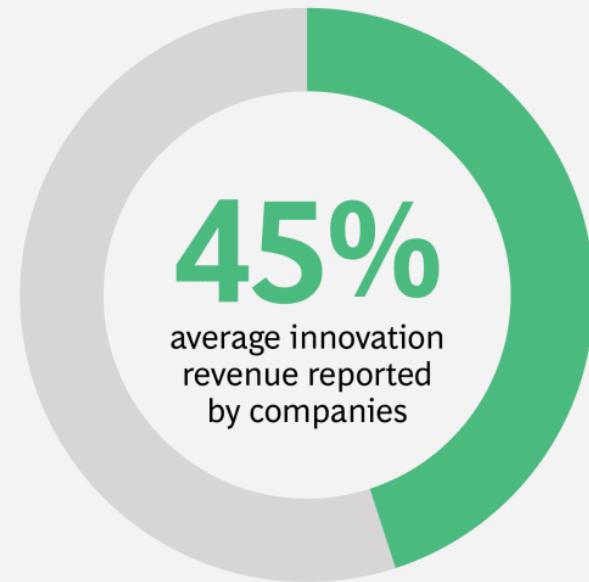
Forbes: Diversity + Inclusion = Better Decisions

EXHIBIT 1 | Companies with More Diverse Leadership Teams Report Higher Innovation Revenue

Companies with
below-average diversity scores



Companies with
above-average diversity scores



Source: BCG diversity and innovation survey, 2017 (n=1,681).

Note: Average diversity score calculated using the Blau index, a statistical means of combining individual indices into an overall aggregate index.

Inclusion Drives Innovation and Performance

MICHIGAN BUSINESS SCHOOL



A randomly selected diverse problem-solving team outperforms a team comprised of the best-performing problem-solvers

- ▶ i.e., greater ability is more than offset by lack of problem-solving diversity

MCKINSEY&COMPANY

McKinsey&Company

Companies with the most ethnically/culturally diverse boards worldwide are 43% more likely to experience higher profits.

CREDIT SUISSE



Study of 2,400 global corporations from 2005-2011 found that large-cap companies with at least one woman on their board outperformed comparable companies with all-male boards by 26%

FORBES

Forbes

Published key findings from a study of 321 executives at large global enterprises (\$500 million-plus in annual revenues)

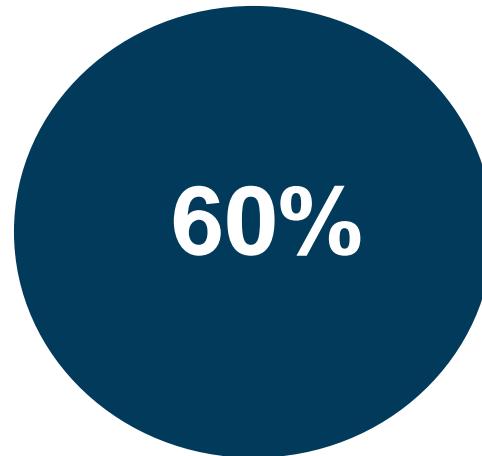
- ▶ #1: "Diversity is a key driver of innovation and is a critical component of being successful on a global scale"

Both inherent (e.g., race, gender) and (experience, cultural background) diversity is associated with business success.



likely to be
correct

Homogenous groups



likely to be
correct

Heterogeneous groups

- **Heterogeneous groups felt less effective**
 - Dealing with outsiders causes friction, which feels counterproductive
- **Homogeneous groups felt more confident that they had arrived at the correct answer**
 - People readily understand each other and collaboration flows smoothly

Case Study: Airbags



Case Study: Automatic Soap Dispensers



Consumers.

In the US annually, women influence:

