### **F. Policy on Enhancing Diversity and Inclusion in**

### **Recruitment, Retention and Advancement**

**Effective Date:\***

**Revised Date:\***

**Reviewed By:\***

**References:**

*Human Rights Code*, R.S.O. 1990, c. H.19

*Integrated Accessibility Standards* (O. Reg. 191/11) under the *Accessibility for Ontarians with Disabilities Act*, 2005, S.O. 2005, c. 11

“Best Practices Standards for the Recruitment, Retention, Development, and Advancement of Racial/Ethnic Minority Attorneys” (New York City Bar, Minorities in the Profession Committee, April 1, 2008)

[Canadian Bar Association](https://www.cba.org/)’s “Equity and Diversity Guide and Resource Manual for Successful Law Firms and Legal Organizations (2007)”

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**NOTE:**

This Policy must be read and interpreted in conjunction with the following policies of XYZ Legal Firm:

A. Policy on Human Rights Code-Based Discrimination & Harassment

B. Workplace Harassment Policy (Including Sexual Harassment)

C. Accommodation Policy and Procedure

D. Integrated Accessibility Standards Policy under the *Accessibility for Ontarians with Disabilities Act*

E. Workplace Violence Policy

**PURPOSE:**

The purpose of this Policy is to set out XYZ’s commitment to, and strategy for, establishing and maintaining a diverse and inclusive workplace, particularly for those who have been historically excluded from, and under-represented in, the practice of law.

Those historically excluded, and under-represented in, the practice of law, include individuals who are identified by grounds under human rights legislation, such as: Indigenous peoples; people with disabilities; individuals from racialized groups; people of diverse faiths and creeds; people with diverse gender identities or expressions which could include those who identify as trans, intersex, non-binary, bigender, polygender, agender, demigender, gender fluid, gender non-conforming, gender variant, genderqueer or two-spirited; people with diverse sexual orientations which could include those who identify as lesbian, gay, bisexual, pansexual, polysexual, asexual, demisexual, queer, questioning or two-spirited; and women.

**SCOPE:**

This policy applies:

* at all stages and to all aspects of the employment cycle (recruitment, retention, advancement);
* to all partners and employees, for all roles and positions at XYZ..

**LEADERSHIP COMMITMENT TO DIVERSITY AND INCLUSION:**

We commit to developing, implementing, and maintaining best practices and strategies to enhance equality, diversity and inclusion at XYZ. We make this commitment at all stages of the employment life cycle: recruitment, retention and advancement.

The senior leadership at XYZ will demonstrate their commitment to promoting and advancing diversity and inclusion by:

* Establishing and maintaining a **Diversity Committee** comprised of management/executive - level employees or partners. The committee will oversee diversity and inclusion efforts at all levels, and ensure that diversity and inclusion is integrated into all initiatives and aspects of XYZ.
* Dedicating **adequate resources (in budget and staffing)** to meet our diversity and inclusion goals.
* Encouraging **diversity and inclusion education/training** on: discrimination and harassment; “unconscious bias,” stereotyping, and the impact on performance perceptions.
* Ensuring that **human resources staff has sufficient training and expertise** in human rights legislation, and diversity and inclusion strategies. If there is no internal staff at XYZ, an external expert may be retained to assist with achieving our diversity and inclusion goals.
* **Measuring and tracking** recruitment, retention and advancement demographics (at least annually), to ensure that diversity and inclusion efforts are resulting in the desired, positive changes.
1. **RECRUITMENT**

Recruitment is the process of discovering, attracting and hiring an individual for a job position. In order to achieve our goal of enhancing diversity and inclusion at XYZ some or all of the following strategies in the recruitment process will be implemented:

**Promotional materials** – our commitment to diversity and inclusion will be set out in our recruitment and promotional materials (eg. job notices, website, formal and informal verbal or written communications with candidates).

**Legal education institutions** – we will work with law schools and paralegal education institutions to promote opportunities for candidates from diverse communities.

**Goal setting** – we will set equity and diversity recruitment goals when hiring.

**Diverse community networks** – we will:

* establish and maintain connections with legal associations formed by lawyers and paralegals from diverse communities, eg. LEAF, Canadian Association of Black Lawyers, Reach Canada, Indigenous Bar Association, South Asian Lawyers Network;
* establish and maintain both formal and informal networks with diverse communities;
* request referrals from other members of historically underrepresented groups;
* advertise and recruit “creatively” – beyond the typical channels through which recruiting is traditionally done. Seek advice as to the ways to attract applications from diverse communities.

