

# 2020 Diversity, Equity and Inclusion Summit – Key takeaways report

October, 2020







# Introduction

Reed Smith kicked off 2020 Global Diversity Awareness Month in October with its fourth annual Diversity, Equity and Inclusion Summit. In any normal year, Global Diversity Awareness Month is important and notable but the events of this year have made all of us feel its significance more profoundly.

As part of the Reed Smith Racial Equity Action Plan, one of our key objectives is learning. This report outlines some of the key takeaways that emerged from our discussions and some of the challenges and best practices that were highlighted during the Summit.

Our 2020 Summit focused on racial justice and intersectionality. The virtual nature of this year’s Summit let us cast a wider net for attendance. We were delighted that there were over 1,100 registrants that included our clients and all Reed Smith personnel.

As we continue to explore some of the critical issues the legal industry and our society are dealing with, we are grateful to the participants for their honesty and candor, and we look forward to a continuing dialogue as together we work towards achieving greater equity, diversity, and inclusion. We especially want to thank those clients who participated as panelists.

Commitment to equity and inclusion is at the very heart of our firm’s core values and our Summit is just one of many ways that we manifest its importance. We hope you enjoy this report and look forward to seeing you at our next Summit.



**Sandy Thomas**  
Global Managing Partner,  
Washington, D.C.



**John Iino**  
Director of Diversity &  
Inclusion, Century City



**Cristina Shea**  
Partner,  
San Francisco

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# Opening Panel

## How Major Organizations Are Leading Change in Racial Equity

In this session, our panelists – all of whom have pivotal roles in their organizations and impressive careers – shared experiences they have had personally and professionally navigating conversations about race and racism, developing their organizations’ plans with respect to race equity, and helping businesses to lead change in racial justice. We explored the importance of data and transparency and talked about the role of the general counsel in dealing with the risks and liability issues related to the efforts of businesses to bring about this much needed change.



**Tamara Box**  
Reed Smith Senior Management Team -  
Europe & Middle East Managing Partner

## Panelists

- Sophie Chandaoka, Global COO Shared Services and Banking Operations, Morgan Stanley.
- Kamau Coar, General Counsel and Corporate Secretary, Heidrick & Struggles.
- Peter Ellis, Senior Management Team Chair of Litigation and Dispute Resolution, Reed Smith.
- Lauren Leahy, Chief Legal Officer and General Manager, Pizza Hut.
- Cathy Tang, Chief Legal Officer, Krispy Kreme Doughnut Corporation.

## Background

According to the World Economic Forum, if we aren’t doing something about racial inequity, we are actively damaging our businesses. In other words, if you haven’t been willing to make your company a better place, you are actually making it a worse place. The World Economic Forum identifies five ways racism is harming our organizations and institutions.

1. It stifles creativity.
2. A racist work culture helps no one – a work culture that undervalues contributions of Blacks and other underrepresented groups leads to disengagement, lower productivity, and higher staff turnover.
3. It increases absenteeism and health issues.
4. It leads to bad PR, litigation, and loss of income.
5. People want to do business with firms that are visibly anti-racist.

The World Economic Forum adds that businesses also have a moral obligation to address this issue.





Key Takeaways

- The Three H’s of leading society to a more equitable workplace**
- Head – Diagnosing the issues based on facts.
  - Heart – Understanding the experience of others through open and honest conversations.
  - Hands – What do you want me to do, and how should I do it? How can I have a meaningful impact?

- Handling risk around having open and honest conversations about racial equity**
- We can and should look at the data around diversity and inclusion (D&I), but it is most impactful to have conversations about personal workplace experiences.
  - As lawyers, our job is to mitigate risk, but we have to balance that against the need to talk about personal experiences.
  - In the current environment, the bigger risk is not having these conversations.
  - Lawyers are negotiators and know how to have hard conversations, so we are well positioned to lead change in this area.

- The role of data**
- Data is a vital piece of the picture, but it is not the end goal; we cannot just aim to improve the numbers, we have to use it as a catalyst for change in behavior and practices.
  - It is important to understand the basis of the data and what it stands for, and to use it responsibly and perhaps even aspirationally.

- The role of the business community (including lawyers) in furthering racial equity**
- This is the time for the business community to be seen and heard, and be out in front when it comes to racial equity. The corporate world has the ability to set the standard for what we need to do, and as leaders, we need to hold that role near and dear.
  - It is not enough for companies to say “I’m against racism” – they now need to say what they affirmatively stand for.
  - The role of general counsel is to nudge their companies to overcome racial equity – they might have to be the only ones in the room to say no.

