A RECKONING: EXPLORING THE HISTORY AND EVOLUTION OF DIVERSITY & INCLUSION

by: Idil **Burale**

Submitted to OCAD University in partial fulfillment of the requirements for the degree of Master of Design in Strategic Foresight & Innovation.

Toronto, Ontario, Canada, 2021

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ABSTRACT

This major research project explores the history and evolution of diversity management strategies, like Diversity & Inclusion (D&I) and its current evolution, Diversity, Equity, and Inclusion (DEI). Born out of the American civil rights movement, the first phase of D&I emerged as a response to regulatory requirements for fair and equal opportunity in hiring practices. Since then, it has been widely embraced as a competitive advantage and the key ingredient to innovation. For half a century, organizations have been investing multi-billion dollars in D&I initiatives but still struggle to make meaningful and measurable progress towards racial equity.

This paper seeks to investigate how effective D&I strategies are and lessons learned from a half century of effort to diversify workforces and build inclusive workplaces. To answer this question, a literature review and jurisdiction scan on Canadian and American D&I efforts was completed to identify key trends and gaps, with a focus on the hiring and career advancement of Black employees. It also provides an overview of the legal, academic and corporate definition of D&I, in order to map out the initial and evolving goals of diversity, along with how it is implemented and evaluated to make the argument that D&I, when done right, is about culture change and organizational redesign.

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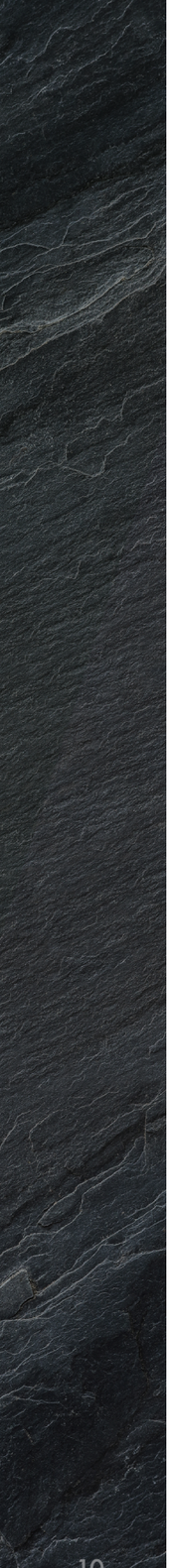


CH. 1

INTRODUCTION

INTRODUCTION

This Major Project Proposal (MRP) is an exploratory and critical review of corporate efforts towards workforce diversity and inclusive workplaces, otherwise known as Diversity and Inclusion (D&I), Diversity, Equity & Inclusion (DEI), or Diversity, Inclusion & Belonging (DIB). For the purpose of this paper, I will refer to the D&I term. I will explore how these strategies have helped shape or advance racial equity in the workplace resulting in improved employment outcomes and career advancement for Black Canadians. By racial equity, I mean the active measures taken by organizations to eliminate racial disparities between Black and non-Black candidates and employees when it comes to hiring, promotion and retention. In addition, I seek to understand why there continues to be a gap between intention and outcome. To do this, I looked at the legal, academic and corporate definition of D&I, in order to map out the initial and evolving goals of diversity, along with how it is implemented and evaluated. This will serve as the context onto which I will launch into my primary research question: how effective are D&I strategies? What can we learn from a half century of effort to diversify the workforce and build inclusive workplaces? By effective, I mean whether or not D&I interventions achieve the outcomes they are designed to achieve and more specifically, whether it has helped improve employment outcomes for Black Canadians. Moreover, as the Canadian government commits to modernizing the Employment Equity Act, that requires federally regulated organizations to diversify, I reflect on the history of affirmative action and the growing field of the D&I industry to identify lessons for the ongoing work of building diverse and inclusive workplaces.

To answer these questions, I will complete a literature review on the pursuit and management of diversity and conduct a jurisdictional scan on D&I efforts, with a focus on the hiring and career advancement of Black employees. I will identify the key theories and methods that underpin D&I to determine the gap between commitment and action. While my literature review will be global in scope, the analysis will be scoped within a Canadian context to uncover key trends and gaps in the federally regulated sectors of the employment equity act. I will then apply key findings from the research to make the argument for why organizations need to go beyond D&I, as it is currently practiced, to achieve racial equity.

The tangible outcomes of this report will include a comprehensive analysis of the literature around D&I, key trends in the field and a jurisdiction scan on the current state of D&I in Canada. Given that the rationale for diversity and its benefits have been well documented and widely accepted, this paper will focus on what is missing and what more can be done to achieve progress for Black Canadians. Research findings are intended to inform organizational leaders, current and future D&I practitioners, and the general public on D&I practices, its limitations and potential for transforming organizations into racially equitable workplaces.

My Motivation

There is a myriad of reasons why I chose to focus on this topic. Chief of among them is my commitment to racial justice and desire to leverage my lived experience, along with my expertise and professional background, to further the work of building anti-racist institutions. I was also inspired by the global conversation on race that transpired in the summer of 2020, following the murder of George Floyd, and how that resulted in a renewed commitment from corporate and government leaders to tackle anti-Black racism within institutions. However, I also knew that moment would just be that: a moment. My

third reason is that I suspect that Black Canadians continue to face systemic barriers to entry and a glass ceiling to their advancement within organizations, but that the lack of race-based data collection and disaggregated analysis might mask this under the otherwise improved employment outcomes for members of visible minorities.

Although the conversations on race were short lived, there continues to be a need for a racial reckoning in order to grapple with the historic and continued barriers faced by Black people in Canada, which is not often discussed and cannot be adequately addressed through a stand-alone D&I strategy. The realization that D&I, as is currently practiced, might not be sufficient to achieve racial equity in the workplace is what prompted this research. My hypothesis is that given the rich diversity in lived experience, organizations need to collect race-based data and apply an intersectional lens in order to understand the unique and collective barriers faced by Black people. Furthermore, I will argue that these disparities can only be resolved through a dedicated anti-racism plan and tailored programming that identifies and eliminates systemic barriers and biases based on intersecting dimensions of diversity.

As a racialized professional working in corporate spaces, I have been subject to my own personal experiences with the systemic factors that reduce my odds of being hired, like my lack of networks or having an ethnic name on my resume, and have been invited to inform the development of workplace diversity initiatives. While I am not a D&I practitioner or academic, how diverse and inclusive a workplace is informs my employment choices. Moreover, Deloitte (2017) projects that millennials will make-up 75% of the Canadian workforce by 2025 and occupy the majority of leadership roles. According to their survey, 47% of millennials identified diversity and inclusion as a key deciding factor when job hunting, compared to 33% of Gen X'ers and 37% of baby boomers. (ibid) As a Black millennial, I see this as an opportunity to apply a generational lens on the next phase of D&I and what it means to deepen inclusion work beyond the visible representation of diversity and towards work cultures that support varying lived experiences and perspectives.

Rationale -- A Moment That Changed the World

On May 25, 2020, at the height of the coronavirus pandemic, a Minneapolis police officer kneeled on the neck of an unarmed Black man for over nine minutes, eventually choking him to death. That incident was captured on video, by a bystander, and uploaded onto social media, where the world would watch in horror. While it was not the first police-involved killing of an unarmed African American nor the first caught on camera, and while many more would continue to die at the hands of police, this event sparked a global reckoning and renewed calls to address systemic anti-black racism. That summer, it became amply clear that North America was in the throes of two pandemics: a public health emergency and the longstanding issue of anti-Black racism. As Black, Indigenous and racialized Canadians started sharing their own stories with institutionalized racism, this was no longer an isolated American issue but a global dialogue. The Covid-19 pandemic, just like police-involved killings, continues to have a disproportionate impact on the lives of Black, Indigenous and racialized communities.

Since 2013, the Black Lives Matter (BLM) movement has been raising awareness on the epidemic of police violence in Black and poor communities. Through community organizing, protest and trending hashtags on social media, their national movement went viral with George Floyd's last words 'I can't breathe' in the summer of 2020 (this phrase originated with Eric Garner who died in 2014 while being in a chokehold by police officers in New York City). Although there was nothing unique about this Minneapolis incident, it did create a watershed moment for speaking out against racism. But what does police-involved shootings and the BLM movement have to do with an organization's pledge to tackle systemic racism? Both are rooted in the yet-to-be-achieved civil rights movement for racial equity and centers on the unfair and unjust practices that have resulted in disproportionate negative outcomes for Black people in society and within organizations. As Banks and Harvey (2020) frame it in their Harvard Business Review article: "The key difference between "police brutality" and "corporate brutality" is the means. The former is relatively, although not exclusively, more physical. The latter is more systemic and covert. But in either case the result is the same: People are injured, abused, damaged, and/or destroyed."

The longstanding tradition of CEOs and non-political leaders remaining quiet and not weighing in on current affairs for risk of offending their base became untenable. All of a sudden, CEOs on both sides of the border were either compelled or pressured into speaking up and taking a stand. George Floyd's death was not just about use of force or reforming policing, it was about a question posed to society: do Black lives matter? Over the next weeks and months, many organizations were compelled to affirm yes and respond with public pledges to tackle systemic barriers and improve outcomes for racialized employees and communities through financial and organizational change commitments.

I, like many other Black people across Canada and the world, was consumed by the news of Mr. Floyd's death and the ensuing civil unrest that followed. I stayed up late, watching videos of cities on fire, scrolling through personal anecdotes on social media and clips of Black pundits and interviewees who struggled to remain objective as they rendered their analysis that they too felt unsafe as Black bodies in America. I would then log into work and engage in small talk with colleagues who were either blissfully unaware or uninterested in the second-hand pain that I was carrying into work that day, week, and ensuing months. The deafening silence of leadership and the zombie-effect of walking into a parallel universe where business went on as usual and any attempt to discuss this incident was met with a 'that's so sad, thank god we live in Canada' refrain. The irony being that in Canada too, Black people face a higher likelihood of being stopped, assaulted, or killed during a police interaction (Ontario Human Rights Commission, 2020).

2020, a watershed year for Diversity and Inclusion

Diversity management strategies, like Diversity & Inclusion (D&I) and its current evolution, Diversity, Equity, and Inclusion (DEI), were born out of the American civil rights movement for equal employment opportunity (Title VII of the Civil Rights Act of 1964) and served primarily as a compliance strategy to ensure companies were adhering to the law and to pre-empt lawsuits (Newkirk, 2019). In Canada, like in the US, the first phase of D&I emerged as a response to regulatory requirements for companies to provide equal opportunity in hiring and to rid workplaces of discriminatory practices and incidents (Garr et al., 2014). The Employment Equity Act, first enacted in 1984 and amended in 1995, required regulated sectors in Canada to collect data and submit progress to the federal government. Since then, it has been widely embraced as a competitive advantage and the key ingredient to innovation. For half a century, organizations have been investing in the multi-billion dollar industry of D&I but still struggle to make meaningful and measurable progress towards racial equity in the workplace (Newkirk, 2019).

Never before has D&I been so popular and yet so scrutinized as it is now. In Canada, the most prominent example of a public pledge to emerge out of the George Floyd killing is the Black North Initiative (BNI). A first of its kind with 500 signatories representing companies in every sector of the economy, BNI is led by a Canadian council of cross-sector leaders working towards the removal of systemic barriers to advance the hiring, promotion and retention of Black talent in corporate Canada. By 2025, signatories are to have achieved the following metrics: invested 3 percent of their corporate donations towards initiatives

and programs that support the Black community, increased entry-level hiring by 5 percent for Black students and have 3.5 percent of their senior leadership roles held by Black or visible minorities (Black North Initiative, 2020).

A year later, Subramaniam et al., (2021) found that the majority of companies who signed the pledge made little to no progress on the quantifiable outcomes of the pledge, namely increasing the number of Black employees in their workforce. Most significant was the fact that more than half of the signatories chose not to respond to the Globe & Mails survey. Of those who responded, most attributed the lack of progress to data gaps, working to improve numbers by 2025 or taking steps to initiate the key metrics for success, such as establishing diversity councils and developing anti-bias training programs. This did not bode well for a highly marketed initiative that has less than 3 years to achieve its mandate.

While the private sector was organizing itself around BNI, the public sector was also going through a public reckoning. A group of Black civil servants working for the government of Canada filed a class action lawsuit accusing their employer of years of discrimination and harassment on the job (Black Class Action, 2020). In response, Prime Minister Trudeau acknowledged that anti-black racism is real and pledged to establish a mental health fund and career advancement for Black public servants in the 2021 Liberal federal election campaign (CBC, 2021). This class action is still waiting to be certified by the courts.