7
trillion dollars
of spending

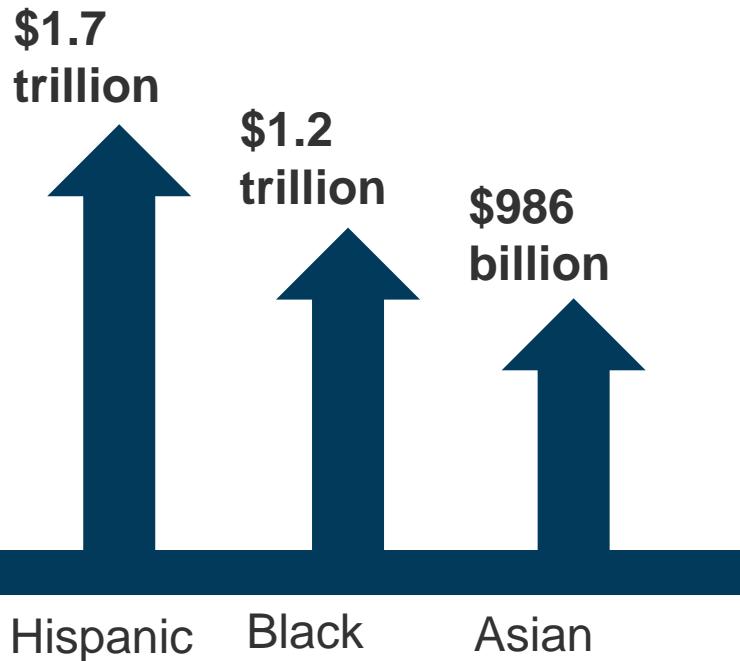
83%
of all consumer
spending

Multicultural Americans

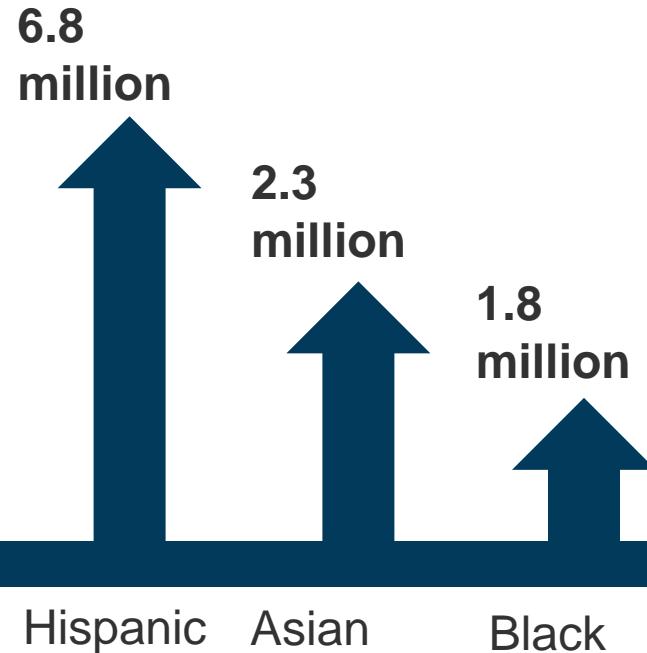
Forbes

“...spending power in the U.S. will exceed \$16 trillion by 2021, and the fastest gains will be among minority groups”

Current Spending Power



Projected U.S. Population Growth By 2020



Sources:

<https://www.forbes.com/sites/forbesagencycouncil/2018/08/02/why-a-multicultural-mindset-is-a-must-for-agencies/#20ca816f2965> (08/02/2018)

Source: <https://www.nielsen.com/us/en/insights/news/2018/multicultural-consumers-are-private-label-growth-drivers.html> (2/27/18)