- Accountability and consequences**
- Corporations and organizations hold themselves accountable in many different areas, but not much in the area of diversity and inclusion.
  - We need to use both “sticks” and “carrots,” plus accountability and consequences – that is, set the floor by identifying our expectations in this area, then hold people accountable for actions that do not drive toward racial equity. We cannot expect just the people in diverse groups to be responsible for fixing these issues.
  - If we apply the same amount of passion, effort and accountability to D&I as we do in other areas, we can make progress.
  - Companies also need to apply these standards to their suppliers, including law firms. Companies have to demand action, and then partner with suppliers on ways to help make change.

- Addressing racial inequity in global companies**
- Racial equity is a value that has to be shared across organizations, but how we get there requires some nuance in different geographic regions.
  - It’s not easy; the solutions can be as much of a “quilt” as diversity itself.
- Parting advice from our panellists**
- Examine the employee lifecycle to identify where there are differential outcomes between diverse and nondiverse personnel.
  - As Ruth Bader Ginsburg said, “Fight for things you care about, in a way that encourages others to join in. Figure out how to make the journey to racial equity in a way that will bring the most people along.”
  - Operationalize intentionality.
  - Move from stated allyship to “co-laboring” – we cannot just leave it to our diverse personnel to drive change.
  - Don’t expect perfection – just encourage people to keep showing up; be bold and live up to your brand.





# Keynote Address



**Feminista Jones**  
Intersectionality Expert, Author  
and Award-Winning Blogger

## Opening

We have to talk about liberating minds as well as liberating society.

The key to changing what's wrong with society is to change the minds of people within.

We need to push beyond what has been outlined in the company handbooks, diversity videos, etc.

D&I is one of those ideas that sounds good on paper and comes about with good intentions, but the ball keeps being dropped. The biggest problem companies face when they try to address issues surrounding racism is they don't actually try to address them, but instead talk about them, show awareness of them, without getting to the root cause of the issues. People get so caught up on the idea of making the change instead of actually making the change. Problems usually come down to those in leadership.



## Real Life Examples

I was brought in by an organization to develop a program around Black people sharing their stories of personal trauma due to racism in several cities in the United States. The people who were doing this labor of sharing their stories were making less than \$100 per story. This was very emotionally taxing; they needed to travel, to be away from their families, but they were not being compensated (“pimping poverty”). The organization brought in facilitators to help staff and leadership understand what was going on. Leadership could not recognize how racism and anti-Blackness could exist in the organization when they were trying to heal and reconcile.

A different organization was facing sexual violence and harassment claims. Toxicity of the environment had hit social media and the organization was receiving backlash. I was brought in to help address the traumatic events of sexual assault and harassment. Dealing with the fallout of being lumped into this, receiving threatening messages, etc. Listened to the employees, asked what they needed and delivered.

### What can we learn from these two situations?

1. Leadership needs to ask employees what they need without assuming.
2. Leadership needs to look at who is in the room when they make these decisions (diversity of thought).

## Intersectionality

### What is intersectionality?

Intersectionality: the interconnected nature of social categorizations such as race, class, and gender as they apply to a given individual or group, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.

Black legal scholar Kimberlé Crenshaw coined the term “intersectionality” in her insightful 1989 essay, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics.” The concept of intersectionality is not an abstract notion but a description of the way multiple oppressions are experienced.

Crenshaw argues that Black women are discriminated against in ways that often do not fit neatly within the legal categories of either “racism” or “sexism” but as a combination of both racism and sexism. Yet the legal system has generally defined sexism as based upon an unspoken reference to the injustices confronted by all (including white) women, while defining racism to refer to those faced by all (including male) Blacks and other people of color. This framework frequently renders Black women legally “invisible” and without legal recourse. Intersecting identities that experience oppression.

Black women often are in roles of discipline, doing the dirty work (HR, fixers, cleaning up the mess, etc.) and frequently only have the opportunity to attain leadership roles during a time of crisis.

### What do you need to do?

1. You need representation from all levels that extends beyond race and gender.
2. Leave your ego at the door. You cannot begin to address any issues of culture and toxicity when you take everything personally. It limits progress.

### What is an anti-racist?

An anti-racist opposes racism and promotes racial tolerance. I don’t like the idea of tolerance. What is racial tolerance? How do you tolerate someone based on their race?

### What is anti-racism work?

Work on dismantling racism. It centers whiteness and people feel comfortable there. Anti-racists activism has been co-opted by white people and alienates people of color.

You need to be more than anti-racists, you need to be pro-Black, pro-people of color. People of color should not need to compete for the recognition of being a member of humanity. Pro-Black and anti-racist work can exist in parallel. This is not about absolving white people of any guilt. It calls for us to decenter our knowledge of whiteness. It almost assumes white people are the gatekeepers of freedom. We must abandon the notion that white people can even grant anyone their freedom.