Similarly, a third-party audit found that there is 'persistent and unyielding' anti-black racism in the Ontario Public Service (OPS) (Beattie, 2021). In the fall of 2020, the public service launched a review of its inclusive workplace policies and programs to seek recommendations on how it can better address systemic employment barriers faced by racialized, disabled, and LGBTQ employees (Ontario Newsroom, 2020). Despite being one of Canada's Best Diversity Employers and having multiple D&I strategies in place, Black public servants described the OPS as a toxic work environment, where they are often passed over for promotions and there's no consequences for bad behaviour. Senior leadership accepted the report findings, apologized to employees and committed to implement the recommendations of the report.

These examples seek to illustrate the gap between the intention and outcome of diversity management initiatives and the complex nature of achieving diversity, equity and inclusion in the modern workplace. While most organizations have bought into the importance and benefits of D&I, i.e. the intention, and no longer see it as solely a legal requirement or risk mitigation strategy but a real competitive advantage, they have practiced that intention at an ad hoc basis, implementing various initiatives sprinkled across the talent lifecycle that focus on diversity but not equity or inclusion. This gap, between theory and action, might be responsible for the slow and unstable results after decades of effort. It may also explain why D&I continues to be pursued and applied in workplaces, despite limited results or empirical evidence to support that it works.

I believe that D&I, when done right, is about culture change and organizational redesign. Accommodating difference is an experience to be designed at multiple levels (i.e. interpersonal, organizational, societal). D&I is about more than hiring and promotions, it is a behavioural and structural challenge where human factors and hidden processes can get in the way of success, just like with the adoption of any new technologies or innovation project. Based on the findings from research and key insights from analysis, I hope to identify the promise and limitations of D&I and key lessons on how to build inclusive workplaces for Canadian organizations

Methodology

This MRP will be conducting a critical review of D&I strategies and practices as it relates to advancing racial equity in the workplace. Understanding that current D&I practices might be ineffective based on the observable gap between intention and outcomes, I will rely on secondary sources to help identify the approach that organizations take to develop and implement their D&I goals. Furthermore, I will identify if D&I is an evidence-based approach and how it is currently measured and evaluated. I will also investigate what the stated goals of D&I are and how each goal - Diversity, Equity and Inclusion - gets managed and negotiated within this strategy.

Method 1 - Literature Review

To answer these questions, I completed a broad scan of the literature to answer the following foundational questions about D&I: what is it, how did it emerge and how do you evaluate it? The literature review identified the key theories, disciplines, and evidence that informs and assess diversity management, D&I, and workplace cultures. Diversity management, diversity and inclusion, and the sociology of workplaces were some of the key terms that lead my research. In this review, I noticed that most of the available research on D&I is based on perception data gathered through interviews or mass surveys. Through this, I was able to complete a chronology of events, milestones and evolution of D&I as a framework and approach to organizational management.

Method 2 - Jurisdictional Scan

In order to learn the real world application of D&I, I conducted a jurisdiction scan on D&I trends and challenges across Canada, with a focus on public and private sectors. This included collecting information via annual diversity reports and public pledges organizations share on their websites and from reports written by management consultant firms and think tanks on these sectors. Through this jurisdiction scan, I was able to collect an inventory of commitments, initiatives and actions taken towards D&I. I was able to determine: 1) how organizations define diverse and inclusive workplaces; 2) what key actions they take to achieve their D&I goals; and 3) how organizations connect diversity initiatives to inclusion outcomes.

Method 3 - Analytical Approach

Through the data retrieved from the literature review and jurisdiction scan, I was able to assess key practices, challenges and gaps in the field. For analysis, I applied a systemic design approach to define the parameters of the 'system as is' and recommendations for the 'system-to-be'. I also applied the cynefin framework, a sense-making tool that helps situate the broader context of decision-making and how the challenge of diversity and inclusion is perceived. By interrogating what D&I is meant to do and how it is practiced in the field, I hope to identify the system boundaries, the cause-and-effect relationships and how external and internal factors influence the state of the system. The analysis will uncover any gap between intention and reality.

Research Limitations

I am limited both by the time I have to complete this research and the available insights of secondary sources. Another limitation is that most of the research on D&I is based on perception data through the application of surveys and interviews with practitioners and advocates. Given that there is limited objective analysis of how D&I strategies are formulated, implemented and evaluated, through third-party observational studies within organizations, I believe I am also limited by the organization's narrative and what data is chosen to capture progress in annual diversity reports. Lastly, as someone who hasn't worked in the D&I space nor has prior research experience with the topic, I acknowledge that there's a limit to my knowledge but nonetheless hope to bring a fresh perspective to this highly contested and nascent field of research.

Report Overview

This report is set up as two sections. The first section seeks to lay the context for answering my research question by providing a historical evolution of the term D&I, how different people have come to define it (i.e. through legislation, scholarship, and corporate strategy), and how it is implemented in organizations. I also provide a brief scan of Canadian D&I trends and patterns to evaluate the maturity of their programs, compared the best practices identified in research. I conclude this section with a profile on the experiences of Black Canadians to make the case for racial equity as a benchmark for evaluating the efficacy of D&I strategies.

The second section is where I provide my analysis and key findings. In determining the efficacy of D&I, I have conducted a systems analysis of gaps and opportunities in the way D&I strategies are developed, implemented, and evaluated as it relates to improving the employability and experience of Black employees in public and private organizations. I then conclude with my final answer to the research question and some reflections on envisioning the future of diversity and inclusion.

PART 1

CONTEXT SETTING

CH. 2

DEFINING D&I

DEFINING D&I

In order to answer the first part of my research question – how effective are D&I strategies? – I must first set a baseline understanding of what D&I is set out to accomplish so that I can evaluate it accordingly. Therein lies the challenge; there isn't a shared definition, paradigm or framework and limited evaluation to ground my analysis in theory or empirical evidence. Even though the work to remove discriminatory barriers to employment has been a decades long struggle, it is still an emerging field, both in theory and practice.

I have come to understand that determining the efficacy of D&I programs depends on how it is understood. Some speak of D&I as a regulatory requirement and understand it based on how the law defines it. Others talk about it as a programmatic feature or approach to the management of human resources. This chapter seeks to provide a brief overview of the many ways that diversity and inclusion has come to be defined and understood, from its legal roots to the multi-billion-dollar industry it spawned (Newkirk, 2019). In doing this, I hope to provide you with an understanding of how things currently work in order to then answer how it could be improved.

1.1 Affirmative Action

In North America, diversity goals were primarily defined as a form of compliance to anti-discrimination laws. The first articulation of an employment equity mandate happened in the United States during the Second World War when President Roosevelt signed into law Executive Order 8802, which sought to ban employment discriminations in the military based on race:

> *"...I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of workers in the defense industries because of race, creed, color, or national origin, and I do hereby declare that it is the duty of employers and of labor organizations...to provide for the full and equitable participation of all workers in defense industries, without discrimination because of race, creed, color, or national origin" (National Archives, 1941).*

Along with this order a new agency, Fair Employment Practice Committee, was established to oversee employment practices and investigate incidents of discrimination, which helped improve some employment outcomes for African-Americans (Office of Equal Opportunity and Diversity, n.d).

The first time the term affirmative action was used in relations to racial equity in the workplace was through John F. Kennedy's 1961 Executive Order 10925, which mandated contractors to: "take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin" (US Department of Labour, n.d). This policy was expanded to include broader public and private sector organizations, under Title VII of the Civil Rights bill which was brought into law by Lyndon B. Johnson in 1964 (Office of Equal Opportunity and Diversity, n.d).

Since 1971, several lawsuits have been waged against affirmative action and how it was being applied as a quota system, most prominently in higher education. The 1978 case *Regents of the University of California v. Bakke* went up to the United States Supreme Court and resulted in a landmark decision that effectively banned the use of quotas, in this case setting aside 16 enrollment positions for racialized students (ibid).

Even though the U.S. government has been safeguarding workers from discrimination since 1941, through legal interventions like affirmative action, the validity of interventionist policies continues to be fiercely debated. Affirmative action is a polarizing issue because it is seen by some as an enabling tool to create a level playing field and to others as a policy that unfairly discriminates against those who are not from an under-represented group. When affirmative action gets associated with measurable metrics, such as quotas, it is seen as providing preferential treatment for some at the expense of others.

In essence, affirmative action is a government initiative that seeks to redress historic injustices by creating equitable access to employment and education opportunities for historically excluded groups. While the federal government cannot force companies to hire African Americans, it did leverage its procurement powers as a means to promote equal opportunity and prohibit discriminatory practices based on race. Federal agencies and contractors were encouraged to take steps to ensure hiring practices were fair and resulted in improved outcomes for under-represented groups, namely women and African Americans.

1.2 Canada's Employment Equity Act

Canada's workplace equity laws were enacted 37 years ago through the Employment Equity Act of 1986. The Act was a result of a year-long investigation into 'efficient, effective, and equitable means' of removing systemic barriers and improving employment outcomes for women, Indigenous people, members of visible minorities, and persons with disabilities, Canada's historically marginalized groups as defined in legislation (Abella, 1984). The Royal Commission on Equality in Employment was led by Ontario family court Judge Rosalie Silberman Abella (1984) and found that members from these groups tend to have lower salaries, occupy low-end roles and face higher unemployment rates.

Having seen the fallout with affirmative action, Judge Abella (1984) cautioned against using such terminology and any form of a quota system: "In creating our own program in Canada, we may not wish to use quotas and we should therefore seriously consider calling it something else if we want to avoid some of the intellectual resistance and confusion." Judge Abella understood that for that Act to have any impact and longevity, it should not aspire to prescribe specific remedies or dictate what action ought to be taken. Instead the regulation provides guidelines to organizations that focus on reducing the patterns and impact of discrimination, through the identification and removal of barriers, which can be objectively assessed through the following statistical indicators: "participation rates, unemployment rates, income levels, and occupational segregation" (Abella, 1984).

The Act now applies to all federally regulated sectors, contractors, agencies and the public service with 100 or more employees. These organizations are tasked with reporting, into the Canadian Human Rights Commission, their workforce analysis and plans to: remove barriers to employment and enact anti-discriminatory policies and programs to prevent future barriers; improve access to opportunity and career advancement; and build equitable workplaces (Canada, 2019). The act requires a legislative review every five years, the first was done in 2002 and in 2021, the federal government established a taskforce to review and modernize the legislation in the context of contemporary diversity, equity and inclusion issues in the workplace.

1.3 Defining A New Approach: Diversity Management

While affirmative action made the moral argument for diversity and made it enforceable through law, the diversity management paradigm attempted to make the economic argument that diversity is not just about who you hire but how you manage it for the purpose of organizational optimization. Bringing diversity into the workplace can bring both positive and negative outcomes. Its benefit, diverse viewpoints and experiences, can also be its biggest challenge if those differences are not carefully managed and integrated. While diversity itself is not the source of conflict, its mismanagement – or lack thereof – can lead to communication breakdown and distrust amongst team members (Georgiadou et al., 2019).

The field of diversity management emerged as a counter-argument against the 'reverse discrimination' rhetoric which was most prominent under the Reagan administration, where Ronald Regan was the first sitting president to actively campaign against affirmative action based on the dubious claim that White people were being discriminated against (Gomer & Petrella, 2017). The field concerns itself with the integration of diversity and looks at how organizations minimize or leverage the multitude of perspectives and lived experiences to drive decision-making (Thomas & Ely,1996).

Academically, diversity management is a cross-disciplinary field of study, based in applied behavioural sciences ranging from the social sciences to organizational science and human resources management, that seeks to understand the process of change that connects people, process and structure towards organizational change (Brazzel, 2003). This is a relatively new field that gained prominence in the late nineties and while there isn't a shared definition or conceptual framework, Brazzel (2003) identified three level of analysis that diversity management theories fall under:

- Individual behavior and development: how belief systems shape perception of reality.
- Group behaviour and development: how interpersonal relationships shape group behaviour and experiences.
- Organizational change and development: how internal and external factors force organizations to change or maintain the status quo.

Unlike affirmative action that is outcomes-oriented, diversity management is focused on the 'how' of D&I as it relates to business management and organizational effectiveness. Therefore, determining the effectiveness of D&I according to this framework would mean looking at the building blocks of an enabling work environment that activates the competitive advantage of diversity. Interventions would have to address the interaction across all levels of the system, human and socio-technical, that make up the organization and all aspects of human differences.