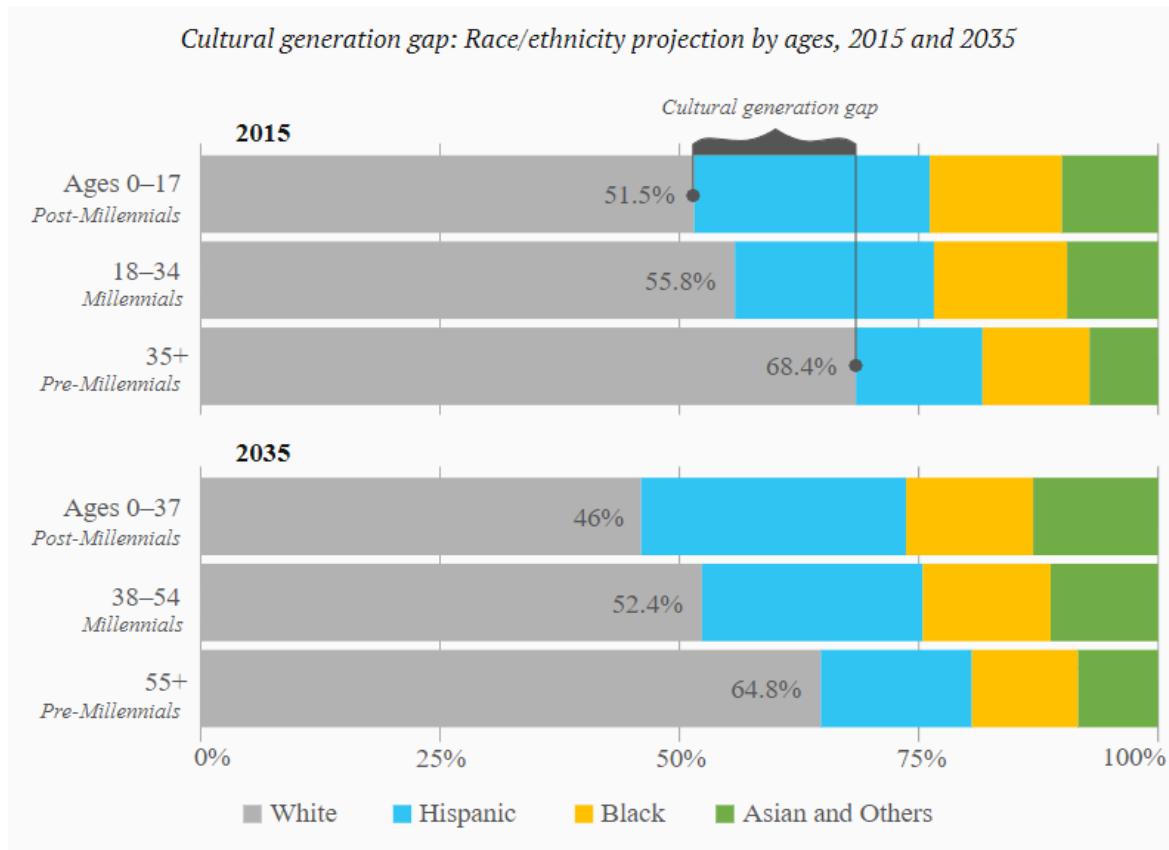
<https://www.nextbigfuture.com/2018/09/asian-americans-have-39-more-income-are-about-1-trillion-in-spending-power.html> (9/19/18)

<https://www.nielsen.com/us/en/insights/news/2018/black-impact-consumer-categories-where-african-americans-move-markets.html> (02/15/18)

<https://www.forbes.com/sites/forbesagencycouncil/2018/01/09/six-facts-about-the-hispanic-market-that-may-surprise-you/#564e09435f30> (1/19/18)

Millennials

Millennials are the largest—and most diverse—adult generation in American history



Consumer Activism

Consumers expect corporate leaders and their organizations to demonstrate support for social justice issues

69%

18-34 year olds worldwide are buying or boycotting products based on the company's position on social justice issues

67%

35-54 year olds worldwide are buying or boycotting products based on the company's position on social justice issues

>50%

US millennials are more likely to buy from a company led by a CEO who speaks out on important social justice issues

Source: <https://www.catalyst.org/research/ceo-activism-trend-brief/> (08/23/19)

Work Force.

Women

57%

of women in the U.S. were in the labor force in 2017

47%

of the U.S. labor force is women

Women earn more degrees than men:

