

A New Year: Tools for Employers to Renew and Enhance Commitments to Racial Equity in the Workplace

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Many companies made pledges and commitments to advance racial equity in the workplace during 2020. Will employers honor their commitments to create and maintain a racially equitable workplace? Their employees are watching. This is particularly true of Black employees and their allies who are looking to see whether their employers are committed to real change and follow-through.

For employers that want to follow through on their commitments, advancing racial equity in the workplace does not need to be overwhelming. By following some general guidelines, companies can honor their commitments, build trust with their Black employees and their allies, and increase the recruitment and retention of Black talent.

Trust is a critical component of inclusion for any organization and is a concept that has a complicated past for the Black community in America. In the United States, a long history of false promises made to Black communities has left lasting impacts on today's workplace. From unfulfilled promises of reparations from slavery — 40 acres and a mule, or from the bombing of Black Wall Street in Tulsa, Oklahoma, and the Rosewood, Florida, massacre — to predatory lending and redlining after long-denied access to home ownership, voter suppression after achieving the right to vote, and justice denied. New pledges and commitments to racial equity can bring up painful reminders of false hope that all too often leads to Black communities feeling disenfranchised and exploited. This fear may then translate to Black applicants and Black employees viewing corporate racial equity commitments as another example of empty promises with little to no real transformation in action.

For organizations to gain trust while increasing efforts to address workplace inequities, employers must act in alignment with the statements and commitments they have made. An example of action would be reviewing company policies and practices for bias and revising them to mitigate any identified bias. Further, employers must create psychological safety. Psychological safety, a term coined and defined by Harvard Business School professor Amy Edmondson, is the belief that you will not be punished or humiliated for speaking up with ideas or concerns, taking risks, or making mistakes. Fostering psychological safety creates an environment where employees are able to raise questions or concerns about a company's alignment with its racial equity commitments. If an employer says Black Lives Matter but maintains employment practices that preserve the status quo, Black employees may feel it is safer to assimilate rather than bring their authentic selves to work. Company credibility can be lost, along with inclusion, recruitment, and retention.

Moreover, upholding commitments to racial equity helps companies recruit and maintain diverse talent, which ultimately enhances their bottom line. Weldon Latham is the

founder of Jackson Lewis' Corporate Diversity Counseling Group. Latham and his team have been representing *Fortune 200* companies and conducting diversity and inclusion assessments for over 20 years. Latham advises: "Creating both the reality and the reputation for an inclusive environment greatly helps companies attract the best and brightest of all candidates, but particularly minorities and women."

Along with upholding commitments to increase inclusion, recruitment, and retention of Black talent, there is risk involved if an employer does not follow through on those commitments. Litigation often occurs when employer statements are inconsistent with behavior (or perceived behavior). Sherrell Dorsey, founder and CEO of The Plug, a digital news and insights platform covering the Black tech and innovation economy, highlights the rise in Black employee organizing, collective action, and litigation to secure racial equity in the workplace in her article, "[The Next Frontier of the Tech Worker Movement: Black Employees Organizing Against Racism in the Workplace.](#)"

Here are five things employers can do to demonstrate to internal and external stakeholders they will uphold and enhance their commitments to racial equity:

1. Understand that Race Often Shapes How Black Employees Experience the Workplace.

Employers should realize that Black employees often identify with their race more so than other groups. According to a [2019 Pew Research Center survey](#):

about three-quarters [74%] of black adults say that being black is extremely (52%) or very (22%) important to how they think about themselves By comparison, about six-in-ten Hispanic (59%) and 56% of Asian adults say being Hispanic or Asian, respectively, is extremely or very important to their identity. Only 15% of white adults see race as a central piece of their identity.

A contributing factor in the workplace is Black employees can possibly be "the only" one or one of a few underrepresented people making race feel that more salient and central to identity. For example, several years ago, I went to a wedding of a Black coworker, who also invited a white law firm partner. I subsequently asked the partner about the wedding. He said he enjoyed the wedding, and gained some insights into what it might be like being a Black employee, like myself, in a predominantly white law firm. He noted that when he arrived at the wedding, over 90 percent of the attendees were Black. Reflexively, he began to look for another white person in the room. He noted this was one of the few occasions in his life when he thought of himself as a part of a specific race. He wondered if that is something I thought of in the daily experiences in which I am one of only a few Black employees in a given environment.

