



Diversity & Inclusion Counseling

Our Diversity & Inclusion (D&I) team advises employers in a range of industries on the development, enhancement, and implementation of their D&I programs. As attorneys, we offer a perspective that blends D&I consulting and development with a sensitivity to important legal issues—including regulatory compliance, the interplay of equal employment opportunity and affirmative action laws, reverse discrimination risks, and the role of D&I in potential discrimination litigation.

D&I is more than “the right thing to do.” It makes business sense. An effective D&I program can help an organization connect with communities, penetrate and capture the U.S. multicultural markets, attract top talent, and drive innovation. For this reason, organizations are embracing D&I as a key business strategy. In addition, organizations appearing before regulatory agencies or state and local governments seeking approval for a transaction often find that having robust D&I programs puts them in a stronger position.

Our D&I team performs assessments, develops D&I strategic plans, advises on existing programs, develops policies and communications materials, conducts training, and assists with the implementation of D&I programs. Our work touches on other areas as well, including board and internal governance entities, human resources and workforce issues, procurement and supplier diversity, and community engagement and philanthropy. When needed, we offer collaborative input from lawyers across the firm’s practice areas to provide advice on issues involving government relations, securities, labor and employment, employee benefits, non-profit governance, and investigations.

OUR SERVICES

We are well-versed in the regulatory compliance issues involved in workplace diversity issues. Publicly traded companies and financial institutions call on us to help them meet the regulatory expectations for D&I programs established by federal agencies under Section 342 of the Dodd-Frank Act.

These standards were issued jointly in 2015 by six federal agencies, including the Consumer Financial Protection Bureau, other federal banking agencies, and the U.S. Securities and Exchange Commission. They affect financial institutions, publicly traded companies, mortgage companies, and other entities regulated by the Dodd-Frank Act. The final standards envisioned that an entity will conduct an annual “self-assessment” of its diversity policies and practices in four areas, and the standards provide “assessment factors” for each. These entities are encouraged to provide the self-assessments to the regulating agency and to make this information public. We regularly participate in public programs alongside federal regulators and counsel clients on the design and implementation of D&I programs that meet or exceed the standards.

In addition, we offer services in:

- Program development
- Policy and procedure drafting
- Program audits and analysis
- Self-assessment checklists
- Strategic planning
- Employee and executive training
- Workforce goal and management plan development
- Compensation and performance management
- Scholarship development
- Supplier and vendor issues
- Website and corporate marketing material review
- Philanthropy and community outreach programs

LEADING BY EXAMPLE

Ballard Spahr is recognized for its own successful and innovative D&I program, which is led by our internal Diversity Council of more than two dozen lawyers and our Chief Diversity Officer, Virginia Essandoh. Attorneys on our D&I team—including team leaders Brian D. Pedrow and Dee Spagnuolo—also serve on the firm’s Diversity Council, ensuring that they experience the rewards and challenges of developing and implementing a D&I program from the client’s perspective.

Our D&I initiative has made Ballard Spahr a stronger firm. Clients have told us that diversity is important to them, and we have seen first-hand that varied perspectives drive insightful counsel. That commitment to D&I is reflected in many ways, including through the active and direct support of firm leadership. Our D&I program encompasses many of the initiatives we advise our clients to consider, including leadership involvement and support, recruitment and outreach to diverse organizations and universities, onboarding and mentoring programs, supplier diversity, affinity groups, and partnerships with clients and the communities we serve.

We also participate in legal industry and client industry initiatives to promote D&I. In 2016, the Mortgage Bankers Association awarded Ballard Spahr its first-ever Diversity and Inclusion Leadership Award for Organizational Diversity, which recognizes efforts to increase internal diversity and promote inclusion at all levels.

OUR TEAM

Led by Mr. Pedrow and Ms. Spagnuolo—partners at Ballard Spahr and recognized leaders in the area of D&I—the team closely follows developments involving the Dodd-Frank Act and other federal, state, and local laws. We also follow trends reported in mainstream media and legal journals and conduct business and industry intelligence that helps clients avoid risk and develop programs that set them apart from their competition. For the past nine years, we have worked closely with a publicly traded Fortune 50 company that is now ranked among the 30 best companies in the United States and was named to DiversityInc’s Top 20 list. Our clients include financial institutions, communications companies, technology corporations, manufacturing companies, and higher education institutions.

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