## Work Environments

There is work to do and we need to come together to do it. Leadership will perpetually struggle to help change staff culture until they realize this harms them too, by perpetuating toxic environments for people working within their organization. The owners of responsibility are those white people in positions of leadership. In a capitalist society, a lack of financial resources could mean death, so staff is less willing to speak up for change.

We need people who can identify abusive relationships within the organizational structure, recognize fear and do work with leadership to eradicate it. We need to work for the long term to move to places of healing. We need to think differently about how organization can make progress. We need to be proactive, not reactive. The goal is to stop these things before they happen.

Create a culture that values every employee outright. We cannot just be about talk or platitudes. We need to move forward to make sure we are not contributing to people's psychological trauma. This is not easy work and it is not going to get any easier. We have to honor the fact that we are working to undo centuries of destruction. We need to keep working, keep going, remain committed to progress, and fight for change as much as we speak out against oppression.

### How to truly support Black women in the workplace

1. Listen to the actual needs of Black women. What do your Black women need?
2. Stop putting them in the positions of fixer.
3. Affirm Black women in these spaces, trust them, stop stealing their ideas. Stop discriminating against us for our hair.
4. Be proactive.



### Linguistic Liberation

“Person of color” centers white people. Assumes people are white and need to add color to identify these non-standard people. However, we do not need to say white people. Rather, we just say people and it is assuming they are white. No diminutive language.



# Overcoming Self-Doubt and Embracing Success

Seventy percent of the general population struggles with imposter syndrome, a phenomenon first introduced in 1978 by Dr. Pauline R. Clance and Dr. Suzanne A. Imes and more recently defined by belonging and inclusive leadership expert, Neha Sampat, Esq., as the feeling that “one is not cut out for the work one is doing or aspires to do, combined with a fear of being discovered as a fraud.”

Self-doubt and imposter syndrome permeate the workplace, but women, including those that are highly successful and respected, are particularly likely to experience it and “down shift” their careers. Our trail blazing panelists shared their personal stories of success, the barriers they’ve faced, and the strategies they’ve used to overcome self-doubt.

This session explored what impostor syndrome is, why many high-achieving and driven leaders suffer from it, and how, with the techniques shared in this session, you can beat the impostor syndrome and embrace your success.

## Moderators



**Dana Alvaré**  
JD, PhD, Global Gender  
Equity Advisor, Reed Smith



**Iveliz Crespo**  
Global Diversity & Inclusion Advisor,  
Reed Smith

## Panelists

- Rita Bojalian, Senior Counsel, Neuromodulation Division, Boston Scientific.
- Colette Honorable, Partner, Reed Smith.
- Casey Ryan, Global Head of Legal Personnel and Member of the firm’s Senior Management Team, Reed Smith.

## Background

1. Imposter syndrome is a psychological pattern where an individual doubts their abilities and has a fear of being exposed as a fraud that more than seventy percent of the general population struggles with.
2. Imposter syndrome could look like difficulty accepting praise, downplaying your abilities, and fearing being “exposed” as inferior to colleagues.
3. Imposter syndrome is felt by those even in positions of power.
4. Some ways to combat imposter syndrome include relying on mentors and believing their praises, pushing yourself out of your comfort zone, and challenging your inner voice.
5. You cannot stop feelings of self-doubt and imposter syndrome but you can learn how to prove them wrong and you cannot let them hold you back.

## Key Takeways

### People who experience imposter syndrome:

- Are reluctant to attribute success to their own skill and instead say it is luck.
- Find it difficult to accept praise and dwell on negative feedback.
- Overestimate others intellects.

### Overcoming These Feelings

- One panelist relied on mentors who believed in her and threw her into situations where she was forced to prove herself, and she forced herself to revisit compliments.
- Own your successes.
- Stop talking people out of rooting for you.
- Believe people that compliment you.
- Recognize that people don’t “give” you jobs, you earn them.

### Strategies to Overcome

- Tell yourself you can do it.
- Learn about yourself and look objectively at what you do well.
- Focus on what you know not on how you compare to others.
- Remember that the only person you have to prove yourself to is you.
- Push and prove yourself.
- Take yourself off the sidelines.

- Remember that you learn more from failures than success.
- Once you have it, share it.
- Pay attention to those that are not speaking and encourage them to share.
- Challenge your inner voice: “What else could be true?”
- Consider the reality of people wanting your input.
- Take advantage of mentoring programs.
- Be a mentor and a mentee - it allows you to look at yourself.
- Close professional relationships allow you to network and feel a better sense of belonging.

### The root of imposter syndrome: the number of ways it comes up

- Upbringing – critical parents can lead to imposter syndrome.
- Since it is so common, it is hard to pinpoint one root.
- Talking about it is important, as is hearing that people you find “successful” have also experienced it.
- You cannot stop the thoughts from coming but you can learn how to prove them wrong and not let them stop you.



