



## **DEI, ESQ: Level Up Your DEI Efforts in a Remote/Hybrid Work Environment**

**Diversity and Inclusion**

**Employment and Labor**



Remote work is here to stay for a larger percentage of our workforce than ever before. Prior to 2020, remote work was the exception and not the rule, and largely based on employee preferences. Now, and in the future, some amount of remote work will be the norm for many.

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If you spend two minutes with anyone who has worked remotely, particularly since the start of the pandemic, you will quickly hear about the many advantages of working from home. Remote work provides many benefits for our employees and organizations, including promising opportunities for DEI efforts.

Some of the most compelling benefits of remote and/or hybrid work are: (1) the broader and more diverse talent pool, (2) employee retention, (3) flexibility for employees, and (4) employees can engage with colleagues in other geographical areas. Let's focus on each of these benefits and

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discuss how organizations can leverage these opportunities to also further their DEI efforts.

## Broader and more diverse talent pool

Organizations that have full remote or hybrid work models are in the tremendous position of being able to recruit talent from a broader candidate pool than ever before. Setting aside the tax and employment law implications that come with remote work, this opportunity allows employers to draw in more candidates from rural areas, small colleges, people with unique job histories, women, disabled individuals, LGBTQ+ folks, and people of color. This means you can have a truly diverse candidate pool.

It is well known that organizations with diverse talent are [more innovative and more profitable](#). Remote work can help propel organizations that have historically struggled with attracting diverse talent. In the current highly competitive talent market, offering remote work and broadening the candidate pool can help employers meet their staffing and DEI goals.

### How to level up

- **Make sure your hiring managers are thinking of diversity broadly.** Does this candidate come from an underrepresented background, have unique experiences, or possess skills different from others on the team? This may mean [evolving away from your prior recruitment practices](#).
- **Break the old norms of what candidates should look or act like.** Don't limit your thinking (and options) to what has been previously done.
- **Act quickly.** Nowadays, candidates have a lot of options, and if you take too long to consider great candidates, they may be off the table before you reach your decision.

## Employee retention



Once you get your diverse talent in the door, how do you keep them engaged, and frankly, how do you get them to stay?

The 2020s are proving to be the era of the employee. Since April 2020, more than 20 million people in the United States have quit their jobs. According to the [US Bureau of Labor Statistics Job Openings and Labor Turnover Survey](#) published in March 2022, employees are voluntarily separating at record levels, with women outpacing men by a significant margin (4.1 percent women v. 3.4 percent men). The Bureau of Labor Statistics report for 2021 showed an overall US turnover rate of 57.3 percent.

Every organization has a corporate culture, even if employees are working virtually. New employees are observing and taking notice. How do leaders interact with their teams? How do people treat each other? How much care has the organization shown to its employees during the pandemic? How inclusive or innovative is the organization?

Leaders and managers need to set the tone for the organization. The corporate culture is created by everyone, but leaders set the drumbeat. While people are working remotely, leaders should promote inclusion, belonging, and authenticity. That means creating an environment where employees can be open and transparent when their dog is barking during a meeting or kids are talking in the background, when they have to reschedule a meeting to pick up their kids from daycare, or take a parent to a doctor's appointment.

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With in-person work, many employees earn social capital and professional opportunities through networking with leaders in the office, on the golf course, or at social functions. With remote work, in order to retain your talent, leaders will need to think more broadly and be more intentional about getting to know their employees. As social creatures, it is natural for people to connect when they are in person together, but you want to make sure that your remote workforce is also engaged and not at a disadvantage.

Remote work can make it harder for employees to connect with each other, so encourage them to schedule virtual coffees or lunches for relationship building. Perhaps even more than before, leaders should routinely check in with their employees, not to get a status update on a project, but just to find out how they're doing and whether the leader can provide any additional support. And when leaders are getting together to discuss their talent, it is imperative that managers highlight the contributions and skills of their remote/hybrid employees, as well as employees who may be in the office more frequently.

