Diversity, Equity and Inclusion in the Workplace: Finding Your Way

By Sheila M. Willis, Partner Fisher & Phillips LLP

A **lthough the focus** on diversity, equity, and inclusion ("DEI") appears to have reached a fever pitch following the murder of George Floyd, employers have been grappling with these concepts and how they play out in the workplace for decades. From embracing

hiring decisions based on a person's gender, race, or other protected characteristic is illegal. Still, hiring more diverse candidates is a way to diversify your workforce—so what is the best way to do that?

The first step is to have a diverse applicant pool, beginning

women "leaning in" to the workplace more or #MeToo repercussions, to understanding benefits, name changes, and bathroom concerns for members of the LG-BTQIA+ community, to addressing systemic racism in open forums in the workplace, employers have been confronting the sometimes confounding aspects of embracing diversity, equity, and inclusion. Some employers seem to "have it all figured out," while other employers are just begin-



ning their journey. Regardless of where you may fall on the spectrum, there are some basic concepts that are helpful to all—either as a reminder or a roadmap.

Increasing Diversity

The general starting point in this area is defining "diversity." This small word, with a big impact, has many meanings. At its core, it means "differences." Difference in race, religion, sexual orientation, gender, geographic location, education, and so much more. In the employment context, however, "diversity" often becomes the catchall term that encompasses those differences that are easily seen and counted for purposes of demonstrating that an organization is made up of more than just one particular race or gender. Thus, a company's first move to tackle its "diversity" initiatives is to increase representation. The thought, of course, is that the way to make the organization more diverse is simply to just bring in more diverse talent. However, hiring diverse candidates just to hire diverse candidates should not be the goal and is not the best way to address DEI issues. In fact, making veteran organizations. Increasing the diversity of your applicant pool will ultimately have the effect of increasing the diversity in your workforce.

Build an Inclusive Work Environment

A diverse workforce is only the first step. Employers must be committed to cultivating an environment of inclusivity in the workplace. Vernā Myers has said, "[d]iversity is being invited to the party. Inclusion is being asked to dance." The dancing—that concept that a person is able to fully participate in an environment where they feel safe enough to metaphorically "show off their dance moves" is key. Cultivating an environment of inclusivity may involve re-thinking the types of office celebrations offered, the types of health benefits provided, and other aspects of the employment experience. Employers may also re-think how they handle meeting participation, allowing all participants the opportunity to speak. Ensuring that employees feel safe (physically and mentally) and have a sense of belonging goes *(Continued on next page)*

with expanding your outreach efforts. Employers should evaluate where they are posting jobs, what career fairs they are attending, and what partnership they have in the community. If the desire is to have more women engineers, the company should see if there is a woman engineer industry group in the area where they can post jobs or attend events. If the desire is to increase more veterans, the company should partner with



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a long way to having an inclusive environment.

Developing Equity

Another key piece of the puzzle is creating an equitable workplace. Evaluating and ensuring equity in the workplace is easier said than done. It requires an evaluation of the systems in your workplace—from the simple to the complex. For example, your workplace may be wheelchair accessible, but are the mirrors in the restroom low enough to be wheelchair height? This is equity—creating a space where employees have equal access to participate in the work environment. In a more complex realm, employers should review employees' access to certain systems and opportunities. For example, how are employees selected for training or other opportunities for professional development? Has employee compensation been reviewed to ensure equity? Equity analyses often require a review beyond the face of a policy, procedure, or practice. Employers should evaluate their internal systems to ensure that there is equitable access.

The Bottom Line

Employers should consider a comprehensive approach that considers all aspects of the employment process—not just hiring, compensation, promotions, and more, to truly ensure they make impactful steps in their DEI efforts.

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