Therefore, when a company makes a commitment to address racial inequality, employees pay attention, particularly Black employees — who feel and experience their racial identity day in and day out.

2. Identify DEI Challenges and Develop a Strategic Plan That Addresses These Challenges and Other DEI Goals.

In 2020, many organizations rushed to make diversity, equity, and inclusion (DEI)-related public statements or pledges without first identifying what racial inequality means to their specific organization. For example, are there areas where the employer thinks it is treating Black employees fairly, but Black employees and allies would say Black

employees fear speaking up and do not trust that their voice will be heard? If so, there is a gap between knowledge as a leader and the realities of the workplace — a disconnect between intent and impact. Implementing DEI initiatives without first identifying targets and goals based on data and the barriers (such as racial bias) to achieving desired outcomes can be harmful to an organization, its workplace culture, and its employees.

Even if an organization has already made public statements or commitments, it can still assess its current DEI initiatives with the goal of determining where performance is not meeting objectives and identifying steps to adjust or enhance efforts. For example, an assessment could consist of a statistical analyses of the representation of women and members of various underrepresented groups in comparison to the representation of each group in the available labor force for corresponding job roles. Then, any underrepresentation identified could lead to a specific, metrics-driven, and goal-oriented strategic plan to close representation gaps. Implementation could include on-going monitoring (measuring results against goals) and continuous adaptation to respond to new information learned during implementation.

3. Develop a Narrative Around DEI Data That Authentically Represents the Voices and Experiences of Your Workforce.

Both internal and external stakeholders are asking for DEI-related data and greater transparency. If an employer decides to release data, it should underscore DEI goals: know the intended goals for collecting data, understand the data, and be specific in what it does with that data. Once you are confident in your data, even if the numbers are not what you had hoped for, create a narrative that resonates with diverse employees, allies and other stakeholders in order to build “buy in” and drive sustainable change. Only if the narrative is authentic to the organization and its employees will leaders be able to build credibility and trust, and celebrate wins and good faith efforts.

4. Do Not Over-Commit.

Once an organization announces a DEI initiative, external and internal stakeholders will be watching closely for follow-through and change. The easiest way an employer can maintain the trust and support of its audience is to keep its word. Just like if a coworker tells you they will have a report done by Monday and you expect them to have it done then, internal and external stakeholders will expect the same regarding public statements a company has made regarding DEI initiatives. This is not a cautionary tale. Instead, this is an opportunity to build trust and to create an organizational culture that diverse talent wants to be a part of long-term.

Committing to change may not result in an organization hitting all of its targeted goals but organizations should take proactive, achievable steps in the direction they want to move in. This can start with conducting an assessment, identifying resources available, and coming up with a strategic plan to move the organization in the direction of meeting its targeted DEI goals.

5. Do Not Give Up On DEI-Related Goals.

Marginalized employees and allies want to know an organization is committed to racial equity for the long haul. One way to institutionalize and communicate a long-term commitment to DEI is to tie DEI goals to compensation or objectives and key results. Further, one of the pillars of trust in any relationship, including the relationship between employers and their employees, is how you respond when things get difficult: when goals

and targets are not met, when there are bad press releases, or when there is a lawsuit related to DEI. If an employer weathers the storm, authentically tell its story, and continues to make strategic efforts to improve, employees are more likely to stay engaged and committed, and to trust the employer is moving in the right direction—even when there are hurdles.

In summary, DEI is an integral and permanent part of corporate America. Organizations who want to remain competitive for diverse talent cannot afford to not develop a DEI initiative or strategic plan. Similarly, commitments and pledges cannot be made lightly and without action. Conducting a DEI assessment, determining DEI priorities and resources, and committing to a plan of action with identifiable, achievable results while continuously adapting to new information learned as well as changes in circumstances, will go a long way in guiding an organization to make commitments it can keep, enhance commitments made and to build trust with employees.

For additional guidance on identifying DEI needs, prioritizing and enhancing DEI efforts, and producing better, measurable results, please contact a Jackson Lewis attorney.

Related:

- [Inclusivity and High Performance Begins with Psychological Safety](#)
- [Psychological Safety in the Workplace Podcast](#)
- [Weldon Latham authors “Business Risks That Keep CEOs Up at Night: Effective Diversity Programs Can Ease Some Tensions,” published by Bloomberg BNA Corporate Accountability Report®](#)

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