1.4 Corporate Social Responsibility

The first evolution of diversity and inclusion was an internal regulatory exercise that was hidden from view, only coming to the public's attention during high profile discrimination lawsuits. While it's hard to pin down when the first, public facing, corporate diversity report came out, most corporations started

releasing their diversity metrics in the last 10 years, offering some insights into how organizations were implementing and tracking towards their D&I goals and objectives.

Corporate commitments to diversity is an internally driven strategy that is often led by the CEO and captured within the corporate social responsibility agenda for Environment, Social and Governance (ESG) issues. This definition of D&I is often captured as a goal to recruit diverse talent for the purpose of driving business success. As a result, strategies serve to link diversity goals to business metrics that are managed through existing human resources processes and channels. Success is measured primarily through recruitment, promotion and retention numbers and through the branding recognition of being named an 'employer of choice'.

The corporate definition of D&I is centered on the argument that diversity is both an asset and driver of economic prosperity. As an asset, diversity is both a recruitment and retention strategy with the goal of diversifying the workforce, resulting in diverse perspectives and viewpoints to drive business decisions. As an economic driver, it is about the integration of that diversity that results in innovation, profitability and market growth. Corporate strategies often include a broad goal to be a diverse and inclusive workplace accompanied with key representation metrics to track diversity from recruitment to advancement into management and an overview of the percentage of employees who received anti-bias training, a run down of events, initiatives and employee networks established to promote diversity in the workplace and employee survey results to demonstrate progress on inclusion.

In Summary

The first goal of D&I was articulated in legislation as proactive measures to remove racial discrimination in employment practices. In other words, the goals of diversity were initially linked to racial equity in the workplace due to systematic discrimination based on race. While future iterations of affirmative action went on to include other underrepresented groups, its fiercest opposition was and continues to be on the basis of race. The American government had to intervene to safeguard Black workers from discriminatory practices and when they did, they faced pushback and legal action that such measures were discriminatory against White people. The American professor and essayist Louis Menand captured the inherent tension and paradox with legally mandating equity in employment outcomes. He notes that while you can protect people against discrimination, you cannot enforce equitable outcomes: "once we amended the Constitution and passed laws to protect people of color from being treated differently in ways that were harmful to them, the government had trouble enacting programs that treat people of color differently in ways that might be beneficial" (Menand, 2020).

Similarly, Judge Abella had a suspicion that employment discrimination was most severe along racial lines. In the absence of disaggregated data, Abella (1984) argued that "although it is unquestionably true that many non-Whites face employment discrimination, the degree to which different minorities suffer employment and economic disadvantages varies significantly by group and by region" and that all efforts should be concentrated towards understanding the experiences of "those minorities in those regions where the need has been demonstrated". When it comes to the goals of employment equity, Judge Abella (1984) viewed equality as a process of "constant and flexible examination, of vigilant introspection, and of aggressive open-mindedness". In other words, diversity and inclusion is not a destination or even an outcome, it is something to strive for that requires long-term commitment and vigilance. Even though the task of dismantling systemic barriers continues to be needed in Canada, Judge Abella set the right tone in how we are to approach the problem of discrimination: a nuanced, multidimensional and sustainable way that prioritizes learning and experimentation over static representation of token diversity.

Both the legal and academic definition of D&I stressed process and outcomes over vision and outputs. The goal of D&I is to review and remedy your employment practices to ensure that it does not serve as a barrier to some groups. To be able to take corrective action, an organization must first know how their talent system works and how other people experience it in order to determine if and how it discriminates against certain groups. The patterns of discrimination starts with unconscious bias which informs how we design our recruitment strategies and the norms and behaviours we mainstream through incentive structures and workplace culture. In order to interrupt those patterns, Judge Abella (1984) recommends looking at the process of D&I as "an exercise in redistributive justice" which prioritizes the unique needs of the individual.

It's important to note that legislation only specifies what outcomes organizations ought to work towards, not how to achieve it or what to commit to. Based on these legal definitions, we can conclude that the effectiveness of D&I is in its ability to identify and remove all discriminatory practices that pose as barriers and limit employment outcomes - and advancement - for historically marginalized groups. Organizations initially began to track recruitment efforts, complete internal scans of existing workplace policies and developed workforce diversity plans to be in compliance with regulation. However that changed in the early 2000's when corporations started to see the business value of a diverse workforce. I will now transition to provide an overview of how D&I has come to evolve from a compliance issue to a corporate strategy.

CH. 3

HOW D&I IS IMPLEMENTED & MEASURED

Having defined the strategic objective and goals of D&I, I will now expand on the corporate definition of D&I as explained by the way it has come to be practiced. To do this, I will provide a scan of the most common D&I practices and approaches applied by organizations across North America. Lastly, I will share what the Canadian data tells us about who gains are being made for and how success is being measured for Canadian banks, regulated under the *Employment Equity Act* and the public service.

While there isn't a standard practice of D&I, the literature review and jurisdiction scan reveal a common pattern on how D&I strategies are implemented across organizations. It starts with an organizational commitment, often done through a CEO pledge or statement. The work to develop and oversee D&I plans are then delegated to a role (Chief Human Resources Officer or Chief Diversity Officer) and implemented at the divisional level (department head or unit manager) or outsourced to a third party (i.e. D&I consultants). The work of implementation sometimes involves internal assessment of the organization to take stock of existing barriers and opportunities for change.

Deloitte's research found that global D&I efforts often fall under four approaches along a continuum of diversity and inclusion maturity (Bourke, 2018). The first stage is the compliance approach, where D&I is seen as a task to adhere to regulation or to mitigate potential legal or reputational risks; next is the programmatic stage where D&I is centered around building awareness and celebrating diversity through initiatives and training; then there is leader-led D&I that models change and incentivizes compliance through performance review and rewards system; lastly there is the systems-oriented approach where D&I values are integrated into the day-to-day business and informs everything the organization does (Bourke, 2018). The first workplace strategies emerged as a form of compliance to anti-discrimination and employment equity laws, but organizations have come a long way since then.

3.1 Who D&I is Designed to Benefit

The original subjects of anti-discrimination policy, as defined by law, were women and racial minorities. While gender and race continues to be a priority lens, D&I goals have since expanded to include all facets of human differences. In Canada, the statutory requirements for employment equity is focused on the employer's workforce analysis and plans to leverage the labour market availability of talent from these four under-represented groups: women, indigenous, visible minorities, and people with disabilities.

There has since been an evolution in the understanding that diversity is not one dimensional. Each individual holds layers of identities that give them a unique combination of intersecting realities and lived experience. As a result, we each hold multiple identities based on our ethnicity, race, gender, sexual orientation, class and ability, etc. This would follow that diversity management then requires the careful examination of how an organization prioritizes different identity markers through the framing of their D&I strategy. For example, a focus on gender diversity without mention of race is a plan that may benefit White women but not racialized women given the unique circumstance of navigating both racial and gender-based barriers. While more people now understand the value of intersectionality, it is not clear how leaders factor in power struggles amongst different equity-seeking groups and how each goal Diversity, Equity, Inclusion gets managed and negotiated within these strategies, since they continue to be one dimensional in their implementation.

3.2 How D&I is Implemented

In reviewing annual diversity reports and tracking best practices from the literature review, I compiled a list of common approaches to implementing diversity and inclusion goals, including: targeted recruitment to meet hiring quotas, reviewing workplace policies and process to identify and remove barriers, mandating anti-bias training, hosting learning circles to promote dialogue and establishing employee networks to support the implementation of D&I strategies. Most D&I programs and initiatives appear to be sprinkled across the four stages of the talent lifecycle: recruitment, awareness, support, advancement.

Recruitment

The first goal of D&I is to increase the visible diversity of the workforce. Bringing in underrepresented groups starts with setting hiring goals, a predetermined percentage that is statistically representative of the population size, across all ranks and by a certain timeline. It may also include a review of existing hiring processes to identify new or enhanced recruitment strategies, such as leveraging technology and AI to reduce bias, ensuring there is diversity on the hiring panel or conducting cluster hires. Recruiting directly through professional or public networks that cater to the target population. Lastly, some organizations apply the 'Rooney Rule' which is a policy decision that imposes a requirement for all interview panels to include candidates from underrepresented groups.

Awareness

Another popular intervention to promote inclusion is anti-bias training. Whether mandatory or voluntary, this training is available to managers or all employees to surface unconscious bias and to teach about historical injustices in order to promote understanding. There is also additional awareness building materials developed for those who manage groups on conflict resolution and effective communication, two key levers for managing a diverse team. Another form of learning is achieved through events like awareness days or months, to recognize and spotlight a specific group or culture (e.g. International Women's Day and Black History month), and learning circles that promote dialogue on the impact of discrimination.

Support

Being the first or one of a few is not easy. As such, organizations develop zero-tolerance policy, code of ethics and a dispute resolution system to safeguard workers against discrimination and promote expectations of inclusive behaviour. In addition, most organizations depend on volunteer-run employee networks or diversity committees to hear directly from employees on ways to improve workplace culture and promote fair and transparent opportunities. Oftentimes, these affinity groups are tasked with developing or implementing D&I plans.

Advancement

Another important metric for D&I is tracking how far up the corporate ladder employees from underrepresented groups attain. Deliberate efforts are made to support career advancement and increase representation in all levels of the organization through targeted mentoring and sponsoring programs from underrepresented groups.

Retention

Another key performance measure is retention. To keep employees happy, organizations leverage employee surveys to gauge employee satisfaction and what is working or not working. They also conduct periodic audits of performance reviews, promotions, and salaries in order to identify trends and remove any barriers to developmental opportunities.

3.3 How Canadian Organizations Are Measuring Up

In Canada, employment equity is managed through regulation that requires diversity disclosures from organizations, not a diversity quota. Unlike affirmative action, the employment equity act did not face legal action or polarizing debates within society. If anything, it went out of public view and was haphazardly implemented. Employment equity speaks to the need for organizations to take active measures to improve employment opportunities and career advancement for the four designated underrepresented groups.

The Canadian government releases annual progress reports and periodic data reports, aligned with the census, to demonstrate the status of employment equity in Canada. In the 2000 report, the government identified that employers were not in compliance when it was time for an audit and of the 69 employers a whopping 45 required an extension in order to do the work (CHRC, 2000). Most employers were not able to identify a barrier which contributed to their inability to understand the root cause of under-representation: "...they do not identify whether and how such systems have an adverse effect on designated group members, or assess whether or not alternative policies or practices might improve the situation" (CHRC, 2000).

In spite of this, the representation of visible minorities in the private sector has had a steady increase since 1987, exceeding the share of the workforce that identifies as visible minority and are eligible for work (CHRC, 2000). This demonstrates that it is possible to increase the representation of diversity without doing the deep work of identifying and removing systemic barriers, resulting in this group being concentrated in low-paying roles. The representation of visible minorities compared to their labour market availability continues to grow in all sectors, including promotions and retention (ESDC, 2016). However there continues to be a glass ceiling, where they are not moving into management positions, and pay inequities, with more than 41% earning between $20,000 and $59,999 annually (ibid).

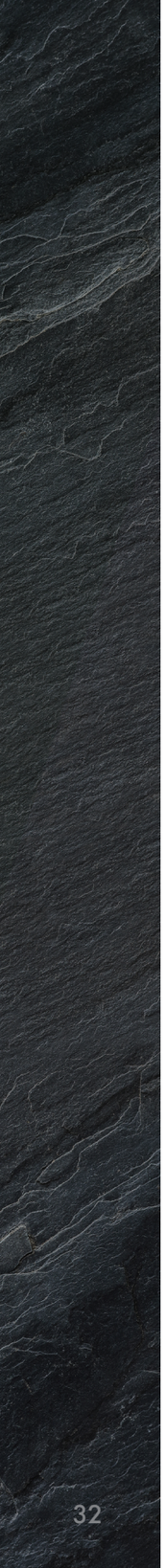
BCG completed a global study on the efficacy of gender diversity programs, including looking at the practices of 28 Canadian companies. They found that despite improved educational outcomes and labour participations, women still face a glass ceiling and there continues to be a difference of opinion of what's causing it: "Senior male leaders see recruiting female employees as the major obstacle, while women

consistently point to advancement, retention, and leadership as more important" (DasGupta et al., 2018). In addition, BCG found that the majority of companies they surveyed are still at the beginning stages of developing their D&I strategies, with ad hoc implementation of a few disparate initiatives, a third have a more detailed agenda with clearly defined KPIs and a quarter have been implementing programs across the talent lifecycle for years and seeing results. (DasGupta et al., 2018)

A similar study on the efficacy of racial diversity programs does not exist. However, a few survey findings illustrate a similar gap between Black and White Canadians when it comes to racism. For example, a 2019 survey identified the chasm between Black and non-Black Canadians, identifying that almost half of Canadians believe that anti-Black racism is no longer a problem while 83% of Black respondents note experiencing unfair treatment due to their race (DasGupta et al., 2020).