## How to level up

- **Have your executives work from home.** If your organization allows hybrid work, then executives need to set the example that hybrid work is not just allowed but encouraged. That means your executives shouldn't be coming into the office too often because that creates the impression that leaders or the "most committed" employees come into the office, while others work from home.
- **Schedule intentional virtual team building.** This can include coffee chats, virtual games, and even dance breaks. For some meetings, allow employees to expense their lunches while they connect.
- **Implement "stay interviews."** Ask employees questions like, "What kind of flexibility would be helpful to you in balancing your work and home life?" "If you could change one thing about your job, what would it be?" Or "What interests or skills do you have that we haven't made the most of yet?" Send the employees the questions in advance so they can be prepared.
- **Promote and give raises to your hybrid or remote employees who are knocking it out of the park.** According to a recent [survey](#) by Airtasker, remote workers are more productive and, on average, work 1.4 more days each month. Show them (and others) that an employee can work remotely without limiting their advancement opportunities.

## Flexibility for employees

Employees today really value the flexibility that remote work provides. In a Gartner [survey](#) of 10,000 digital workers globally, 43 percent said that work hours flexibility was the main reason for their increased productivity. Similarly, in a global Pulse [survey](#) of 10,000 knowledge workers globally, 68 percent said hybrid is their preferred work environment, but 95 percent want schedule flexibility.





This flexibility can allow employees to spend more time with their families and less time commuting; allow employees to pick their children up after school; or make it easier to care for aging family members. Importantly, for employees who have disabilities or chronic health issues, remote work can mean their work area is more accessible and/or they have easier access to medications or medical devices. If a diabetic needs to take insulin or a lactating mother needs to pump, working from home can be much more comfortable than working from an office.

Many of these benefits, however, require that employers and, more specifically, managers allow their employees to work flexibly — and that means flexible hours. There are certain jobs that require an employee to be at their desk during set hours. But for jobs that can support more flexibility, it is imperative that managers encourage their employees to work flexibly.

If you know an employee has a drop-off or pick-up time for school, avoid scheduling meetings during that time. If you learn that an employee's parent will need routine medical procedures, talk to your employee about flexing their schedule so that they can support their family and the work. Think beyond how work was done before and think creatively about how work can be done in the future.



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Employers should also be flexible with what norms they're establishing for their teams. For example, not everyone is comfortable having their computer cameras on, and being on camera all day can be depleting. Leaders and managers should set the tone that employees are free to choose whether to turn on their cameras or not, and choosing not to do so does not mean that the employee is not engaged.

## How to level up

- **Provide managers training on how to manage a remote workforce.** Performance management may look different, so give your leaders the tools to be successful.
- **As a leader, be open and transparent when you're working flexibly.** For example, if you're working from a different location that allows you to work while also visiting family, share that. Your openness about flexibility will make it safe for your team to work flexibly.
- **Use your technology.** If there are conversations that can take place over a Slack or Teams chat instead of a meeting, get in the habit of using chat. Provide smartphones (or at least smartphone access) to company email and apps so employees can work away from their desks.
- **If you have global teams, record and take notes at team meetings.** This way employees don't feel obligated to attend meetings during the middle of the night or other off-hours. Use captioning where possible so it's easier for employees to follow what's being said when the spoken language is not their primary language.
- **Inclusion and authenticity mean understanding that not everyone will want their camera on for every meeting.** Let people know in advance if they will be expected to be on camera, and don't assume that someone's decision not to turn on their camera means they're any less engaged.

## Engaging colleagues in other geographical areas

With remote work, employees can meet and engage with colleagues in different areas of the country (and world) with almost as much ease as colleagues who work nearby. This provides a tremendous opportunity for your employees to learn about different parts of the business, have exposure to leaders in different places, and feel more connected to your organization as a whole.

Connecting employees from a field office or a more remote location with employees at headquarters or with their peers at a different location can open their eyes to additional opportunities within the company and also allow for sharing of best practices.

[Learn how the ACC DEI Maturity Model can help you](#)

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## How to level up

- **Expand the meeting invite list.** If you have meetings that were previously in person and are now virtual, expand the invite list to include all locations.
- **Diversify your speakers.** Invite and encourage leaders across the organization to speak at virtual events so employees can learn more about people and operations at other work sites.
- **Connect others.** Support your employee resource groups in different locations in jointly hosting virtual events.
- **Encourage travel.** As business travel starts to resume, encourage employees to visit company sites that are different from their assigned work location.