# In This Together

## Addressing Mental Health and Well-Being during the Pandemic

The COVID-19 pandemic will continue to affect employees, particularly people of color and those with disabilities, well beyond the initial crisis. Employers have a unique ability and responsibility to address the mental health and well-being of their workers, which is a true organization-wide effort. In this session, panelists reviewed the impact of the pandemic on mental health and employee wellness and they provided strategies to support your workforce during challenging times.

### Moderator



**Kristen Snyderman**  
Senior Human Resource Manager,  
Reed Smith

### Panelists:

- Mark Goldstein, Partner, Reed Smith.
- Dr. Kimberly Jeffries Leonard, Ph.D. National President of The Links, Incorporated.
- Eric Ho, Founder and Director, Bumblebee Wellbeing.



### Key Takeaways

- The term “physical distancing,” used in the UK, is more accurate than “social distancing,” used in the United States, because although we need to protect ourselves from COVID-19 by physical distance, we need to protect our mental health by continuing social interaction. We are social creatures; with decreased social interaction, we layer additional stress that can lead to both physical and mental health problems.
- Results of studies in China, Spain, and the United States show that since the pandemic began, there has been a definite increase in mental health issues caused by isolation, fear, and lack of coping skills.
- Both employees and employers have increased stress. Employees have to continue to work and earn a living. Employers may feel out of control when having to manage employees even though they have similar stressors.
- The pandemic has had a greater impact on diverse groups, who are disproportionately affected by an extra layer of challenge on top of isolation and stressors previously recognized.
- Take time for yourself and your family. Take vacation and time off from work. Take advantage of parenting resources for home schooling. Take time to care for elderly family members. Take self-time.
- Employers’ first steps should be to acknowledge the impact of the pandemic on mental health issues, to understand the impact, to ensure company policies and procedures support acceptance and awareness, and to ensure the behavior of senior management models this support.
- Create a culture where conversation about mental health issues can take place comfortably and with company support. Foster hope, optimism, and self-efficacy to crowd out negative thoughts.



# At the Intersection of Race and Class

Intersections of race and class are complicated and personal, and they need to be acknowledged. In this engaging session, panelists from the UK addressed the parallels and perceived conflicts of racism and classism, and how D&I programs in the UK address social mobility and economic classes. The session provided tools to address these matters in the work place, encourage open dialogue, and foster inclusion and cross collaboration.

**Moderator:**



**Gautam Bhattacharyya**  
Partner and Executive Committee,  
Reed Smith

**Panelists**

- Carole Mehigan, Responsible Business Manager EMEA, Reed Smith
- Lindsay Scott, CEO, 39 Essex Chambers
- Chris White, Founder, Aspiring Solicitors

**Key Takeaways**

- Race and class are inextricably linked, and class is arguably the forgotten side of diversity, equity and inclusion. We can all do more to ensure social mobility.
- The legal world needs to reflect those it represents – stories that we’ve seen this year should not still be happening in 2020.
- We need to dig deeper, try harder, and change the culture.
- Equality is an imperative – treat people as you want to be treated.
- The disadvantaged (identified by the Social Mobility Commission on a range of factors, including being eligible for free school meals, being the first to go to university in their family, and coming to the UK as a refugee) are not applying to law school in the proportion that they represent in the community. And once in, there is what appears to be a glass ceiling. Succeeding as a lawyer should not be about social background.
- Reed Smith’s Responsible Business schemes focus on providing a strong foundation for children at a young age, and insight days and mentoring for older children to raise awareness of what working in a law firm is like.

- Equality of opportunity is at the heart of what we’re talking about – trying to make strides in law so that no one is disadvantaged due to race, class, etc.
- 39 Essex Chambers has focused its efforts in three key areas:
  1. Education – the Bar Council ensuring there is regular training on diversity and unconscious bias. The firm continually shines a light on this issue to maintain a supportive culture.
  2. Mentoring/encouragement – working with, for example, the Sutton Trust, Bridge the Bar, and I am the Bar – targeting non-typical backgrounds and inspiring people to join. Getting in to state schools and talking to children about what working in the law is like. Opening up Chambers with mentoring or work experience opportunities.
  3. Cash! It’s very expensive to become a barrister, so making scholarships available to enable them to avoid debt.
- Efforts must continue until there’s equality for all groups, all groups are underrepresented in the law profession, we need the best people regardless.
- We have to be accountable and create demonstrably improved statistics - what have we done and what can we do in the future?

- Anyone in a disadvantaged group needs encouragement and motivation to know that they can succeed; we need to diversify our recruitment efforts.
- At Reed Smith we have had some success; the majority of our trainees are now non-Russell group (Russell group being the top 20 universities in the country). Backgrounds shouldn’t stop people from succeeding.