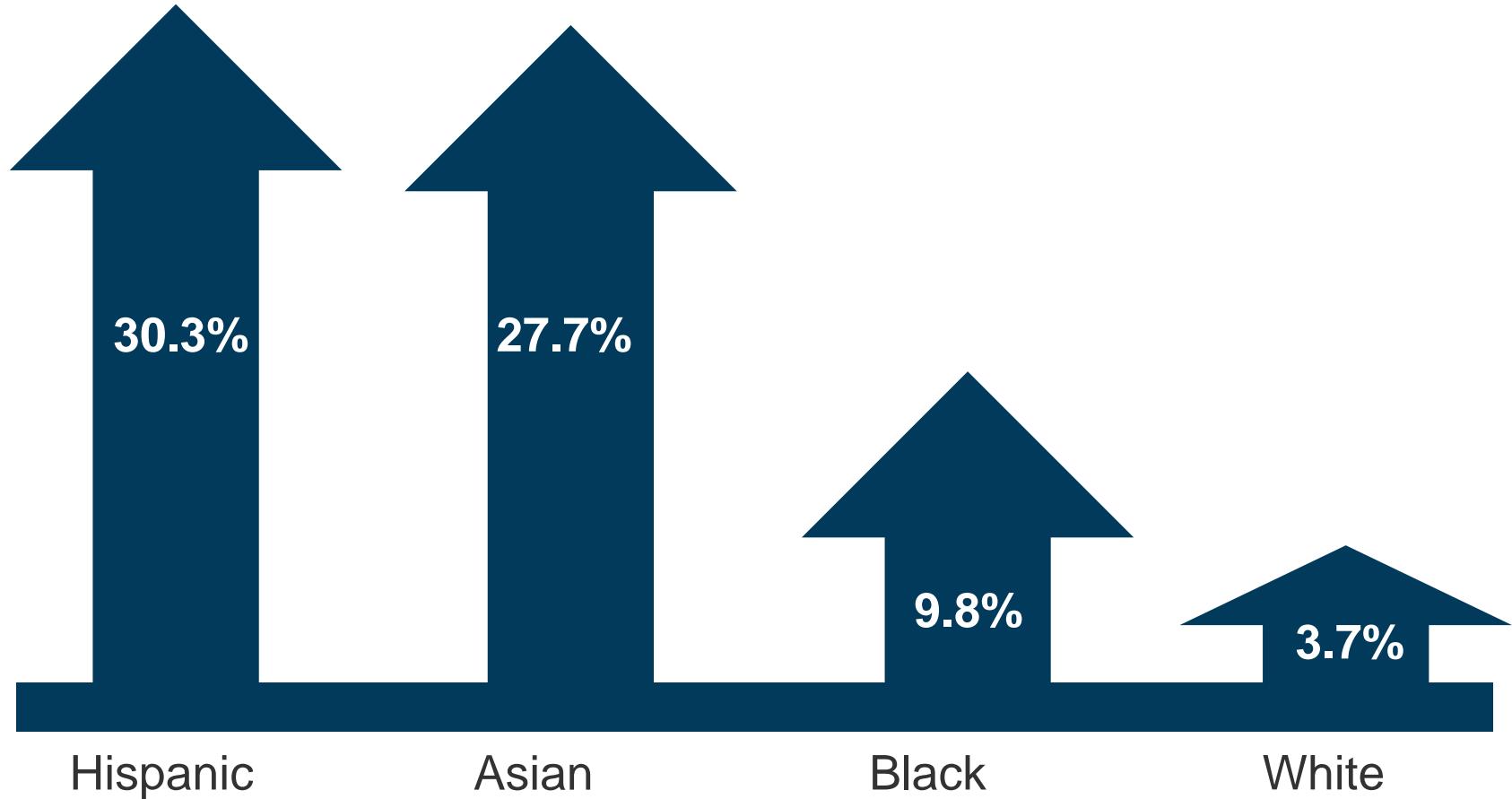
57% of bachelor's degrees

59% of master's degrees

53% of doctorate degrees

The Evolving U.S. Labor Force

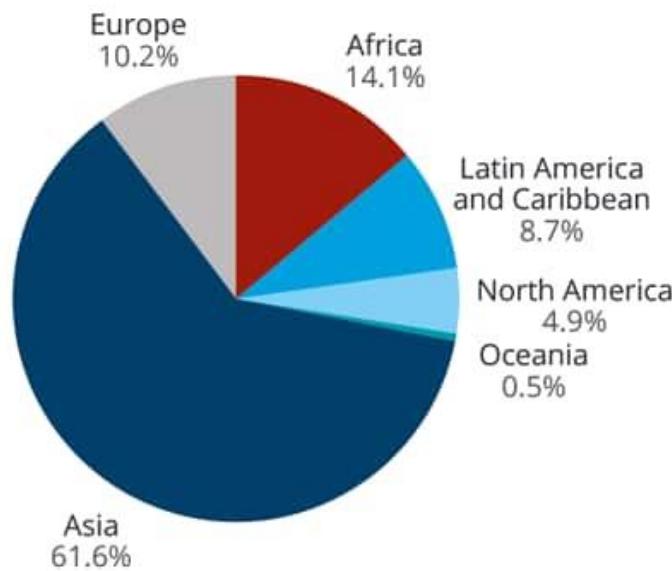
2026: Projected Growth of U.S. Labor Force