In Summary

Based on the above analysis, we can conclude that efficacy of D&I can be measured by the extent of programmatic interventions that are implemented across the talent lifecycle and beyond to integrate diversity into all facets and levels of the organization. Another indicator is how those initiatives account for the intersecting layers of identity to tailor and target D&I interventions to the needs of underrepresented groups and their unique experiences and challenges, as they define it for themselves – not the employer's assumption. Lastly, equality is the absence of any impediment to opportunity and a welcoming environment that allows all people to realize their full potential. This cannot be achieved solely through the hiring of diverse people. Canadian organizations have put more focus on driving the numbers of D&I but they still missing the mark on what it means to hire and benefit from that diversity. This could be due to differences in opinion on what is needed, a focus on the interpersonal as opposed to structural challenges, and the disconnected portfolio of initiatives that are not integrated into learning opportunities for driving organizational transformation.



CH. 4

THE BLACK EXPERIENCE

THE BLACK EXPERIENCE

"Barriers to the advancement of women, racialized people, and other diverse groups are complex and exist on multiple levels." (Atputharajah et al., 2020)

Now that I have identified key features of what makes D&I effective, based on legal, academic and corporate definitions and how it is practiced in the field, I want to share the experiences of Black employees as a final context before I begin my analysis. The first time the term 'visible minority' was used in Canada, it was in the 1986 Employment Equity Act. A decade later, Black Canadians would have the option to self-identify as 'Black' in the Canadian census (Statistics Canada, 2019).

At the time Jude Abella was writing her report, Statistics Canada was not collecting disaggregated data so she was limited in her ability to discern the unique experiences of the many ethno-cultural communities captured under the umbrella term 'visible minority'. Despite this data limitation, Judge Abella understood that some racialized groups would experience greater discrimination than others. She used immigration status as a proxy to identify "the extent to which people who were visibly non-White were excluded" from the same employment opportunities that were available to White Canadians (Abella, 1984).

While Statistics Canada is still not collecting disaggregated race-based data, recent federal funding and policy commitments towards anti-racism will support the development of 'strong statistical standards', through clearly defined diversity and inclusion metrics that can be gathered at a national level, and more targeted statistical analysis of the lived experience of Canadians based on race, gender, and location (Statistics Canada, 2020). As per the last census, we know that 1.2 million people in Canada identify as Black, accounting for 3.5% of the overall population and 15.6% of the population identified under the term 'visible minority' (Stats Canada, 2019). The Black population in Canada is young, urban, and composed of a diverse and eclectic mix of nationalities, languages, and socio-economic backgrounds. Half of the total Black population in Canada lives in the Greater Toronto Area (GTA).

A 2020 report from BCG found that systemic barriers continue to hamper the employment outcomes for Black Canadians, even with the same experience and qualifications as non-Black candidates. These barriers exist throughout the employment cycle meaning that the challenges are not just with landing jobs but persist throughout their career, including front-end barriers that result in Black candidates being 3x more likely to be screened out for an ethnic name and facing a 65% rejection rate due to credentialism (DasGupta et al., 2020). Once hired, Black employees face pressures to adjust their behaviour, with 53% of recent grads reporting that they 'code switch', and 4x more likely to experience and report discrimination and microaggression in the workplace (ibid).

A 2017 report on the lived experiences of Black-Canadians in the GTA found that one-third of respondents experienced anti-Black racism, both through direct discrimination and indirect microaggression, in the workplace (Environics Institute, 2017). Moreover, while the majority of participants (74%) reported workplace satisfaction, Black people who also identify as LGBTQ+ were less likely to feel safe and supported at work (ibid). In addition, 68% of respondents believe that Black people are treated unfairly because of their race and women, young people, and LGBTQ+ respondents are more likely to be bothered by daily acts of anti-black racism than older generations and men (ibid).

I share this survey data to highlight the varied experiences and opinions across the Black community and to further the point that any goal to improve employment outcomes for Black-Canadians need to factor in both disaggregated data and an intersectional lens. This nuance in lived experience is missed when

Black people are grouped with all other non-indigenous and non-White members of the so called 'visible minority' designated group. Canada doesn't have a standardized race-based data collection practice. This is why there is a need for race-based data and intersectionality to determine if Black Canadians are seeing improved outcomes or worsening conditions. For example, NG et al. (2021) identified that while the tech industry in Canada is becoming more diverse, of the 31% of all tech workers who self-identify as racialized only 2.6% are Black. We see a similar discrepancy in leadership diversity on boards, where even in Toronto where Black people make-up a significant proportion of the population (7.5%) they represent 3.7% of all board membership, where any gains in representation is concentrated in the education sector (Atputharajah et al., 2020).

The Limitations of D&I to address systemic inequalities

The original subjects of anti-discrimination policy, as defined by law, were women and racial minorities. While gender and race continues to be a priority lens, D&I goals have since expanded to include all facets of human differences. In Canada, the statutory requirements for employment equity is focused on the employer's workforce analysis and plans to leverage the labour market availability of talent from these four under-represented groups: women, indigenous, visible minorities, and people with disabilities.

There has since been an evolution in the understanding that diversity is not one dimensional. Each individual holds layers of identities that give them a unique combination of intersecting realities and lived experience. As a result, we each hold multiple identities based on our ethnicity, race, gender, sexual orientation, class and ability, etc. This would follow that diversity management then requires the careful examination of how an organization prioritizes different identity markers through the framing of their D&I strategy. For example, a focus on gender diversity without mention of race is a plan that may benefit White women but not racialized women given the unique circumstance of navigating both racial and gender-based barriers. It is not clear how leaders negotiate power struggles amongst different equity-seeking groups and how each goal - Diversity, Equity, Inclusion - gets managed and negotiated within these strategies.

The Case for Racial Equity

According to Fitzhugh et al., (2020) calculations, over $200 billion US has been pledged by American companies, since May 2020, towards racial equity initiatives (90% of which was committed by financial institutions). However despite past efforts and recent focus to improve outcomes for historically disenfranchised communities, there has been no progress on the income and wealth gap between Black and White Americans since 1950 (ibid). African-Americans still face higher unemployment rates, are more likely to be segregated in low-paying roles and underrepresented in most-in demand jobs, amongst other socio-economic factors (Hancock et al., 2021). What we can clean from American studies, where the collection of race-based data is more robust, is that compared to other underrepresented groups, namely women and other minorities, Black employees are less likely to be hired or sponsored and more likely to be underpaid and face discrimination in the workplace (Roberts & Mayo, 2019).

Racial equity is achieved when racial disparities no longer exist and for that to happen, systemic racism needs to be rooted out. Most of the discussion on D&I has focused on the experiences and needs of the end-user, the candidate from the underrepresented community, that these initiatives and programs are designed to support. We may talk about how to recruit, integrate and include these diverse candidates, but we do not talk about the organization receiving them, their values, traditions and culture. As such, it is assumed that organizations are blank canvases devoid of any cultural trait or preferences. However, the experiences of Black employees help surface the unspoken Eurocentric expectations that some organizations may practice through dress attire, hiring for "fit", and which extracurricular activities are seen as a professional adage. Social scientist Victor Ray, argues that rather than looking at organizations as 'race-neutral' bureaucratic structures, we should see them as racial structures in order to understand why decades of efforts has not materialized in racial equity: "Such organizational policies, while sometimes helpful in increasing minority representation, fail to address the racial hierarchies historically built into American organizations. Rather than asking how to bring diversity into the workplace, a better question is why so much power and organizational authority remain in white hands" (Ray, 2019). Given that organizations represent a microcosm of society they provide a great environment to test interventions that confront racism and bias and solutions to advance racial equity. Just as we have come a long way, as a society to learn and acknowledge the historic injustices committed against Black people, we need to see organizations and business norms as being deeply rooted in a male-dominant, Eurocentric culture that has historically marginalized women and racialized minorities. To do this is to understand that these groups are not underrepresented because they lack qualifications, they have been systematically and institutionally disenfranchised.

In Summary

In 2021, organizations have not only accepted that systemic racism exists, resulting in racial disparities, but that anti-Black racism is pervasive across society. Based on the government's employment equity data, visible minorities are doing well but we do not know if those gains are being equally experienced for Black employees. To make gains in racial equity, D&I strategies will need to be enhanced with a fundamental understanding that racism is not about individual beliefs and actions, it is a system of oppression that has been institutionalized in organizations through policies, processes, and structures. To counter these historic effects, organizations need to identify policies, processes and structures that promote and achieve racial equity. In other words, they need to become anti-racist organizations.

PART 2

ANALYSIS

CH. 5

SITUATING D&I

SITUATING D&I

"We know a lot about the disease of workplace inequality, but not much about the cure." (Dobbin & Kelly, 2006)

If you Google the words 'diversity and inclusion' into your search box, you will get around 373,000,000 results ranging from news articles, think pieces, books, and academic research. Much is written about D&I including the benefits of diversity to the bottom line, the value of inclusion to employee satisfaction, and a plethora of 'how-to' advice for leading multicultural organizations.

In the previous chapters, I set a baseline definition for D&I and the challenges and opportunities to improve its efficacy when it comes to racial equity in the workplace. I also illustrated the historic and systemic barriers to employment that Black candidates continue to face. This section will provide a systems analysis on the broader context that D&I is situated in and influenced by; the main barriers and opportunities to developing a D&I strategy and an integrated implementation plan that goes beyond counting for diversity to measure for culture change.

For my analysis, I will look at D&I through the prism of complexity theory and systems thinking to identify how the efficacy of D&I should be determined by three elements: how organizations frame and understand the problem and opportunity of diversity and inclusion; how they identify and approach interventions within their organization to change structures, not individuals; and how counting for success, through quantifiable metrics, distracts from the fact that D&I is a complex, culture change effort that cannot be proven or summarized in a table through static diversity numbers. I argue that moving forward, the efficacy of D&I will be determined by an organization's capacity to learn and define their own organizational identity and culture, in order to see how hidden factors, that uphold existing structures, also shape interactions and belief systems that pose as a systemic barrier for underrepresented groups. But first, I will situate D&I within the problem area (what it is meant to do), the organizational level (how it is implemented) and the broader societal context (why it matters).

The D&I Venn Diagram

As previously established, the corporate goals of D&I is to achieve workforce representation, manage workplace relationships and optimize diverse talent towards business goals (Thomas Jr., 2011). To do this successfully is to balance competing but complementary needs between talent sourcing, talent management and talent optimization. First, an organization requires a skilled and diverse workforce to remain competitive. The availability of such talent is dependent on the labour market availability, how many people are looking for work, and that is dependent on the number of working age Canadians. Immigration and birth rates are the two primary factors that can help increase labour market availability. The amount of people you need is then dependent on the retention rates, those exiting the workforce, and the business needs. There are some employers who think there is a 'skills mismatch' between the roles they are trying to fill and the market availability of underrepresented groups. However there is no empirical evidence to suggest that there is a shortage of racialized skilled workers and this could be seen as an excuse to not try out different ways to recruit. Diversity Institute (2020) has found that there is an underutilized talent pipeline as a result of bad recruitment strategies. This is not to suggest that finding diverse applicants is relatively easy, but it is not impossible and requires thinking outside the

box and existing networks. The problem is not the talent pipeline, but the unrealistic expectations, such as requiring a Masters degree for an entry-level job, or the unwillingness of organizations to invest in training opportunities to skill their workforce.

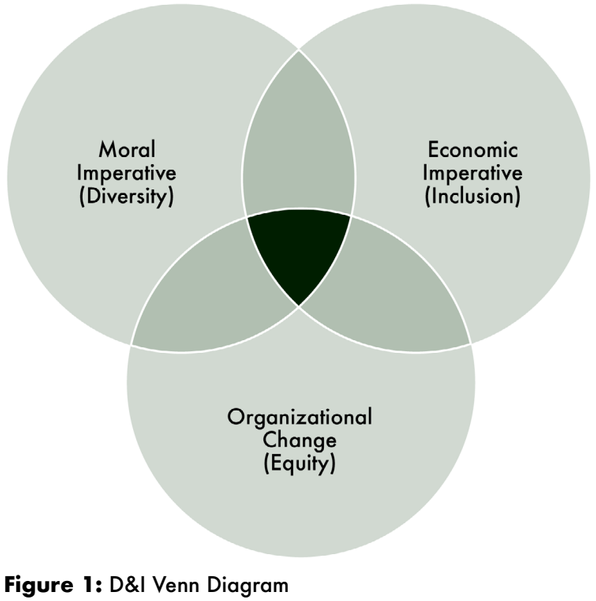


Figure 1: D&I Venn Diagram

The second diagram captures the internal-facing employment systems that influence or guide decision making along the talent lifecycle. This is the "how" of D&I and speaks to the processes and structures that inform everything from identifying and removing barriers, promoting diversity and building anti-bias capacity, integrating diversity in how the business is run, rewarding behaviour that supports culture change. Lastly, the third diagram speaks to the work environment and how it changes and adapts with diversity. Institutionalizing equity means going beyond barrier removal to accommodating different options for how and where the work gets done. This is an area that has not been well defined or explored by organizations.

