

CLIENT ALERT

Fostering Inclusion in a Remote Workforce

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We have all learned to adapt to working remotely and adjusting our methods of communication in order to maintain our business. We have made this transition by establishing or improving home workspaces, getting accustomed to frequent conference calls and becoming adept at videoconferencing. But a significant indicator of our success in adapting to working remotely is our ability to involve all of our employees and motivate excellence from each one in the face of the challenges brought on by the global pandemic. Businesses will cripple their chance of success if managers limit their outreach to non-diverse work colleagues simply because exterior factors make them seem more familiar. Instead, it is even more important in managing a remote workforce to include diverse employees, who are more likely to be overlooked while they remain out-of-sight. This outreach is key to the company's overall success, and will foster a much more satisfied overall workforce.

Battling Unconscious Bias While Working Remotely

Unconscious bias in the workplace does not disappear when all employees are working remotely. Indeed, a remote workforce exacerbates the tendencies that have traditionally led to the exclusion of diverse employees from new assignments and opportunities. Diverse attorneys working remotely have the additional challenge that managers – who traditionally have not been diverse – will instinctively call upon people that share their physical attributes, cultural background and outside interests when they have new assignments and development opportunities. Additionally, bias may cause managers to assume that women with young children who are working from home are unavailable for assignments; the same assumption will not be made about men with young children who are working from home.

Unconscious or implicit biases against women and racial minorities reduces their job opportunities, their likelihood of gaining important job experience and advancement opportunities and their compensation. The critical challenge for diverse attorneys is access – access to business contacts who can help them get the right job, access to information about the business, access to referral networks for business development, access to opportunities to present their skills and access to clients. Efforts to institute implicit bias training can only go so far in countering deeply-held assumptions that women and minorities are less desirable employees and unlikely to become leaders in the workplace. When managers are given wide discretion with no accountability or transparency into decision making, these biases play a significant role in limiting opportunities for diverse employees.

Ironically, research has consistently demonstrated that diverse teams and organizations have a competitive advantage in making better decisions and financially outperforming their less diverse competitors. Accordingly, corporate clients continue to insist on working with diverse business partners.

How to Counter Unconscious Bias when Managing a Remote Workforce

While managers are probably even less aware of unconscious bias when managing remote workforces, the negative impact on diverse workers and business results are important motivation for managers of remote workforces to focus on implicit bias and

battle its negative effects to ensure the success of the enterprise. Some tools that can assist managers to battle unconscious bias in this work context include the following:

- **Challenge your own assumptions.** Rather than assuming certain team members have taken on most of the burden of daycare and other domestic duties working from home, or are experiencing more stress from the pandemic, give each person an opportunity to participate and inform you of any limitations.
- **Ensure that bias does not have a role in assignments, compensation or promotion.** Challenge yourself to ensure that you have reviewed each person's situation fairly, absent preconceived notions that result in diverse attorneys having fewer opportunities to demonstrate their skill.
- **Maintain in-person contact virtually.** Use videoconferencing to meet periodically with your work teams in order to help maintain the workplace connection, and encourage full participation by your work teams.
- **Conduct periodic check-ins with individual team members.** You are not seeing people in the office halls and having the type of regular contact that would happen naturally in the office. Therefore it is important that you check-in with team members one-on-one periodically, be empathetic to their individual challenges and work with each one to ensure everyone's meaningful participation in ongoing work.
- **Create ways to provide continued development opportunities.** Actively consider opportunities to draw in team members into aspects of the ongoing work or business development efforts.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.