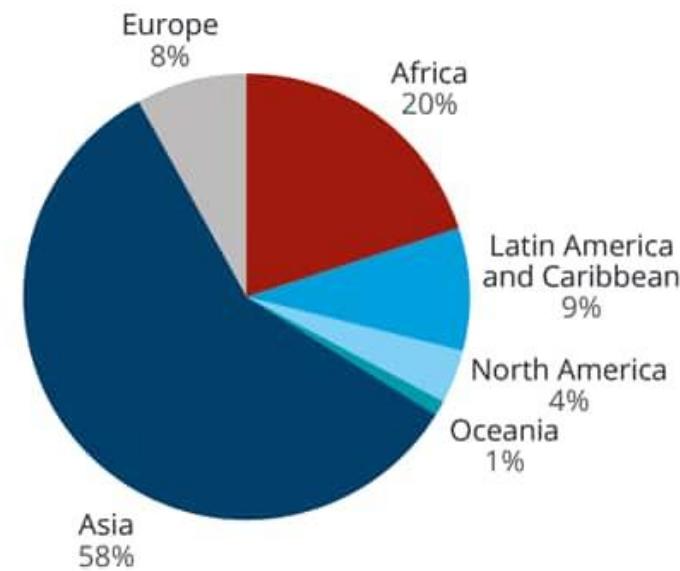
The Evolving Global Work Force

Figure 5. Comparison of future working-age populations, global

2017 working-age population (15–64): 4.9 billion



2037 working-age population (15–64): 5.6 billion

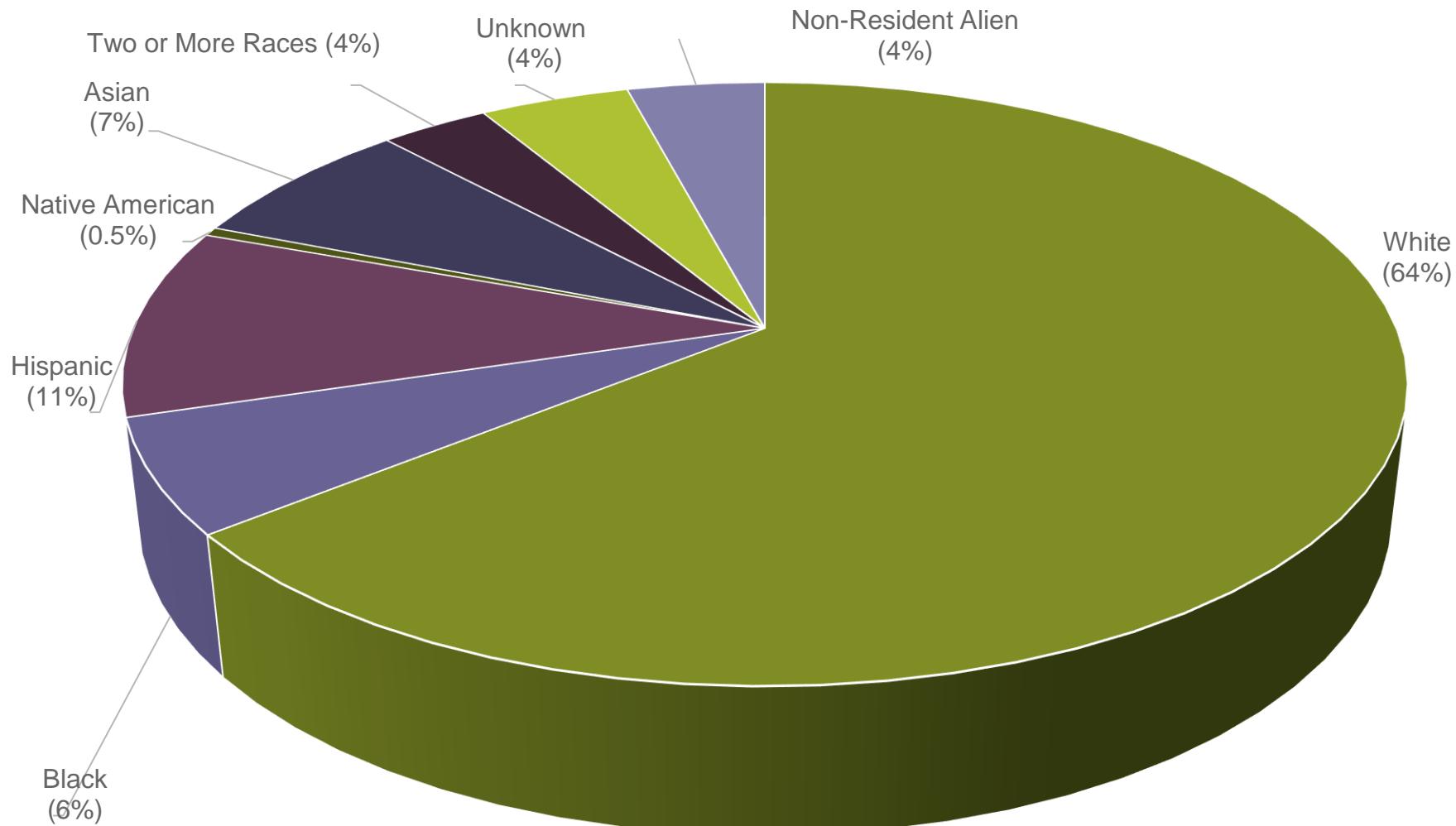


Source: US Census Bureau; International Data Base.