Summary

The moral imperative of diversity is about who you seek out and bring into the organization. The economic imperative of inclusion is about how that organization then integrates that diversity within its existing structures and processes and whether employees feel supported to be their full selves and do their best work. The transformational opportunity of working towards equity, what is fair and just, to change the status quo and rethink business-as-usual.

The venn diagram helps illustrate that D&I is not just about one thing. On the one hand, D&I is about the moral imperative to redress past injustices committed against those who have faced historic and systemic barriers to entry, their needs and desires. Within that, D&I provides an opportunity to acknowledge, accommodate and design for differences, with equity in mind and working towards a barrier-free work environment. Then there is the economic imperative, which seeks to leverage diversity to optimize workforce outputs for improved financial returns and business performance. The goal for D&I here is centered on the business needs of an organization and how diversity can drive better decision-making and innovation to enhance services and products. This diagram is focused on the quantifiable results of D&I and how it aligns with the business metrics. Lastly, there is the emerging goal of D&I which is a deeper reflection on how the acquisition and inclusion of diversity can propel organizational change towards the workforce of the future. In this diagram, D&I is embedded in everything the organization does and is focused on the entire workforce to optimize the talent source to meet the problems of the future.

CH. 6

A STRATEGY FOR CULTURE CHANGE

A STRATEGY FOR CULTURE CHANGE

I now want to explore the type of problem D&I seeks to solve. Based on the legal definition, the primary goal of D&I is to remove systemic barriers to employment and include the full potential of under-represented groups in the workplace. From a corporate perspective, D&I is the set of socio-organizational processes that span the talent lifecycle (i.e. recruitment, development, advancement, and retention) and work towards the goals of diversifying the workforce and enabling an inclusive work environment. The cumulation of these initiatives and actions are communicated through workplace policies, programs, events and annual reports. If the goal of D&I is to achieve a diverse and inclusive workplace then that is to operate in a complex environment because it is essentially about changing structures, culture, and mindsets.

As an umbrella term, D&I encompasses the suite of activities that organizations take to diversify their workforce and build inclusive environments (i.e. strategy, initiatives and programs). The strategic goals of D&I is primarily seen as a recruitment tool to attract the best talent and become an employer of choice. There are some key metrics and timelines identified for when diversity will happen, some commitment to improving the employee experience and giving back to the community through philanthropic support. As a program, D&I is about the suite of activities, such as training, establishing a grievance system, revising workplace policies and procedures, changing hiring practices, and setting diversity targets.

D&I, as a strategy, should be about the organization's commitment to culture change to create an inclusive and enabling environment that will attract diverse talent. Currently, D&I strategies are framed as recruitment strategies to onboard diverse talent in the hope that it will lead to inclusive workplaces. While diversity can exist without inclusion, momentarily, and it is possible to have an inclusive workplace, if established on homogeneity, it's important to understand that diversity and inclusion is a reinforcing loop where one action produces a result which then influences that action to reoccur. That is to say, diversity results in inclusion which produces more diversity and so on. But how this cycle happens, is complex.

D&I is a complex undertaking because the organization is required to proactively locate and remove barriers hidden in policies, practices, and structures. These barriers are often identified by those who experience it and to change anything is to encounter pushback. This is why working towards diverse and inclusive workplaces is a never- ending process of monitoring and course-correcting as problems emerge, form, and breakdown. It's an exercise in change making that is unique to each organizational context and will look different for each organization.

Cynefin Framework

Cynefin is a situational sense-making framework that was developed by Dave Snowden for the purpose of understanding the contextual nature onto which we try to problem solve. As a sense-making tool, cynefin is set up as five distinct environments determined by the known or unknown relationship between cause and effect (Snowden, 2007). Snowden identifies the 'known knowns' as the top two quadrants where 'obvious' and 'complicated' problems are found and the relationship between cause and effect is knowable because they are either obvious (simple) or it can be determined through analyses and expert knowledge (complicated). Known knowns fall under the ordered world where there is some level of predictability. Then there is the 'unknown knowns' where knowledge is only knowable through retrospection and pattern recognition (ibid). Any attempt at culture change is an example of a complex undertaking where

there isn't an agreed upon approach and it is not known what will happen next but insights will emerge through trial and error. Chaos is the realm of act first, think second. In this environment it is never clear what's happening and the state of play is constantly changing. Lastly, Snowden included a fifth scenario, disorder, for when it is not imminently clear which situation you are in. These boundaries are dynamic and depending on our actions, we can easily occupy or move across these scenarios by accident or by design (Snowden, 2005).

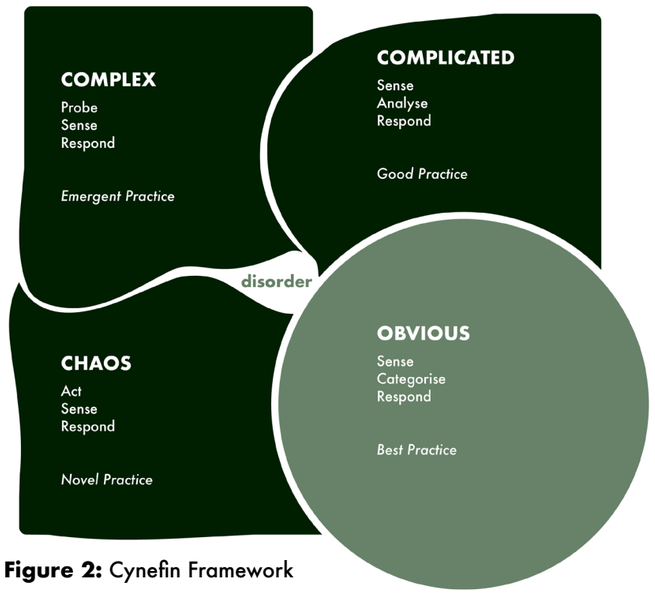


Figure 2: Cynefin Framework

As Described above, there is no one-size fits all approach to implementing D&I and best practices do not apply to every context. Therefore, I would argue that the strategic goal of D&I falls in the complex boundary of the cynefin framework because it is dynamic, interconnected and systemic in scope. However, the individual initiatives under a D&I program can fall under any of these scenarios, depending on the scope and depth of the intervention.

Obvious Domain: Hiring & Promotion

As a sense-making tool, cynefin helps ground us in the context of our decision-making. For example, when developing a recruitment strategy to hire a certain percentage of Black candidates it could be said that we are operating in the simple domain because the relationship between cause (lack of diversity) and effect (targeted hiring) is knowable; if organizations want to increase their diversity, then they would set hiring goals and actively recruit. There are ample best practices on how to approach recruitment, there is an identifiable skills need and readily available labour profiles on the percentage of Black people looking for work in your region. This is a relatively easy plan to implement and achieve because it mostly requires intention (you need to want to do it) and follow-through (giving it resources, time and attention).

Complicated: Anti-bias training

The most prominent feature of a D&I strategy is the roll out of anti-bias training. The link between bias (cause) and awareness (effect) is knowable through advances in neuroscience and industrial-organizational psychology. Developing curriculum requires expertise which can be procured. With the help of expert knowledge and empirical evidence, it is possible to create bias awareness and reduce prejudice in the workplace. Under the right conditions, with empathy and with the right tools, it may be possible to become more aware of our own inherent biases (everyone has it) and learn how to rewire our brains from depending too much on shortcuts for judging people and situations. Ideally, the training module would be tailored to the industry so that it provides relevant information within the context of work. When this doesn't happen, it creates a mismatch which can backfire.

Unfortunately, most organizations adopt one-off training and educational campaigns. According to Newkirk (2019), most diversity interventions implemented in the real world are not grounded in any empirical evidence and have not been rigorously evaluated for their claims. In addition, mandating training can be seen as a form of thought control and can result in backlash and an increase in stereotyping (ibid).

What makes this intervention complicated is that training is often seen as a panacea that will propel an organization towards an inclusive environment. It won't. One training won't reduce bias or change behaviours. Bourke (2018) argues that it can be leveraged, depending on what comes before and after it: "when it comes to behavior change, training is often only a scene-setter. The more complete story is that, to change people's behavior organizations need to adjust the system." Providing employees with training that helps them to be bias aware through tools and, training, is one thing but incentivizing and rewarding them to practice desired behaviour is key. Making decisions in this environment requires leaders to sense and analyze interaction points in the system to nudge employees to reflect on norms, values and practices.

Complex: Inclusion

To build inclusive workplaces is to design for the invisible; a process with no beginning and no end. Culture change happens across multiple levels at the intrapersonal, interpersonal, and organizational. Every organization is unique and encompasses multiple and entangled layers of competing "internal logics, cultures, and dynamics" (Pedulla, 2020) that inform the micro cultures from department to department. There is no best practice and determining what works can only happen through experimentation and reflection. Inquiry in the complex domain requires a learning-by-doing culture that invites divergent views and curiosity to explore the realm of what is possible, within a constraint.

For example, middle managers create culture every day by modeling behaviour, setting the pace of work and expectation of deliverables. They determine what is most important by how they evaluate employee performance. However, D&I strategies are developed at the c-suite with minimal participation from managers. The disconnect between diversity and inclusion, according to management professor Boris Groysberg (2018), is that while leadership develops strategy, culture is shaped on the ground at the unit level, by managers: "Culture is a group phenomenon ... It resides in shared behaviors, values, and assumptions and is most commonly experienced through the norms and expectations of a group—that is, the unwritten rules." To approach the goals of culture change in this domain, leaders can empower their managers and employees to identify and remove barriers to inclusion, within their work environment, through a time-limited project.

Chaos: When external events sow discord inside the organization

When leaders lack a compelling rationale for diversity, a crisis can move them from the obvious domain into chaos. This is what happened in 2020 when the summer of protest made its way to the workplace and could no longer be ignored. Corporate leaders took a long time to act and had to scramble to be seen as empathetic and responsive to the calls from their employees and the public. Although chaos is often seen as a negative, a situation to be avoided at all cost, there is great freedom in this domain because the rules no longer apply and decision-makers are invited to create new standards.

Gaps in D&I Strategy

While societal attitudes have changed and organizations have come a long way in how they view D&I, from a compliance issue to a competitive advantage, their approach and practice of D&I still mostly consist of a patchwork of initiatives focused on targeted hiring, one-off anti-bias training, establishing employee networks or diversity committees to promote diversity and ad-hoc mentorship/sponsorship programs. The evidence is clear, D&I does not suffer from a lack of commitment, or resources. The paradox is that those efforts have resulted in slow progress for gender diversity and not much tangible improvements in overall outcomes for racial minorities (Polonskaia & Tapia, 2020).

Gap 1: The work of D&I is oversimplified

The challenge with D&I strategies is that leaders oversimplify the change needed to support diversity and inclusion. Determining what works is dependent on how you approach D&I and what problem you are trying to solve. In theory, managing diversity is a never-ending job because it is ultimately about culture and systems change. In practice, the work of D&I operates in the complex boundary of the cynefin framework because the relationship between cause (diversity) and effect (inclusion) can only be known through intervention.

As Thomas, Jr. (1990), puts it: “The objective is not to assimilate minorities and women into a dominant white male culture but to create a dominant heterogeneous culture.” D&I is an invitation to reflect on existing culture, structures, and processes in order to ask who they benefit, what culture is centered and what type of behaviour is expected. His advice to senior leaders on how to develop an effective D&I strategy: a clearly articulated vision (goal) and rationale (motivation) for action; a third-party culture audit; a deep understanding of existing structures to surface and challenge values and assumptions that inform how employees are hired, trained and promoted; a learning-oriented culture to monitor change management. (Thomas, Jr., 1990).

Gap 2: D&I is limited to HR

While some organizations acknowledge the broader systemic barriers that hamper members of underrepresented groups from achieving success, that recognition is not related back to how the organization might be perpetuating those barriers through its business and operating model. There is also limited information on how organizations are identifying and busting barriers to achieve their diversity and inclusion goals. Achieving diversity metrics does not convey how an organization is changing to accommodate and leverage diversity to drive business. This is a missed opportunity.