**Regarding recent events**

- Reaction – from senior partners and managers – it’s such a positive thing that there has been a reaction – there’s never been so much engagement.
- Relief – Black aspiring solicitors are relieved that people are now listening and their voices are being heard.
- Response – we want to see it in the numbers; facts and figures need to change every year until these conversations aren’t needed any more.
- There is a silver lining – an overwhelming surge of people who want to get involved, hastening a change in culture.



# Inclusion of Mixed-Visible and Nonvisible Diversity

It's easy to catalogue diversity using obvious, visible traits, such as age and ethnicity. But many forms of diversity, like sexual orientation, gender identity and some disabilities, are not readily apparent. In this session we addressed issues such as:

- Creating an environment where individuals feel comfortable “outing” themselves.
- Awareness of barriers/challenges beyond the workplace.
- Maximizing the capability of such individuals to operate at the highest level.

## Moderators



**Alan York**  
Partner, Reed Smith



**Luke Debevec**  
Partner, Reed Smith

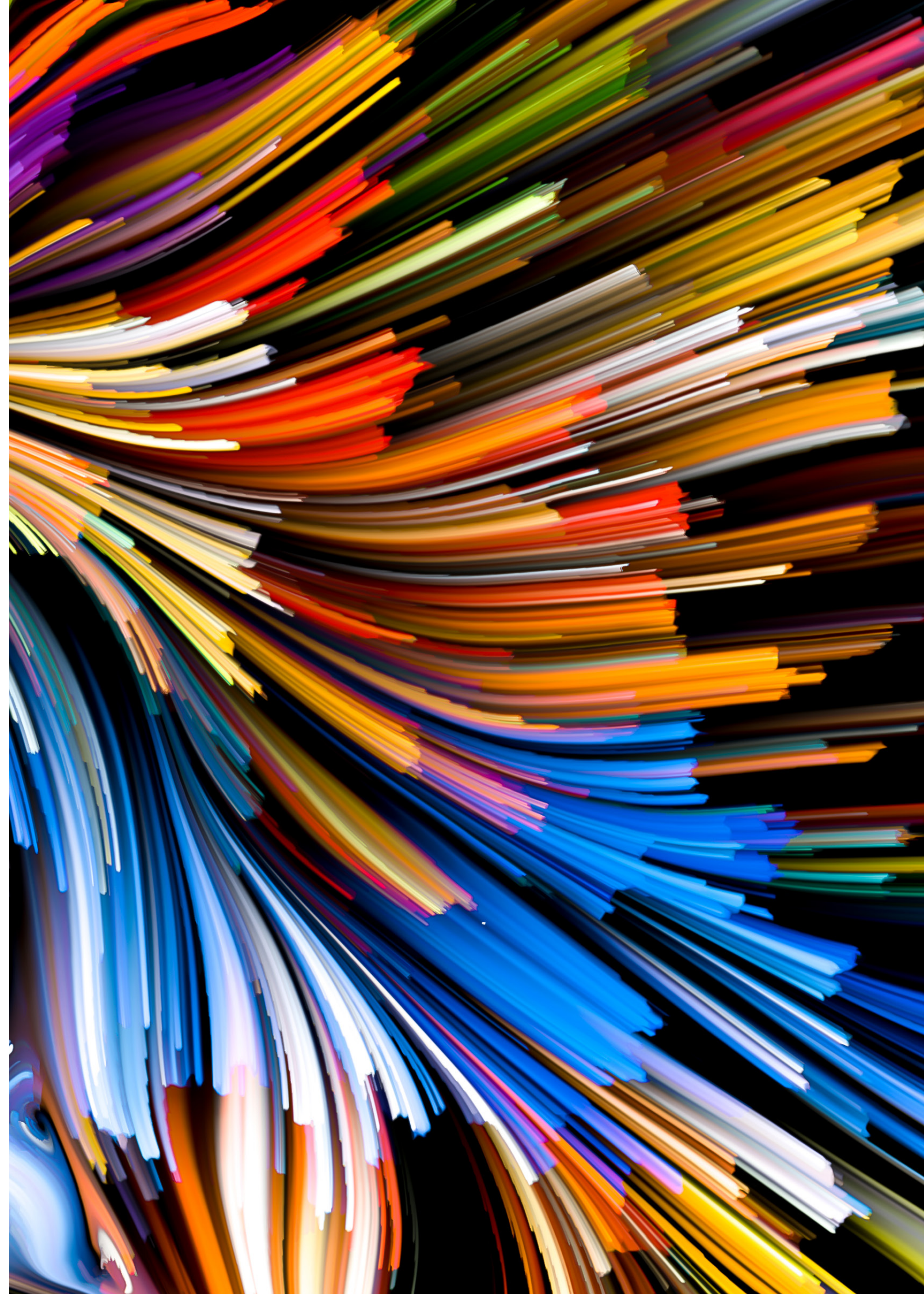
## Panelists

- Peter Blanck, Syracuse University and Chairman, Burton Blatt Institute.
- Angela C. Winfield, Associate Vice President for Inclusion and Workforce Diversity, Cornell University.