Deloitte University Press | dupress.deloitte.com

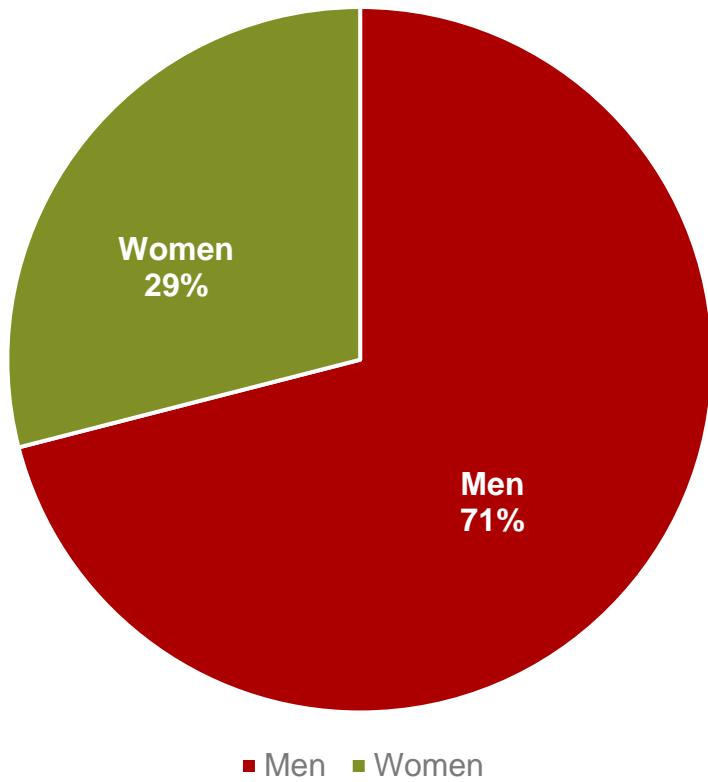
The Legal
Profession.

Class of 2021: Top 100 U.S. Law Schools

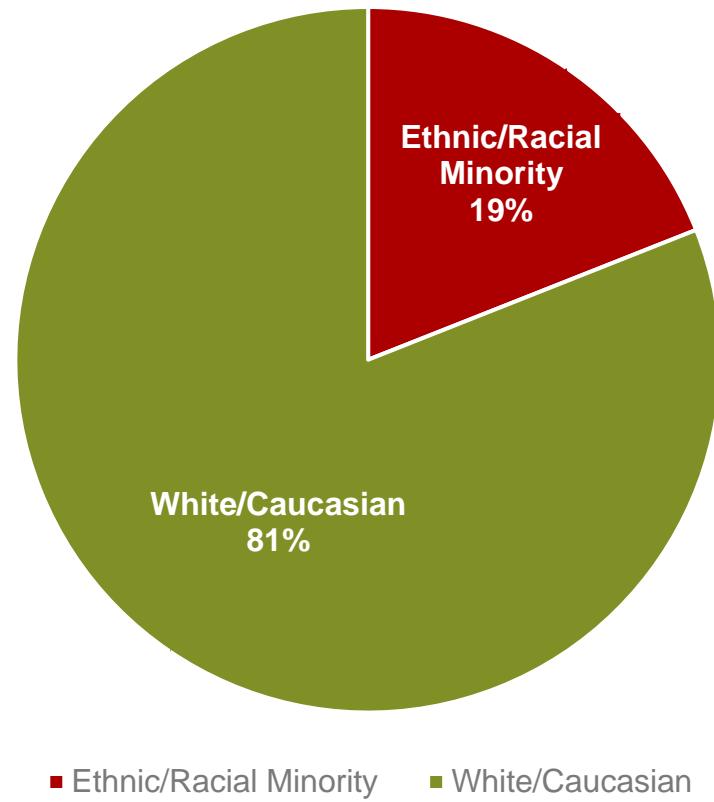


In-House Legal Departments: Fortune 1000 GCs

By Gender



By Race/Ethnicity



Source: 2019 MCCA Fortune 1000 GC Survey

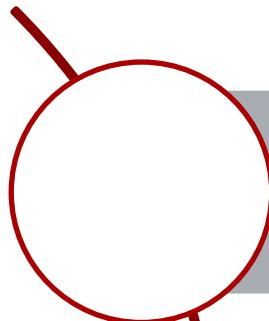
Understanding Unconscious Bias and Microaggressions