Opportunities in D&I Strategy

The cynefin framework does not provide solutions, but it can help situate leaders to pay attention to the boundaries of the situation they may find themselves in, when making decisions. Now that we have identified the type of problem that D&I is, i.e. complex, and some of the gaps in strategy, there are a few opportunities that can enhance future efforts.

Opportunity 1: D&I is about culture change

It is high time organizations evolved their D&I goals and practices from solely focusing on representative diversity back to the core goals of inclusion, which is the removal of systemic barriers to employment and career advancement. The current practice of D&I pushes numbers and only describes where diversity is found but not how organizations are transforming themselves to be more equitable and inclusive. Therein lies the challenge and opportunity. The next phase of D&I should be to embed diversity and inclusion within business systems, structures and practices.

Real change requires culture change that upends the status quo. One or two initiatives will not rewire the talent management system because D&I is about more than representation, anti-bias training, and financial returns. Inviting diversity into your organization and choosing to integrate and leverage it is an opportunity for “systemic culture change” that goes beyond ticking the box to “fundamentally shift organizational thinking, culture, rules, processes and practices” (Miller & Katz, 1995).

Opportunity 2: Moving beyond diversity towards anti-racism

It is not enough to celebrate diversity, organizations must commit to building anti-racist institutions. Improving the system for the most marginalized, improves the system for all. When turned inwards, to reflect on how an organization can reorient itself to accommodate diversity, the goals of D&I should be about transferring power, decentering dominant norms, and promoting different ways of working.

CH. 7

D&I AS ORGANIZATIONAL DESIGN

D&I AS ORGANIZATIONAL DESIGN

If discrimination is a systemic outcome then it would follow that a systemic approach would be the best way to combat it. To understand what produces systemic barriers is to understand the interdependence between variables that produce this systemic outcome and how "each variable co-produces the others and in turn is co-produced by the others." in a mutually reinforcing feedback (Gharajedaghi, 2004). Furthermore, organizations are open systems that are composed of people, processes and structures informed by external factors that can only be understood within the context of their environment (ibid).

Depending on the industry, workforce needs, and changing nature of work mapping the system of variables influencing any D&I strategy will differ by the type of organization. As such, I have provided a high level map of a generic for-profit organization to illustrate the suit of D&I initiatives identified in research and the broader organizational context that informs D&I. This is not meant to be a conclusive list of all D&I initiatives implemented across different sectors but hopefully provides a high level analysis of gaps and opportunities to be leveraged.

Figure 3: Mapping D&I across the Organization

D&I within the broader organizational context

Understanding the broader context of D&I starts with framing the layers of the system starting from the elements that shape the micro level and expanding out to the macro factors. At the micro level are D&I programs and initiatives that organizations implement to increase the diversity of their workforce and support the development and advancement of underrepresented groups into senior leadership positions. This includes the suite of interventions expanded along the talent lifecycle - hiring, learning and development, networking and mentorship, career advancement, and retention.

In the first circle, hiring, I list the common practices that support the organization's talent pipeline strategy when it comes to hiring diverse candidates. The majority of effort and D&I initiatives are focused on the front-end problem of recruitment. This starts with a review of the job description to ensure there isn't any hidden biases in how the opportunity is framed. For example, a focus on credentials as opposed to skills is an example of how job postings can create systemic barriers. Then their interventions to remove bias from, such as blind recruitment to omit the name and address of the applicant to reduce bias, committing to hiring targets and requiring a percentage of people being interviewed to be from underrepresented groups. Lastly, having a diverse panel of interviewers and changing the format of the interview are a few examples of how organizations can ensure their practices are not contributing to barriers.

Next we have the suite of initiatives that support learning and development of all employees shapes the cultural expectations of D&I. Chief among this is anti-bias training, which is either voluntary or mandatory, and awareness campaigns designed to promote and celebrate diversity. Learning can happen in different ways and through different mediums whether online, through individual training modules, or in group settings, through curated panel discussions or town halls with senior leaders, or outside of the organization, through place-based experiential learning.

Networking and mentorship provide the social infrastructure for organizations to hear directly from underrepresented groups and provide tailored solutions to their advancement. This often looks like the establishment of diversity committees, who oversee D&I implementation and hold senior leaders accountable for their goals, and employee networks which connect employees with similar backgrounds to learn from one another and about the organization in a safe space. Mentorship programs can be formal or informal and serve to provide employees with a point of access to senior leaders who can help shape and mold their career decisions.

Just like hiring goals, career advancement is about the intentional approach that the organization takes to increase the representation of diverse candidates in senior ranks. This includes the articulation of a succession plan that identifies prospective employees for promotion and provides them with leadership development opportunities in the form of executive coaching or project-based development. Breaking into management is the glass ceiling for most employees from underrepresented groups. It's one thing to get into management and another to navigate and succeed within high stakes.

While it is unlikely that any one organization is doing all of these initiatives in a concerted effort, it does help show that there's a flurry of activities in the front-end and back-end of the employee experience but very few in the middle of the talent lifecycle. This could be a structural gap that produces a fragmented talent system that focuses more on recruitment than career advancement and retention, thus resulting in the gap between intention and results. Moreover, all initiatives are concentrated within internal-facing human resources management. However, there is no linkages to the key structures of the organizations, i.e. business priorities and operation plan. Some progressive organizations have brought in a diversity mandate to their marketing campaigns and supply chain procurement. Diversity is not just about people, it's also about divergent views. As such, there is opportunity to further embed diversity in how an organization identifies its business strategy and operational plan. Now that I have identified the locality of D&I initiatives within the broader organizaitonal context, and its limitation, I will evaluate how D&I is implemented form a systems thinking perspective.

D&I Iceberg

An iceberg is a powerful analogy for systems thinking because it helps visualize the layers of seen and unseen dynamics that influence any given problem. While only 10% of its tip can be seen from afar, the majority of an iceberg's mass is only revealed upon closer inspection. Social phenomena, like the diversification of workplaces, share a similar enigma in that a lot of what we know about D&I is surface level even though most of the variables that render it complex are unseen and unconscious. The iceberg model canvas helps illustrate the various factors that influence how a problem is perceived and the contributing patterns, structure and worldviews that inform the elements of the system.

The general rule is that what we see above the line of visibility is a symptomatic reaction to a deeper issue, you need to look beyond the surface to identify root causes. Events and trends/patterns are the parts of the iceberg that we can see and are conscious of, whereas structures and mental models make up the unseen and unconscious factors that shape how we experience reality, our understanding of the issue, and why despite our many efforts to fix it, it keeps being a problem. In the case of D&I, we know that underrepresented groups face multiple barriers and that any solution to improve their employability will be complex because it will ultimately be about changing structures, culture, and mindsets. Below is my analysis of D&I as an iceberg and how it relates to gaps in implementation.

Figure 4: Systems Thinking Iceberg

Events

Events are the visible pieces of the iceberg we can see, which tells us what's happening. In the case of D&I, the events are the headlines that inform the call to action, external pressures to diversify, and the public reporting on diversity efforts. As I mentioned in my introduction, the summer of 2020 was a watershed moment that thrust the plight of Black people into the spotlight. Social justice movements, like Black Lives Matter, helped usher and mainstream a global conversation around anti-black racism. This then informed the action of CEOs who felt either compelled or pressured to put out a statement, with a financial, commitment to improve outcomes for the Black community. Those public pledges along with annual diversity reports resulted in an increased scrutiny in the slow to no progress towards racial equity in the workplace, including the leaked third-party report on the Ontario Public Service which found that the workplace was inhospitable to Black public servants. 2020 also saw the explosion of job postings for D&I roles across all industries, which the employment website Indeed (Murray, 2021) identified a 123% jump between May and September 2021. To say D&I is a hot, in-demand topic would be an understatement. However it is also at a crossroad, in need of reflection and renewed commitment to the original task of removing systemic barriers.

From an implementation perspective, the events would be visible efforts that organizations make to diversify, such as posting a diversity mandate and institutionalizing annualized, public reporting on the progress. It also includes steps taken to recruit diverse talent and philanthropic investments, amongst other things.

Patterns

What could be informing this renewed interest in diversity and anti-racism? To answer this question requires us to look beyond the line of visibility and identify the patterns that lead us here. Patterns are the trends and events that have come to inform and influence the issue. For example, a positive trend informing the calls for diversity is the shift in demographics that has been happening for many decades thanks to an aging population and increased immigration that has contributed towards the diversification of the labour force. Diversity, therefore, is no longer an option but a fact; your future workforce will be more diverse. A negative trend is the decades-long commitment by organizations to increase representation that has yielded disappointing results. This breeds cynicism as the gap between the intention to do better and demonstrable outcomes grow wider, resulting in renewed commitments.

An implementation pattern is when an organization continues to do the same thing, expecting different results. As I previously shared, the goal of diversity and inclusion is not something an organization can achieve once and be done. Some may meet their diversity quotas in a given year and then cease efforts, only to see those numbers decline over time. Others take a crisis approach, where they address D&I issues only when there is a pressing need to, often hiring third-party consultants to remedy the situation. These behaviours could be producing the systemic barriers that Black people continue to face across the employment lifecyle, including: higher rates of unemployment, pay discrepancy between Black and White university graduates, more likely to experience workplace discrimination compared to White and other visible minorities, and lower levels of career progressions. (BSG, 2020)

Structures

But what is influencing these events and patterns? Whenever you're asking a 'why' or 'how' question, you are dealing with structures, the formal and informal rules and norms which connect the patterns. While the top two layers of the iceberg are observable phenomena, the latter two are the underlying structures that are hidden from sight and create what we see at the surface. Structures can be both tangible and intangible elements that inform the formal and informal rules and norms inside and outside of the organization. Systems thinker Richard Karash (2016) gives the analogy of a computer to distinguish that structures are like the software that runs the computer and events/patterns are the hardware, the key is to understand the relationship between the parts of a system: "The essence of structure is not in the things themselves but in the relationships of things. By its very nature, structure is difficult to see."

Structures explain how the system works and D&I operates mostly within the structure of human resources which started with a need to be in compliance with regulatory requirements and evolved as a competitive advantage to put in place the necessary resources to recruit and retain diverse talent. Examples of structures in D&I include the use of employee surveys, affinity groups and diversity committees to get feedback on the employee experience. There is also workplace policies that accommodate diversity and support inclusive work environments like anti-discrimination policies and grievance system that collects, adjudicate and resolve complaints.

Mental Models

The design of these structures are informed by our thinking and beliefs that inform how we perceive and experience the world around us. Mental models are the thinking and beliefs that inform how we perceive and experience the world around us. The main tension within D&I is the debate around fairness. Some see diversity targets as a barrier to their employment outcomes whereas others see it as a necessary approach to level the playing field. Fairness, therefore, can either be seen as unfair or the just thing to do depending on your mental model. D&I can either be about giving everyone the same access or accommodating differences so that those who would otherwise qualify are not disadvantaged by hidden barriers.

Gaps in Implementation

Based on the iceberg analysis I have concluded that for D&I to be effective, it is ultimately about culture change. From a systems perspective, the key leverage point for change in the system is changing mental models and building a system of accountability through awareness, personal responsibility and behavioural change.

In this section, I will highlight the key challenges and opportunities identified in the literature that applies to D&I as a general practice. I will share best practices on what works, what lacks evidence and what has yet to be explored in the work of diversity and inclusion. The literature on diversity management is dated and limited by data constraints, so I have complimented research findings with key think pieces in management magazines, like Forbes and Harvard Business Review, and analysis from management consultants. When it comes to programmatic features of D&I, there are a few interventions that we know work, based on empirical evidence:

- HR decisions, processes and structures that factor identity-based differences tend to result in improved outcomes for women and racial minorities (Ivancevich, 2000);
- Establishing clear accountability, by assigning responsibility and oversight for the work of D&I along with a clearly defined action plan, are the most effective strategies (Dobbin & Kelly, 2006);
- Compulsory training can "activate rather than reduce bias" according to some studies. (Dobbin & Kelly, 2006)

Below are a few key gaps that need to be challenged and a few missing links to the puzzle that can be leveraged as opportunities to lead transformational change.

Gap 3: Embedding D&I in the business model

As the D&I initiatives map illustrates, there is a disconnect between programming and the key functions that drive business. Right now, D&I is reflected in the organization's mission statement, code of ethics, and business priorities. However there is opportunity to embed the principles of diversity, such as appreciating and seeking out different perspectives and ways the business is run. Essentially, D&I is not just about people, it's a mindset that should be leveraged to redesign the business and governance model for 21st century organizations.