## Key Takeaways

- The ABA study on LGBT+ and lawyers with disabilities highlights that intersectionality of nonvisible diversity (LGBTQ and disability) lawyers experience higher levels of discrimination especially where mental health is involved.

- Context matters for individuals with multiple marginal identities; salient identity shifts depending on the group, and bias is experienced within that group and across different groups.
- Disclosure is a constant issue for LGBT+ and people with disabilities so the existence of safe space and an inclusive culture are essential.
- Younger lawyers are most likely to experience discrimination and least likely to disclose and request accommodation.
- Creating a culture of disclosure, where people are comfortable self-disclosing requires the existence of trust, and leaders must use all available levers and voices in the conversation to end stigmas.
- Creating a culture of disclosure involves intentional micro-affirmation because you don't know who is “in the room”; talking as if persons with nonvisible diversity were in the room (introduction with pronouns, inclusive invitation language, examples of accommodations that are granted) because people are listening and paying attention to what is said and what is not said.
- Disclosure is not a static process and is multi-layered: there are personal, professional and family considerations.
- Accommodation needs to be framed broadly to recognize that all employees require accommodations to do their best work, but the nature of the accommodations are quite different: sighted employees require lighting in office but employees with sight impairment don't require that accommodation; able-bodied employees require seating in the office but employees with wheel chairs do not.
- Accommodations need not be costly or significant, like a schedule adjustment.
- Moving the needle begins with doing just one or two things differently.
- It is important to ask what the systematic issues are that are not letting people in or are pushing people out the door; identify what accommodations are not granted and why.





# Inclusion Matters

## Building a Disability-Inclusive Organization

In this session, attendees provided best practices for creating an organizational culture that is inclusive of people with disabilities (employees, clients or consumers). Panelists reviewed the business case for disability diversity (including neurodiversity), the importance of disability-focused employee resource groups, and updates on inclusive language and disability etiquette.

### Moderators:



**Kevin Hara**  
Associate, Reed Smith



**Danielle Liebl**  
Associate, Reed Smith

### Panelists:

- Joyce Bender, President and CEO of Bender Consulting Services.
- Moeena Das, Chief of Staff, National Organization on Disability.
- Chaz Kellem, Director - Office of PittServes, University of Pittsburgh.

## Key Takeaways

### How is disability defined?

- The correct term is “disability,” not “differently-able” or “special.”
- The definition can be complex.
- Overall – a person who has an impairment that prevents them from moving forward in life in the same way as someone without a disability.

### What is the business case for inclusion?

- When you don’t hire people with a disability, you are eliminating available talent.
- It’s a good investment for the company.
- It leads to forty eight percent less turnover, reduced time off expenses, and increases the list of prospective candidates.
- It is an untapped market in the employment sector and the economy.
- People with disabilities are creative and think outside the box when facing challenges, and they are very dependable.
- Companies typically do not need to spend as much as they think to accommodate and support individuals with disabilities.

### What are the keys to building a disability-inclusive work environment?

- It can’t be an afterthought; it must be a constant priority.
- Do an audit to evaluate where you currently are.
- Improve workplace infrastructure; how welcoming and inclusive is the work environment, both from a physical and emotional perspective?
- Train and educate staff on ADA.
- Language is important.
- Recruiting process needs to be evaluated: is our website accessible and inclusive? Is our interview process inclusive and accessible?

### Despite the passage of the Americans with Disabilities Act in 1990, employment rates for people with disabilities in the United States remain far lower than for people without disabilities. What are some of the reasons for this?

- The needle for employment rates has not moved enough.
- A lack of knowledge, fear, and not knowing how to work with a person with a disability.
- Medical model – people with disabilities being thought of as being unwell.
- Employers don’t actively think about recruiting and hiring people with disabilities.
- It won’t change until companies hire and people’s co-workers are people with disabilities.

### What perceived barriers do employers raise to justify their failure to hire people with disabilities and how do we change these mindsets?

- Employers are human and hold stereotypes that are unfounded, which impacts hiring.
- Misconceptions around particular disabilities that impact the willingness of employer to hire.
- Perception of corporate image – on community and on staff.
- Overall – education and training are needed to dispel stereotypes and misconceptions.