Understanding Unconscious Bias

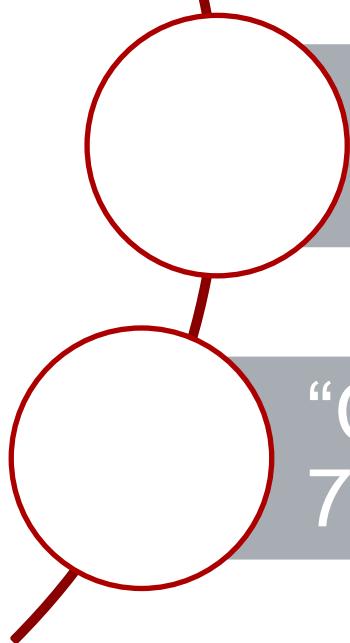
Scientists estimate that we are exposed to as many as 11 million pieces of information at any one time, but our brains can only functionally deal with about 40

Bias = pre-established filters that help us interpret

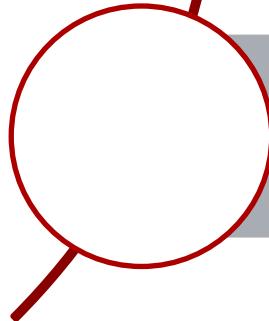
Truths About Unconscious Bias



Hidden, reflexive preferences that shape most people's worldviews



Formed by experiences, learned beliefs, values and associations



“Cognitive shortcuts” that make up 70-75% of our thoughts

Myths About Unconscious Bias

Only held by some

Means you intentionally discriminate

Are inherently bad

FALSE

We all have unconscious biases

FALSE

They happen without intention or awareness and occur outside of our conscious cognition

FALSE

Biases can be positive or negative assumptions; bias is a positive and necessary trait for survival

Understanding Unconscious Bias

Acknowledging and understanding implicit response is **critical** to informed decision-making and **fairness**

The Butterfly Effect

- Small variations can result in significant changes over time
- These small variations can negatively impact the progression of traditionally underrepresented candidates
 - Reduced access to certain benefits (e.g., mentorship, sponsorship, constructive feedback, substantive opportunities)
 - Benefits may be distributed unevenly due to unconscious bias
- *However, the opposite is also true: small variations can result in positive changes over time*
 - More even and thoughtful distribution of benefits to improve the opportunities available to all

Why It Matters

Unconscious biases can be **detrimental** within an organization

Unconscious biases may unintentionally impact:

- hiring decisions
- disparate mentoring and networking opportunities
- language used in performance evaluations
- promotion and compensation decisions

- **Heterogeneous groups felt less effective**
 - Dealing with outsiders causes friction, which feels counterproductive
- **Homogeneous groups felt more confident that they had arrived at the correct answer**
 - People readily understand each other and collaboration flows smoothly

Fluency Heuristic: We prefer information that is processed more easily or fluently

Research: Yale

Yale university study on lab manager applications.

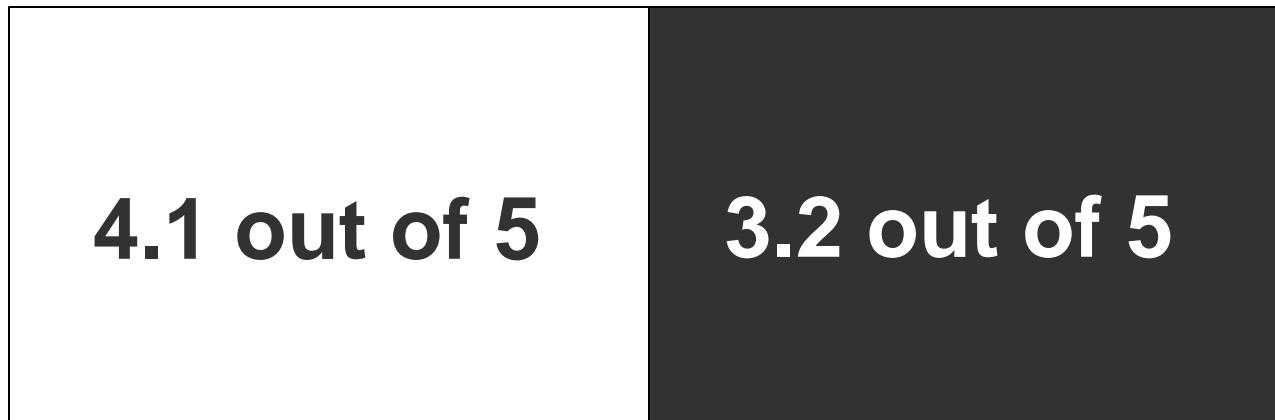
- Science faculty across various universities
- Same application with either male or female name
- Men and women both rated male applicant higher
- Men and women were both willing to pay male applicant more (>10%)