Gap 4: D&I is a means to an end; not an output

As we saw with the mapping of the D&I initiatives, most of the energy is focused on the frontend with recruitment and training. The more effort organizations place on increasing their representation goals, the more likely they are to achieve those results. However, once those results are achieved, organizations are likely to relax and move on to other priorities, thus reducing future efforts. This slows down future results due to diminished effort which, for one reason or another, will eventually reduce their D&I targets. This results in renewed efforts which reinforces results. This is the problem with diversity metrics that focus on outputs achieved with respect to recruitment and promotions. A diverse workforce requires ongoing work and vigilant monitoring to build inclusive workplaces. Diversity & inclusion is not something that can be achieved, it is a process and practice towards organizational and culture change. If you are not disrupting the status quo, then you are only adding diversity to a homogeneous environment. While the work of D&I might have started with a question about how we bring historically disadvantaged groups into the organization, it is now an opportunity for organizations to reassess their current culture and how to build a desirable workplace for all current and future employees.

Gap 5: Inclusion is the missing link of D&I

The lack of diversity in a given organization can sometimes create a vicious cycle that reproduces the same outcomes. For example, calls for action on diversity leads to more effort to diversify through recruitment interventions. Despite these efforts, the organization is either not diversifying fast enough or losing that diversity too soon. This gap between intention and outcome could be due to either diverse candidates being hired and leaving or progress is slow due to lack of resourcing or doing the same thing and expecting different results. Eventually the organization chooses to outsource their recruitment challenges to a third-party consultant who is hired to come in and fix what's not working. This creates a few successes, which leads to more business and a new service offering. The more organizations rely on third-party consultants, the less likely they are to build that capacity in-house.

Alternatively, if organizations prioritized building an inclusive workplace where employees feel seen and heard, are supported to do good work and see opportunities for advancement then they would attract talent through word of mouth. Essentially having an enabling work environment is the fundamental solution to a lack of diversity because it determines who the workplace belongs to and who can succeed there. But knowing what kind of culture you have and looking to change it is hard work and it takes time and effort.

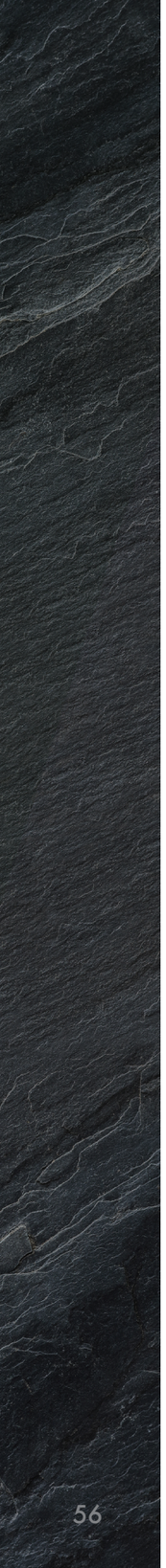
Opportunities in Implementation

Opportunity 3: Designing for Culture Change

Building inclusive workplaces is a never-ending process of monitoring and course-correcting how culture emerges, forms, and breakdown. It's an exercise in change making that is unique to the organizational context and will look different for each organization. There is no one-size fits all approach to implementing D&I. Diversity is a resource, equity is a process to remove barriers that result in inequality, and inclusion is an outcome of the presence and integration of diversity which is leveraged and supported to drive business success. Inclusive cultures are environments that have psychological safety, high trust, and shared values. It is not clear what organizations are doing to investigate and remedy structural and cultural barriers to inclusion at all levels of the organization.

Opportunity 4: Designing for Mental Models

Opportunity is a universal desire, something we all strive for and want to protect. Roberts and Mayo (2019) remarked that while society has come a long way on the importance and value of diversity, we are still not comfortable talking about race: "Research shows that although many people are happy to talk about "diversity" or "inclusion," their enthusiasm drops significantly when the subject is "race." There are many reasons for this, Roberts and Mayo (2019) argue that on the one hand, we don't like thinking about our positionality, how we wield or yield power given to us by society based on our socio-demographic identity, and how it compares to our colleagues. To do this would require us to think about our privilege and the power dynamics that govern our day-to-day experiences. Another reason could be biology, our brain is wired to see difference as a threat (Medina, 2019).This is why Medina recommends we speak less about diversity and more about equity: "We innately understand how to spot injustice. We are wired to scan for (and want to protect) equity because it's linked to survival. It's a core need. Equity is critical to our health" (ibid). Equity is about fairness and correcting injustice. Therefore, we should leverage our deepest values to talk about how the system doesn't work fairly for everyone. Shifting the focus on structures as opposed to under-represented groups would ensure we address the systemic barriers that lead to under-representation.



CH. 8

MEASURING FOR SYSTEMS CHANGE

MEASURING FOR SYSTEMS CHANGE

"The study of organizations and people is a much more complex process than the study of most physical and biological phenomena." (Ivancevich, 2000)

Across all sectors, D&I does not suffer from a lack of focus, commitment, or resources. It is missing results and this could be due to the focus on demonstrating effort through activities and outputs. However, as previously noted, it's hard to change what cannot be easily measured. Based on the metrics organizations use to track their D&I progress, in their diversity reports, we can only glean what has been achieved but not what is changing within the organization and how learning is happening. This is because D&I metrics are reduced to a table representation of statistical percentages that describe what level of parity was achieved for each role and designated group. The data doesn't give us any insight into the depth of effort or lessons learned from failed attempts (Diversity Institute, 2020). Real change requires culture change that upends the status quo; one or two initiatives will not rewire the talent management system.

In management, what can be measured is what gets done. However in the context of D&I, counting what we can see (i.e. hiring quotas) can render us blind to that which matters more (i.e. equitable and inclusive workplaces). To take a qualitative experience, like discrimination, and measure it through a quantifiable inequity is to lose the nuanced and complex understanding of why systemic barriers exist (Mau, 2020). In addition, reducing the layered dimensions of diversity and how it informs lived experience to a single data point, categorized by gender, race, sexuality or ability, creates a hierarchy and "new regime of inequality in which we are continually assessed and compared with others, and in which we must continually try to stand out with good numbers" (Mau, 2020).

What do D&I indicators tell us about the value organizations place on diversity and inclusion? How does quantifying progress, through statistical analysis convey the depth of engagement, mobility or security that an individual has in the workplace? How does the statistical measurement of D&I contribute to the gap between intention and action? To answer these questions, I must first provide an overview of the quantification of nuanced and complex social phenomena, like diversity.

Let's start with identifying the common indicators that are chosen to measure progress: hiring and promotion numbers, percentage of employees who completed anti-bias training, complaints and resolutions, employee survey findings, etc. These indicators not only track progress but also determine or limit the scope of analysis to evaluate whether or not D&I strategies work. Are these indicators objective tools of analysis to get a sense of what's happening in the workplace? To answer this question, I need to first step back and assess the objectivity of numerical data.

Legal anthropologist Sally Engle Merry has explored the prevalence of statistical numeration to explain context-rich social phenomena, like the management of human rights. She has studied how indicators are used as a form of knowledge production and governance framework to drive decisions. Her analysis found that the standardization and numerization of knowledge has led to the oversimplification of complex issues in the human rights sector (Merry, 2011). She cautioned about the hazards of excessive quantification that present nuanced and layered problems as linear narratives free of judgment. (ibid) She argued that while a useful tool, indicators are not neutral and numerical analysis is not objective, they could lead to "superficial, often misleading, and very possibly wrong" conclusions (ibid). We see this in D&I through the use of indicators in hiring, promotions, and retention data that conflate diversity with inclusion. While that data may provide a snapshot of where the diversity is, it does not explain the breadth and depth of the employee experience within an organization: "Numbers have become the bedrock of

systematic knowledge because they seem to be free of interpretation and to be neutral and descriptive. They are presented as objective, with an interpretive narrative attached to them by which they are given meaning" (ibid).

In the case of D&I, most organizations share their goals and progress through indicators that describe the percentage of diversity in the workforce, hired that year, and those occupying senior ranks. This supposed objective and numerically-based analysis can lead "to a knowledge system that privileges quantity over quality and equivalence over difference" (ibid). Merry helped illustrate the fact that the act of counting and measuring is not an objective activity but an exercise in power. Whosoever chooses the indicator chooses what knowledge gets produced and what story gets told: "indicators are inevitably political, rooted in particular conceptions of problems and theories of responsibility. They represent the perspectives and frameworks of those who produce them, as well as their political and financial power. What gets counted depends on which groups and organizations can afford to count" (ibid)

An example of this is when organizations conflate diversity metrics with inclusion or apply "diversity solutions to address inclusion problems and measure progress on inclusion using diversity metrics" (Deloitte Canada, 2017). The elusive goal of inclusion gets measured through the following metrics: employee survey results, anti-bias training and diversity awards. There isn't a shared definition of what it means to have inclusive workplaces and outside of value statements and no clear benchmarks on what organizations are striving to achieve.

The challenge with measuring inclusion is that it is subjective and varies person to person. As Kat Holmes (2018) writes in Mismatch, "ask a hundred people what inclusion means and you'll get a hundred different answers. Ask them what it means to be excluded and the answer will be uniformly clear: it's when you're left out." Inclusion relies on sentimental metrics like psychological safety, feeling safe enough to be yourself around others, fair treatment, feeling like you are getting an equitable share of the workload and growth opportunity, recognition, being acknowledged for your contributions, and being empowered to do your best work (Bourke, 2018).

A 2021 report from HR experts, The Josh Bersin Company, analyzed the D&I initiatives of 800 organizations against financial, business, and workforce outcomes. They found that amongst the 80 programs and practices they reviewed, D&I only works well when these five pre-conditions are in place: listening and acting on employee feedback, ensuring HR has D&I capabilities to oversee programming, senior leadership engagement, goal setting and measurement, and decentralizing accountability for D&I results to all (Josh Bersin, 2021). Of the organizations they studied, 75% developed D&I initiatives as a compliance or risk mitigation to legal, regulatory, or reputational risks. (ibid) Based on their analysis, they found that most initiatives and programs were implemented ad-hoc and not tied to any strategic framework or direction. "DEI is not a training problem – it's a strategy and culture problem." (ibid)

What can't be measured, but can be felt, is the change in mindsets and whether organizations are leveraging their diversity to change how they work. As Ely and Thomas (2020) remarked, inclusion needs to be about the reconfiguration of power: "Being genuinely valued and respected involves more than just feeling included. It involves having the power to help set the agenda, influence what—and how—work is done, have one's needs and interests taken into account, and have one's contributions recognized and rewarded with further opportunities to contribute and advance."

To improve the measurement and evaluation of D&I, organizations must tackle the following two myths.

Myth 1: Adding diversity will increase profit

One main assumption about D&I is that increasing diversity yields better returns for corporations. This is the main argument for the business case on D&I, that hiring underrepresented groups is not just the right thing to do but it's also good for business. While this is a compelling reason, it would be challenging to demonstrate concretely the causal link between diverse representation and firm performance. Management professors Robin J. Ely & David A. Thomas (2020) argue that none of these claims are supported by empirical evidence and that this simplistic narrative is a barrier to successfully implementing D&I: "Meta-analyses of rigorous, peer-reviewed studies found no significant relationships—causal or otherwise—between board gender diversity and firm performance." Similarly, there is no evidence to suggest that the addition of racial diversity results in financial success. What the research findings do support is that when managed well, diversity can lead to "higher-quality work, better decision-making, greater team satisfaction, and more equality." (ibid) The mere presence of diversity does not guarantee the economic promise of innovation or business competitiveness. Bringing people through the door is one thing but you must manage diversity and build an enabling environment where each employee feels valued, can drive the agenda, is giving fair feedback and rewarded to unlock the potential of diversity.

Myth 2: Confusing Outputs for Outcomes

Organizations have committed to diversifying their workforce and giving money to communities, but what is less evident is whether or not they are working towards changing their business practices or model. This type of insight is not readily available because annual diversity reports only capture progress made on targets and initiatives. Part of the challenge with assessing D&I's effectiveness is the lack of details and rigour in evaluation. This is because organizations themselves do not share their overall plan outside of key performance indicators, for recruitment and promotions, and select employee survey findings. Moreover, academics and consultants are on the outside looking in and do not have access to the interventions or organizational context to be able to measure D&I objectively. As the sector grows, it will be important to identify key learning pathways to conduct field studies on the impact of D&I interventions, such as: partnering with an academic institution, inviting researchers to observe and interview key stakeholders for case studies, and third-party evaluations (Ivancevich & Gilbert, 2000). This would benefit both organizations and the academic field of diversity management with evidence-based interventions and insights on the design, implementation and outcomes of diversity programs, to assess its effectiveness and "move the field toward a more unified theory of diversity" (Chanlat & Özbilgin, 2017).

