

The Path Forward

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EDITORS' NOTE *As the Director of Talent Pipeline and Diversity, Equity & Inclusion (DEI) at Skadden, Melique Jones works alongside Skadden's leadership to set strategy and measures for increasing diversity in the firm's attorney talent pipeline, and in implementing leadership and talent development best practices to foster inclusion, belonging and systemic equity. She also works with partners to leverage firmwide DEI strategy and resources in support of client relationship development, while also supporting the administration of the firm's counsel program. Prior to beginning her career in DEI and talent development in 2006 and assuming leadership of the firm's DEI department in 2011, she spent more than six years as a marketing and communications professional at Skadden. Before joining Skadden, Jones worked for a decade in communications and media, primarily at Dow Jones & Company, including with The Wall Street Journal. She is a member of Brooklyn Law School's Women's Leadership Network, and formerly a member of the New York City Bar Association's Committee to Enhance Diversity in the Profession. Jones earned a BA in journalism from New York University and a JD from Brooklyn Law School.*



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highly respected law firms. Skadden has 22 offices, approximately 1,700 attorneys and more than 50 distinct areas of practice. The firm's clients include approximately 50 percent of Fortune 250 industrial and service corporations, as well as financial and governmental entities, startup companies and nonprofits.

Employers had no playbook for the challenges they faced in engaging and supporting their personnel over the past year. Proven methods fell short under the weight of novel disruption brought on by the global health crisis and its aftershocks, and soon after, the callout of structural social injustice and racism. While organizations with an established diversity, equity and inclusion (DEI) infrastructure and commitment were better primed than those without to navigate unfamiliar terrain and nuanced, deeply emotional issues, few, if any, started the journey with the benefit of a prepackaged plan for meeting the demands and concerns of teams, individual contributors, leaders, clients and customers.

Leaders in particular had to dig deep to meaningfully support their people and their work lives and well-being, while maintaining their own sense of equilibrium. As we emerge from what hopefully was the worst of the COVID-19 pandemic and take stock more than a year after the murder of George Floyd, it is useful to center our learnings over the past

12-18 months as we double down to meaningfully advance DEI and well-being in our workplaces and society.

Employee well-being and equitable, fair, inclusive work environments are inextricably linked. Physical and psychological safety were front and center in coping with the pandemic and in addressing urgent calls for racial equity. The isolation of quarantine that was necessary to physically protect and save lives emotionally destabilized many people at the same time they were asked to step up productivity at work. We relied on technology for business continuity and to eliminate geographic boundaries to keep us connected, but the prolonged absence of in-person workplace connections loosened the glue that bonds work teams and their sense of shared purpose. On the other hand, physical distance from workplace cultures in which microaggressions and unconscious biases may have gone unchecked pre-COVID provided welcome psychological reprieve and headspace for some employees in underrepresented racial, cultural and other marginalized groups.

As employees reenter in-office or hybrid work arrangements, prioritizing equity and inclusiveness is more essential than ever. There will be excitement as our teams come back together, but also apprehension and stress for many. Talking to employees; creating safe, credible outlets for them to deliver honest, actionable input on team culture; rewarding allyship; and examining processes for communication, mentoring, engagement and work opportunities will ensure that the "new normal" maximizes the benefits of working side by side.

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Workplace conversations about race and culture are hard but necessary for progress on equity.

In many organizations, efforts around inclusion and belonging have been purposely expansive, driving attention to varying dimensions of diversity, or focusing largely on gender. Either approach reflects a strategic and cultural priority that considers the profile and opportunities associated with key stakeholders, including talent, recruits, clients and customers, and either approach should be framed by intersectionality in order to be impactful. In this process, organizations have been able to sidestep fraught but necessary conversations about the impact of centuries of racial inequality and inequity in societies around the world. Before May 25, 2020, talking openly in the workplace about race and privilege was viewed as pushing the envelope in many settings. Since then, it still is, but there is a wider understanding that addressing these topics is necessary.

While leaning into the conversations may be reflexive, leaders must thoughtfully consider, prepare and present implementation plans for meaningful discussions and learning opportunities. Senior leadership buy-in is the foundation to setting a tone of acceptance and safety so that colleagues of all backgrounds are encouraged to participate and feel supported and heard without judgment. Curricula and speaker selection must include input from internal subject matter experts, such as DEI or human capital professionals and committees, as well as a generationally diverse group of colleagues whose

perspectives enrich the dialogue and solutioning. The resulting cross-cultural learning, willingness to hear from one another, awareness of the history that led to this moment in the movement for civil rights, and common language for discussing these topics will be worth the effort, including with respect to hiring, retention, leadership effectiveness and morale.

Strides in gender equity are tenuous. While the advancement of female professionals has seen noticeable progress, further progress is far from certain in the wake of the pandemic’s disproportionate impact on women in the workplace, particularly women caregivers, as has been well-researched and documented. Strategies and goals to accelerate progress in achieving gender-balanced leadership teams and economic parity must factor in the experience of all women – across race, family composition, sexual orientation, socioeconomic status, disability and age, among other considerations.

Opportunity-creation structures and processes benefit from reexamination. The deleterious effects on society of racial, gender and other forms of bias include structural barriers limiting access to education, pay equity, opportunity creation, safety and social mobility, among other privileges. As we see with larger societal structures, workplaces have been called upon to reexamine the underpinnings of how we function, particularly with respect to our talent development processes. These conversations were already taking place prior to 2020 and many firms

were investing as much, if not more, in “de-biasing” their systems as they were in helping leaders and individual contributors identify and interrupt their personal unconscious biases. Calls to “do better” in the past 18 months underscored the benefits of increased transparency around the systems that drive decisions in recruiting, work allocation, progression and business opportunities.

The systems around equitable talent development must include quantitative rigor so that hard data and analytics are used to assess problems, solutions and progress. Additionally, incorporating qualitative data from employees, particularly employee resource groups and affinity networks, into the redesign of talent systems is a vital part of the process.

Leaders can use specificity and accountability to chart where we go from here. The path forward requires resolve, courage and optimism. Leaders should implement actions to increase or leverage diversity and to sustain equitable and inclusive workplace practices with tangible goals in mind, supported by solid strategy. Measuring progress will be impossible if firms do not define what that means for them with some degree of specificity. Leaders should recognize and address wins and challenges alike so that values around DEI are truly part of organizational culture. Ultimately, the mission is to build trust, empathy and authentic community in a way that empowers the organization’s success, and provides all personnel with access to opportunity and a feeling of connection to the firm and the values it represents. ●

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