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Advancing DEI in your organization requires intentionality. Your organization's approach to remote work can either attract diverse talent or send your existing diverse talent searching the job listings. The organizations that are slow to evolve or trying to revive traditional business practices will struggle to compete for talent in this tight job market where candidates are choosier and have more options than ever before.

[DEI, Esq.](#) is comprised of in-house counsel who share a deep passion for diversity, equity, and inclusion. While the members, Jane Howard-Martin, Connie Almond, Olesja Cormney, Jennifer N. Jones, and Meyling Ly Ortiz, work as employment counsel at Toyota Motor North America, Inc., their views and the thought-leadership expressed are their own and not necessarily the views of their employer.

[Jane Howard-Martin](#)



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Jane Howard-Martin is vice president and assistant general counsel for Toyota Motor North America, Inc. (TMNA) and manages the Labor, Employment, Immigration, Benefits and Trade Secrets practice. Howard-Martin leads the labor and employment practice group that is responsible for providing legal advice and counsel and managing litigation and labor matters for a workforce of 33,993 based in our North America affiliates, including the nine North American Manufacturing Centers (NAMCs), R&D, Finance, and Headquarters functions.



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Prior to joining Toyota in 2003, Howard-Martin was a partner with Morgan, Lewis and Bockius, LLP in their Los Angeles and Pittsburgh offices, and previously was a partner at Kirkpatrick & Lockhart in Pittsburgh, Pennsylvania.

Howard-Martin has been featured in a number of publications and symposiums. She authored a column on employment issues for USA Today.com, a treatise on Title III of the Americans with Disabilities Act and served on the Editorial Review Board of the Pennsylvania Labor Letter. Howard-Martin also appeared as a panelist on MSNBC's "Today in America" on the issue of harassment. She is a frequent speaker on employment law topics at various conferences including those held by the ABA, the National Employment Law Council, and the American Employment Law Council. In November 2020, Howard-Martin received the ABA Honorable Bernice B. Donald Diversity, Equity and Inclusion in the Legal Profession Award. She is the past President (2009) and currently serves on the board of directors of the California Employment Law Council and is also a board member of the American Employment Law Council. She is also a fellow with the College of Labor and Employment Lawyers.

Howard-Martin earned a BA from Harvard University in 1979 and received her juris doctorate degree from Harvard Law School in 1982.

She lives in Los Angeles with her husband, Gus Martin, who is on the faculty at California State University, Dominguez Hills. In her free time, she enjoys ballroom and hip-hop dancing, trying international recipes, writing historical fiction, and travel.

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Olesja Cormney is managing counsel in the labor and employment group for Toyota Motor North America, Inc., a mobility company headquartered in Plano, TX. She is a strategic counsel and a proactive problem solver, offering an innovative perspective and an agile approach based on her prior business experience. Cormney is honored to be on the board of the ACC Dallas Fort-Worth Chapter.

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Jennifer Jones is managing counsel in the labor and employment group at Toyota Motor North America, Inc. She has over a decade of experience counseling employers on a broad range of labor and employment law issues. As one of the founding members of DEI, Esq., she has a deep passion for diversity, equity, and inclusion, and has authored many articles and participated in many panels on the subject. She also sits on the board of two nonprofit organizations, both with a mission of ensuring that children from disadvantaged backgrounds have access to quality secondary and post-secondary education. In her free time, Jones strives to be a “fun mom” for her two small children

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while keeping up with the latest and greatest in interior design.

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Meyling "Mey" Ly Ortiz is managing counsel of employment at Toyota Motor North America, Inc. Her passions include mentoring, championing diversity and inclusion and a personal blog: [TheMeybe.com](https://www.themeybe.com). At home, you can find her doing her best to be a "fun" mom to a toddler and a preschooler and chasing her best self on her Peloton. You can follow her on [LinkedIn](#). And you knew this was coming: her opinions are hers alone.