### What best practices should employers consider to help recruit and retain people with disabilities?

- Use storytelling and encourage allyship within the company.
- Conduct training and highlight employees with disabilities to break down stigma and misconceptions about disability.
- All staff needs to have the training.
- Technological infrastructure needs to be available for people with disabilities.
- Develop relationships with community partners that work with people with disabilities to help you hire people with disabilities.
- Avoid misconceptions about the cost of accommodating people with a disability; the cost is not as high as people think it will be.
- Interview teams need to learn to counter biases about people with disabilities that they encounter during the interview process.



**What signs show an organization is inclusive of employees with disabilities?**

- The company employs people with disabilities.
- People with disabilities are in leadership roles.
- People in the company willingly speak about their disabilities.
- Marketing materials and the company, website include people with disabilities, so people see them and know the company is inclusive.

**What organizational policies and practices best support people with disabilities?**

- Only 4 percent of companies have employees who self-identify their disability.
- What are you doing to build a culture where employees are comfortable self-disclosing?
- Messaging beyond annual training.
- Remove barriers to receiving accommodations.
- Remove stigma from requests for accommodations.
- Add budget for accommodations for employees with disabilities.
- Add mentoring program for employees with disabilities so they have champions within the company.

**What is disability etiquette and why does language matter?**

- Not “differently able” or “special.”
- Always ask permission before offering assistance.
- Speak to the person, not the companion.
- Do your homework – if you have a peer or colleague with a specific disability, learn about it.
- Focus on what someone can do rather than what they can’t do. Put the person first – “Person with a disability,” not disabled person.

**What concrete steps can employers take to be more inclusive?**

- Make disability part of diversity and inclusion.
- Treat those with a disability the same as other underrepresented groups are treated.
- Have a strategic plan for how you are going to include people with disabilities.
- Implement training across the company about working with people with disabilities.
- Make it known that you want to hire people with disabilities.
- Complete an audit of your current infrastructure and culture, technology infrastructure, language used by employees, and physical infrastructure.
- Ensure the remote work environment is accessible for employees with disabilities.







# Dismantling Racism

## From Performative Ally to Disrupter

The killing of George Floyd and subsequent society-wide reflection on the treatment of the Black community in America unleashed a torrent of public statements and social media campaigns, and were joined by corporate and private sector businesses regarding their commitment to racial justice and anti-racism. However, actions speak louder than words. In this session, industry leaders shared their strategies for disrupting racism and creating a truly racially equitable future.

## Moderator



**Geoffrey Young**  
Partner and Diversity & Inclusion  
U.S. Chair, Reed Smith

## Panelists

- Martyn Freeman, General Counsel, BBC Studios Ltd.
- Sarah Leung, Vice President and Associate General Counsel. Big Fish Games, Inc.
- Uche Ndumele, Vice President and Chief Counsel. Conagra Brands, Inc.
- Stephanie Sowell, Assistant General Counsel. Johnson & Johnson.

## Key Takeaways

1. The killing of George Floyd – an incident shocking to white people but all too familiar to Black people after hundreds of years of similar incidents, notwithstanding media framing of Floyd as “Victim #1” – has been a catalyst for social change for multiple reasons, but primarily these two:
  - During the pandemic, we’ve had fewer familiar distractions (sports and entertainment), couldn’t look away as easily, we’ve been in a reflective frame of mind, and we’ve had to confront our own assumptions, beliefs and biases.
  - As a result, people speaking out and protesting against racial injustice have found a more receptive audience, with less marginalization of voices for change.
2. At the same time, there’s a wider recognition that Black and Brown people don’t feel seen or appreciated across the corporate landscape; they often feel that pushing for authentic and courageous conversations about corporate programming, hiring and promotion practices isn’t worth the effort if the right people and metrics (incentives and penalties) aren’t in place to make a difference.
3. Content creation and media representation matter: how we represent ourselves to each other and to the outside world (e.g., on websites, on social media platforms, in internal training videos) makes a real difference.
4. Genuine allyship – moving along the spectrum away from performative lip-service and toward meaningful, lasting change – is a process that requires:
  - Listening, first and foremost.
  - Working toward genuine understanding, and being willing to make mistakes along the way.
  - Using our power, privilege, voices to advocate for change on behalf of people whose voices have been (and still are) marginalized.
5. To work against racism on a global platform (i.e., in organizations with offices and operations all over the world, where history and attitudes will vary considerably), it’s important to:
  - Set expectations and core principles based on shared values.
  - Allow a degree of freedom to deploy at a detail level based on geography and local culture.
6. The challenge for leaders today is to convert the current surge of energy and enthusiasm into lasting, meaningful change – despite the long and bitter history of slavery and racism in the United States. Leaders can accomplish this if they:
  - Break huge problems into smaller, manageable projects and commitments.
  - Recognize that progress isn’t linear – it comes in waves – but we’re living through a moment of profound shift and probably irreversible change.



