Collision Course: Where Equity, Activism and Policies Intersect

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COLLISION COURSE
WHERE EQUITY, ACTIVISM & POLICIES INTERSECT

A TOUCHY AGENDA

- 40+ Years Without Much Activism
- The Difference Between Activist and Activism
- Hallmarks of Activism
- Strategies to Adjust
- Questions & Answers
A HISTORY OF PROTESTS

- The Boston Tea Party - 1773
- Anti-Vietnam War Demonstrations – 1965 to 1970's
- A Step Forward
  - Occupy Wall Street – 2011
  - Black Lives Matter – 2013
  - The Women's March on Washington – 2017
  - Gun Control Protests – 2018

WHAT’S DRIVING MODERN-DAY PROTESTS?

- Millennials & Generation Z
- Racial Tensions
- Women
- Social Media
- Globalization
- Special Causes (e.g., Guns)
- Perceptions of Unfairness, Injustice, Bias, and Inequity
WHAT’S THE DIFFERENCE?

EQUALITY VERSUS EQUITY

In the first image, it is assumed that everyone will benefit from the same supports. They are being treated equally.

In the second image, individuals are given different supports to make it possible for them to have equal access to the game. They are being treated equitably.

In the third image, all three can see the game without any supports or accommodations because the cause of the inequity was addressed. The systemic barrier has been removed.

WHO PERCEIVES EQUITY DIFFERENTLY?

- Staff Attorneys/Interns/Paralegals
- Your Clients’ Customers
- Suppliers
- Citizens
- Community Partners
- Shareholders/Investors
- Industry Watchdogs
- Anyone with a Vested Interest
WHAT IS ACTIVISM?

- Quite simply, “taking action to effect social change”
- Led by individuals but done collectively through social movements
- Different from an Activist
  - Activism is What You Do
  - The term Activist is Contentious

IN THE DIVERSITY & INCLUSION SPACE

**Activist**
- Protest
- Boycott
- Sign a Petition
- Bring a Lawsuit
- Demand a Termination

**Activism**
- Recruiting & Retaining more Diverse Attorneys/Staff, Partners, and Shareholders
- Diversifying Suppliers and Community Partners
- Coalescing a Diverse Team to Solve a Business Problem or Create a New Product/Service
CHOOSING A PATH OF ACTION

Activism
- Designed to send a message about the leadership and culture
- Aided by social media (e.g., #MeToo, #GrabYourWallet)
- Driven by the Lack of Equity or Perceptions of Inequality

Advocacy
- Aims to influence decisions within systems and institutions (e.g., using the business case)
- Works on behalf of others who may not have a voice
- Champion for equity, inclusion, collaboration, and communication

WHAT’S THE IMPACT ON THE FIRM?

- “Boycotting” and “Protesting” have risen in popularity
  - Protest is to make a strong objection while Boycott is to abstain, either as an individual or group, from using, buying, or dealing with someone or some organization as an expression of protest.
  - Viral Videos Enable Widespread Support to Grow Quickly (e.g., Starbucks)
  - Videos and recordings sometimes provide indisputable evidence for a lawsuit
  - Corporations Are Joining “the Cause” as Social Champions (e.g., Delta)
WHAT HAPPENS WHEN ACTIVISM COLLIDES?

- Negative Media Attention
- Low Morale: Worry, Doubt, Fear, Etc.
- Ongoing Community Pressure
- Stock Prices Decline
- Lost Sales
- Increased Regulatory Scrutiny
- Target for Activism in the Future

THE END RESULT

- **Activism:** Change Public Opinion
- **Organization:** Change the Policies
EXPLORING THE LIKELIHOOD OF ACTIVISM

- Firm Clients
- Social Media Blunders
- Public Political Associations & Stances
- Support or Lack Thereof for Critical Policies
- Statements to the Media / Company Reports
- Association with a Product or Supplier
- Newly Released “Impact” Studies or Data
- Can You Prevent Everything?

INSTEAD OF PREVENTION, PREPARE

- Define the Crisis Management Approach
  - Internally
  - Externally
- Communications
  - Who Should Speak to the Media & Who Shouldn’t?
  - What types of Information are Confidential?
  - Who Has Access to Recent Data? What does it show?
  - Which staff/clients/groups are impacted? What is your message to them?
  - Which tools will you use? How often? What should you say and who should say it?
IDENTIFY EXPOSURE TO HOT-BUTTON ISSUES

- IMMIGRATION
- #METOO
- GUN CONTROL
- Diverse Staff-Attorney-Partner Ratios
- Exclusion of Females or White Males
- Fair Pay
- LGBTQ+ Workplace Equity
- Politics
- More to Come!

OTHER STRATEGIES FOR SUCCESS

- Prepare for the worst; don’t assume it can’t happen to you. Practice makes perfect!
- Don’t focus on P.C. Instead, foster an environment where people can say what needs to be said
- Ensure Management leads by example
- Periodically survey different groups for perceptions of equity and satisfaction
- Build strong media relationships so you can “control” themessaging
- Establish a formal complaint procedure; ensure “informal” complaints are addressed and followed up on
- Be open and honest about mistakes; detail how they will be corrected
- Engage a Diverse Team in Prevention and Preparation efforts
THANK YOU FOR JOINING!

CONTACT US FOR MORE INFORMATION:
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Your opinion matters!

Please take a moment now to complete the evaluation.

Thank You!