**Interviewing** –we will:

* involve employees from diverse communities in the recruitment and interview processes;
* provide “unconscious biased training” for those involved in the recruitment process to ensure that hiring is as fair and objective as possible.
1. **RETENTION**

Retention refers to the ability of an organization to retain its employees. A number of factors contribute to employee retention, such as career development, opportunity, satisfaction, rewards, and recognition.

To achieve our goal of enhancing diversity and inclusion at XYZ, some or all of the following strategies with respect to retention will be implemented:

**Reasonable accommodations** – we will:

* grant and respect accommodation requests for: e.g. family responsibilities, physical accessibility for disabilities, diverse days of religious significance;
* accommodate alternate work arrangements and family responsibilities including child care and elder care.

**Mentoring** – we will:

* ensure that senior partners/ managers will mentor employees from diverse communities, and those historically under-represented in the legal profession;
* encourage employees from diverse communities, and those historically under-represented in the legal profession to act as mentors;
	+ recommend and leverage mentoring programs
	+ [Coach and Advisor Network](http://www.lsuc.on.ca/coachandadvisor/)
	+ [Articling Mentorship Initiative](http://www.lsuc.on.ca/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=11183)
* [The Advocates Society](http://www.advocates.ca/new/about-the-society/mentoring.html)
* [South Asian Bar Association of Toronto](http://sabatoronto.com/join-saba-or-get-involved/mentorship-program/)
* [Canadian Association of Black Lawyers](http://www.cabl.ca/mentorship)
* [Women’s Law Association Of Ontario](https://www.wlao.on.ca/mentoring/)
* [Ontario Trial Lawyers Association](http://www.otla.com/)
* [OTLA Guide to Mentoring (PDF)](http://www.lsuc.on.ca/uploadedFiles/Equity_and_Diversity/Members2/Womens_Online_Resource_Centre/OTLAGuidetoMentoring.pdf)
* [Ontario Bar Association Mentorship Program](http://www.oba.org/Professional-Development-Resources/Mentorship)

**Performance Management** – we will:

* develop clear, written and communicated performance management policies;
* ensure that performance reviews are conducted regularly on a set-schedule, as well as on an as-needed basis;
* mandate training and education on an overt bias, as well as “unconscious bias,” training for those who conduct performance reviews.

**Quality of work** – we will ensure that lawyers and paralegals from diverse communities have access to a range of legal work, with a variety of clients and colleagues.

**Client development** – we will:

* support activities that target non-traditional sources of clients from within diverse communities;
* ensure licensees from diverse communities are involved in client development activities, including events to retain current clients;
* meaningfully support/defend lawyers and paralegals who experience disrespectful and discriminatory treatment from clients.

**Survey** – we will:

* survey our employees and partners about our diversity and inclusion efforts, and about any personal experiences of discrimination and/or harassment at XYZ;
* conduct exit interviews of employees and partners, and ask whether any overt or subtle forms of discrimination played a role in their decision to leave.
1. **ADVANCEMENT:**

Advancement is the upward trajectory of an individual's career and **typically means getting promoted or being assigned more responsibilities by an employer.** To achieve our goal of enhancing diversity and inclusion at XYZ, some or all of the following strategies with respect to advancement will be implemented:

(**Note**: the strategies set out above in “2. Retention” are also applicable to this section.)

**Clear criteria** – we will:

* develop clear, written and communicated criteria to evaluate candidates for partnership or senior management positions;
* communicate the expectations and time frame for becoming a partner or senior manager;
* ensure that regular, documented performance reviews are considered in advancement decisions.

**Leadership** – we will:

* have a diverse group of partners/ employees serve on our leadership team, and as chairs of practice groups and client service teams;
* ensure that those in decision-making roles for promotions and advancement have had adequate diversity and inclusion education/training.
* Ensure that proper training has been provided on how to evaluate candidates for promotion and that the criteria is being applied consistently

**Promotions** –we will:

* provide opportunities to promote partners/ employees from groups historically under-represented in the legal profession.