# How to Leverage Employee Resource Groups/Affinity Groups to Build Power Through Intersectionality

Using case illustrations from our history and our present, in this session, panelists discussed strategies for leveraging intersectionality to creating coalitions across different groups to create sustainable change and a more inclusive environment.

### Moderators



**Julia Lopez**  
Partner Chair, Reed Smith's Hispanic/  
Latino Business Inclusion Group, UNIDOS



**Amber Finch**  
Partner Chair, Reed Smith's African American  
Business Inclusion Group, STAARS

### Panelists

- Yemi Adegbonmire, General Counsel, The Bail Project.
- Juan Cartagena, President and General Counsel, LatinoJustice PRLDEF.
- Ripa Rashid, Managing Director and Head, Inclusion and Diversity, Cowen.

### Key Takeways

“There is no such thing as a single-issue struggle because we do not live single-issue lives.”

*Audre Lorde*

### What is intersectionality?

- The Oxford Dictionary definition of intersectionality: “The interconnected nature of social categorizations such as race, class, and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage; a theoretical approach based on such a premise.”
- The term was developed in recognition of the fact that identity markers (e.g., “female” and “Black”) do not exist independently of each other.
- It provides a framework for conceptualizing social and cultural experiences from a more nuanced perspective.
- Intersectionality is how we describe aspects of our identity (race, sexual orientation, gender identity, disability, class) – how we encounter the world and how the world encounters us.
- There is a lot of overlap in the different aspects of our identities. Intersectionality goes beyond acknowledging the multiple forms of discrimination. It recognizes that the different forms of discrimination may intersect each other and result in overlapping and reinforcing barriers to opportunity.

### Why should we care?

- The data proves it is important to learn about intersectionality. For example, regarding race and gender, multicultural women currently account for 39 percent of all women, and by 2060, will account for be 56 percent (or over half) of all women.
- Talent – 50 percent of all law school graduates are women, and 19 percent are multi-cultural women.
- Bottom Line – Clients are holding firms accountable.
- Innovation – Much better in diverse teams and even more so with intersectionality.
- When we fail to incorporate intersectionality into our social movements or our everyday practices and policies, we leave parts of our communities behind.
- Conversely, when different groups mobilize together and create coalitions on an issue to support each other and leverage intersectionality, this can result in significant, positive, sustainable change.
- Examples – “Stop and frisk” in New York, and the Black Lives Matter movement.

### How to leverage employee resource groups/affinity groups to build power through Intersectionality. What strategies can organizational leaders adopt to ensure that their work to advance inclusion/equity is intersectional?

- There is power in numbers so it is important to:
  - Not operate in silos.
  - Build bridges to each other.
  - Share concepts and ideas.
  - Build cohorts of groups.
- Join multiple groups: don’t be monolithic in your identity.
- Give members the opportunity to build skills that they are interested in learning but don’t use in their jobs. Members can take on that role for the group and grow that way.
- Take surveys within the group to make sure you are prioritizing what the members want.
- Make space for different people at the table – recognize, respect, and center the voices of those most marginalized.
- Remember that it is okay to make mistakes: no one has all the answers. Give each other the benefit of the doubt. Educate each other.
- Continue to be humble.
- Get and stay curious – learn from and about each other. People with multiple identities can present unique challenges.
- Be inclusive – acknowledge that there are varying ways that people experience issues so you must ensure that you are including various voices and perspectives in order to make real, lasting, and equitable change.





# Some Feedback on Reed Smith’s 2020 Diversity, Equity and Inclusion Summit

“The Reed Smith Summit was very good and I am glad I was able to attend. Thank you and your entire team for their hard work and their preparation. I thought the morning panel was very worthwhile. They openly discussed the dilemma faced by many companies as they host courageous conversations and reflect on their own cultures. I will be sharing the recording with a colleague at [a major corporation] who is leading their social justice initiative. The keynote speaker, Feminista Jones, was provocative and stimulating. I have ordered her book and look forward to even more insights.” – a CEO

“The content was excellent and the fact that you offer such a program speaks volumes about the quality and integrity of your firm. Again, we truly appreciate that you included us and props to you for being industry leaders in this important way!” – a law school dean

“Wonderful event. Very eye-opening, thought-provoking and validating.” – a Reed Smith counsel

“Really powerful speakers. I learned a lot!” – a CEO

“The topics were big but the panelists were able to get in deep, even in the short slots – very insightful and inspiring.”

“Thank you for your input and thoughts yesterday: so inspiring and helpful!”

“Just wanted to thank you for joining the panel a little while ago. As always, the energy was appreciated - all of you had such great stories.”

“Saw your panel discussion at the D&I Summit today – really enjoyed hearing you speak! Thank you for championing these issues.”



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