Research: Nextions

“Written in Black & White” (Nextions 2014)

- Same memo sent to law firm partners at various firms
- Half of the partner reviewers were told the associate was Caucasian and the other half were told the associate was African-American



Research: Wharton, Columbia & NYU

Asian-Americans (“*model minority*”)

- Field experiment on mentoring opportunities
- Researchers pretending to be students e-mailed 6500+ professors at top universities admiring work and asking to meet
- E-mails all identical except for senders’ racially identifiable names:

Brad Anderson	Meredith Roberts	LaToya Brown	Juanita Martinez
Deepak Patel	Sonali Desai	Chang Wong	Mei Chen

- Faculty were most likely to respond to e-mails from white males
- **High level of racial bias against East Asians and Indians.** Professors ignored e-mails from these students in greater numbers than any other students

Research: Fortune

Gender Differences in Performance Evaluations

- Among high performers, women are far more likely than men to receive personality criticism in critical reviews
- In study:

Men	Women
2 of 83 critical reviews	71 of 94 critical reviews
2%	76%

- Words like *bossy, abrasive, strident, emotional* and *irrational* only showed up in women's reviews
- Aggressive shows up as praise for men, criticism for women

Microaggressions

- The verbal, nonverbal, and environmental slights, snubs, or insults which communicate hostile, derogatory, or negative messages
- Examples:
 - Regularly interrupting or speaking over others
 - Attending to emails or otherwise not paying attention during an in-person meeting
 - Confusing the names of underrepresented minority colleagues
 - Commenting that a colleague of color is “so articulate” or “speaks English really well”
 - Delegating more administrative tasks to women
 - “Where are you actually from?”



Strategies for Combating Unconscious Bias and Microaggressions

Challenge Your Biases

- **Learn to identify your own biases**
 - *Would I think the same thing about X if X was from a different group?*
- **Be mindful of first impressions**
 - *Ask colleagues to tell you something about themselves that will surprise you*
- **Increase your exposure to others from different cultures, backgrounds and experiences**
 - *Challenge yourself to find a common interest with a colleague you don't automatically connect with*

Hiring / Recruiting

- Ask candidates to tell you something about themselves that is not apparent from their resume—surprising information can disrupt and weaken our biases
- Ask open-ended and specific questions about accomplishments and experiences
 - Limits reliance on “gut” reactions
 - Will help candidates who are soft-spoken or less confident
- Pick one or more questions to use with all candidates, so that you can elicit comparable information
- Challenge yourself to find one thing in common with each candidate

Providing Work Opportunities

- Make a list of everyone you could staff on a new project and review it before making staffing decisions
- Regularly assess whether all of your direct reports are getting equitable substantive opportunities
- Randomize work flow, to the extent possible
- Be aware of how subtle differences in work distribution can send messages to team members about their growth prospects
- Implement a more centralized work assignment structure, with implicit bias training for those making work assignments

Evaluations

- Give **feedback** to everyone (both positive and constructive)
 - Feedback is critical for professional development
 - Consider using “stop/start/continue” framework – is there one thing your supervisee should stop doing, start doing, and/or continue doing?
- Focus on specific accomplishments, objective experience, and **concrete examples** of strengths and weaknesses
- Before giving constructive feedback, consider if it would be the same if your **favorite direct report** behaved the same way
- Consider whether you would say the same thing about **someone from a different group**

Resources for More Information

Project Implicit: free online implicit association tests you can use to uncover your implicit biases; founded by scientists from Harvard, the University of Washington and the University of Virginia

“Written in Black & White: Exploring Confirmation Bias in Racialized Perceptions of Writing Skills,” Dr. Arin Reeves (Nextions)

“The 360-Degree Experience of Workplace Microaggressions: Who Commits Them? How Do Individuals Respond? What Are the Consequences?: Influence and Implications,” Jennifer Young-Jin Kim, Duoc Nguyen, and Caryn J. Block

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