Measuring for Culture Change

The promise of diversity cannot be delivered solely through recruitment. Diversity is not just about who is hired, but how decisions are made, what gets prioritized, and what behaviour gets rewarded. In short, how you run your business is a bigger indicator to success than the composition of your workforce. What diversity can do is offer a mirror to reflect the culture in place, i.e. status quo, and its limitations. Organizational culture determines the conditions that are either hospitable or threatened by diversity. If diversity is a flower, then simply planting a seed will not ensure its growth or survivability. What grows the flower is determined by the type of soil it is grounded in, the amount of water and access to sunlight it is given. Similarly, diversity requires an inclusive environment, attentive and sustained focus and the right amount of spotlight to activate.

CONCLUSION

CONCLUSION

Are D&I programs and initiatives working? The short answer is that it depends on how you measure success. The long answer depends on the intention of the organization and what they had hoped to achieve with their D&I goals. Some organizations can point to their hiring metrics and claim that D&I is working because they have reached parity for one or two underrepresented groups. It should be noted that every employment equity annual progress report identified that visible minorities have steadily increased their employment outcomes, often being the only underrepresented group to exceed their share of the labour market availability (Canada, 2020). What is not clear is whether all racialized groups are doing equally well, the type of roles they occupy and their salary earnings.

However, one static data point only tells us who got hired and where diversity can be found, it does not tell us what's happening with inclusion. Employee survey findings are another quantified data point that is shared in diversity reports to portray the elusive goal of inclusion, through self-reported sentiments of employee satisfaction. However the more important indicators, like how many systemic barriers were identified and removed from the talent system, efforts to address the mental models that lead to microaggressions and providing holistic opportunities for advancement, are not captured.

As I articulated in this paper, for D&I to be effective it must work towards organizational and culture change. It is no longer enough to just hire diverse candidates, organizations must take active measures to investigate and challenge their own internal culture and how it informs workplace norms and expectations. This rarely happens as organizations mostly treat D&I as programmatic responses to internal and external pressures, not as an opportunity to rethink or link efforts to day-to-day business decisions. If we accept that "diversity is more than a numbers game; it's about preparing the workplace" (Momani & Stirk, 2017) than we can re-envision the purpose and goals of D&I for the next 50 years, as a strategy grounded in equity, working towards decolonizing structures and building anti-racist institutions.

REFERENCES

Abella, R. S. (n.d.). Equality in employment: A Royal Commission Report (General Summary). Canadian Race Relations Foundation. https://www.crrf-fcrr.ca/images/stories/Equality_in_Employment.pdf

Abella, R. S. (1984, October). Equity in Employment: A Royal Commission Report. Ontario Equal Pay Coalition. *http://equalpaycoalition.org/wp-content/uploads/2017/07/Equality-in-Employment-A-Royal-Commission-Report-Abella-Complete-Report.pdf*

Agocs, Carlos. (2014). Employment equity in canada: The legacy of the abella report. University of Toronto Press

Atputharajah, A., Cukier, W., Hon, H., Latif, R., & Parameswaran, H. (2020, August). Diversity leads: Diverse representation in leadership. Ryerson Diversity Institute. https://www.ryerson.ca/diversity/reports/diversity-leads-diverse-representation-in-leadership-a-review-of-eight-canadian-cities/

Beattie, S. (2021, June 7). Damning report finds 'persistent and unyielding' anti-black racism in Ontario's public service. CBC news. https://www.cbc.ca/news/canada/toronto/anti-black-racism-ops-report-1.6056422

Bourke, Juliet. (2018, January 22). The Diversity and Inclusion Revolution: Eight powerful truths. Deloitte Insights. *https://www2.deloitte.com/us/en/insights/deloitte-review/issue-22/diversity-and-inclusion-at-work-eight-powerful-truths.html*

Black North Initiative. (2020). CEO Pledge - BlackNorth Initiative. Black North Initiative. https://blacknorth.ca/wp-content/uploads/2020/09/CEO-Pledge.pdf

Black Class Action Lawsuit. (2021, May 13). Black Class Action Lawsuit: Systemic Discrimination in Public Service Canada. Black Class Action. https://www.blackclassaction.ca/

Brazzel, M. (2003). Historical and Theoretical Roots of Diversity Management. Handbook of Diversity Management: Beyond Awareness to Competency Based Learning. https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.1070.7224&rep=rep1&type=pdf

Canadian Centre for Diversity and Inclusion. (2019, February). National Diversity and Inclusion Benchmarking Study. Canadian Centre for Diversity and Inclusion. https://ccdi.ca/media/1864/20190222-research-national-diversity-and-inclusion-benchmarking-study.pdf

Canadian Human Rights Commission. (2000). Employment Equity Report. Government of Canada Publication. https://publications.gc.ca/collections/collection_2016/aspc-phac/HP3-1-23-S4-eng.pdf

Chanlat, J., & Özbilgin, M. (Eds.). (2017, October 20). Management and diversity: Thematic approaches. International Perspectives on Equality, Diversity and Inclusion (Volume 4). Emerald Publishing.

Cheng , J., Groysberg, B. (2021, June 18). Research: What inclusive companies have in common. Harvard Business Review. https://hbr.org/2021/06/research-what-inclusive-companies-have-in-common

DasGupta, N., Gilbert, M., Kosyura, H., Brummer, J., & Shadd, D. (2018, March 7). Making the most of diversity dollars in Canada. Boston Consulting Group. https://www.bcg.com/en-ca/about/centre-canadas-future/making-the-most-of-diversity-dollars-in-canada

DasGupta, N., Shandal, V., Shadd, D., & Segal, A. (2020, December 14). The pervasive reality of anti-black racism in Canada. Boston Consulting Group. https://www.bcg.com/en-ca/publications/2020/reality-of-anti-black-racism-in-canada

Deloitte (November, 2017) Outcomes Over Optics: Building Inclusive Organizations. Deloitte Canada. https://www2.deloitte.com/ca/en/pages/future-of-canada-center/inclusion.html

Diversity Institute. (2020, March). Diversity Inclusion Now conference summary. Ryerson Diversity Institute. https://www.ryerson.ca/diversity/reports/diversity-inclusion-now-conference-summary/

Deloitte. (2021 February). The equity imperative: The need for business to take bold action now . Deloitte. https://www2.deloitte.com/us/en/pages/about-deloitte/articles/the-equity-imperative.html

Deloitte Future of Canada Centre. (2021). Catalyst: A vision for a thriving Canada in 2030. Deloitte Canada. Deloitte Canada. https://www2.deloitte.com/ca/en/pages/future-of-canada-center/articles/catalyst.html?icid=catalyst-latest

Ely, Robin. J. & Thomas, David A. (2020, November). Getting serious about diversity: Enough already with the business case. Harvard Business Review Magazine. https://hbr.org/2020/11/getting-serious-about-diversity-enough-already-with-the-business-case

Environics Institute. (2017). The Black Experience Project. Environics Institute for Survey Research. https://www.environicsinstitute.org/projects/project-details/black-experience-project-in-the-gta

Employment and Social Development Canada. (2016). 2016 Employment Equity Data Report. Government of Canada. https://www.canada.ca/en/employment-social-development/corporate/portfolio/labour/programs/employment-equity/reports/2016-annual.html

Fitzhugh, E., Julien, J. P., Noel, N., & Stewart, S. (2020, December 2). It's time for a new approach to racial equity. McKinsey & Company. *https://www.mckinsey.com/featured-insights/diversity-and-inclusion/its-time-for-a-new-approach-to-racial-equity*

Fligstein, N. (August 2001). Organizations: Theoretical Debates and the Scope of Organizational Theory. Handbook of Sociology edited by Craig Calhoun, Chris Rojek, and Bryan Turner. Sage Press. https://sociology.berkeley.edu/sites/default/files/faculty/fligstein/inter.handbook.paper.pdf

Garr, S. Stacia, Shellenback, Karen, & Scales, Jackie. (2014, August). The current state of Diversity & Inclusion. Deloitte Canada. *https://www2.deloitte.com/ca/en/pages/human-capital/articles/the-current-state-of-diversity-and-inclusion.html*

Georgiadou, A., Gonzalez-Perez, M., & Olivas-Lujan, M. R. (Eds.). (2019). Diversity within diversity management : Country-based perspectives. Advanced Series in Management (Volume 21). Emerald Publishing Limited.

Gharajedaghi, J. (2004). Systems Methodology A Holistic Language of Interaction And Design Seeing Through Chaos and Understanding Complexities 1. http://citeseerx.ist.psu.edu/viewdoc/summary?doi=10.1.1.90.7917

Gomer, J., & Petrella, C. (2017, October 10). How the Reagan administration stoked fears of anti-white racism: The origins of the politics of "reverse discrimination.". The Washington Post. https://www.washingtonpost.com/news/made-by-history/wp/2017/10/10/how-the-reagan-administration-stoked-fears-of-anti-white-racism/

Groysberg, B., Lee, J., Price, J., & Cheng, J. (January-February 2018). The leader's Guide to Corporate Culture. Harvard Business Review Magazine. https://hbr.org/2018/01/the-leaders-guide-to-corporate-culture#the-leaders-guide-to-corporate-culture

Hancock, B., Williams, M., Manyika, J., Yee , L., & Wong, J. (2021, February 21). Race in the workplace: The Black Experience in the US private sector. McKinsey & Company. https://www.mckinsey.com/featured-insights/diversity-and-inclusion/race-in-the-workplace-the-black-experience-in-the-us-private-sector

Holmes, K (2018). Mismatch: How Inclusion Shapes Design. MIT Press.

Ivancevich, John M., & Gilbert, Jacqueline A. (2000). Diversity Management: Time for a New Approach. Public Personnel Management, 29(1), 75–92. https://doi.org/10.1177/009102600002900106

Jefferson, O. (2021, November 16). DEI (plus) in the workplace: The evolution [Video]. JB MDL Diversity & Inclusion. YouTube. https://www.youtube.com/watch?v=dcIiTLWLwb8

Jeffrey, J., MacDougall, A., Valley, J. (2021, October 13). Report: 2021 diversity disclosure practices – diversity and leadership at Canadian Public Companies. Osler, Hoskin & Harcourt LLP. *https://www.osler.com/en/resources/governance/2021/report-2021-diversity-disclosure-practices-diversity-and-leadership-at-canadian-public-companies*

Kalev, Alexandra., Dobbin, Frank, & Kelly, Erin. (2006). Best Practices or Best Guesses? Assessing the Efficacy of Corporate Affirmative Action and Diversity Policies. American Sociological Review, 71(4), 589–617. https://doi.org/10.1177/000312240607100404

Karash, R. (2016, August 19). How to see "Structure". The Systems Thinker. https://thesystemsthinker.com/how-to-see-structure/

Kishchuk, O. (2021, January 14). Diversity and inclusion in the Workplace. Abacus Data. https://abacusdata.ca/workplace-diversity-inclusion-canada/

Köllen, Thomas. (2021). Diversity Management: A Critical Review and Agenda for the Future. Journal of Management Inquiry, 30(3), 259–272. https://doi.org/10.1177/1056492619868025

Mau, S. (2020). Numbers matter! the society of indicators, scores and ratings. International Studies in Sociology of Education, 29(1-2), 19-37. https://doi.org/10.1080/09620214.2019.1668287

Medina, P. (2019, September 12). Let's stop talking about diversity and start working towards equity [Video]. Youtube. https://www.youtube.com/watch?v=deYUUfak08Y

Menand, L. (2020, January 13). The changing meaning of affirmative action: The past and the future of a long-embattled policy. The New Yorker. https://www.newyorker.com/magazine/2020/01/20/have-we-outgrown-the-need-for-affirmative-action

Merry, S. E. (2011). Measuring the world: Indicators, human rights, and global governance. Current Anthropology, 52(S3), S83-S95. https://doi.org/10.1086/657241

Miller, F., Katz, J. (1995). The path from exclusive club to inclusive organization. The Kaleel Jamison Consulting Group. https://copdei.extension.org/wp-content/uploads/2019/06/The-Path-from-Exclusive-Club.pdf

Momani, B. & Stirk, J. (2017, April 24). Diversity dividend: Canada's Global Advantage. Centre for International Governance Innovation. *https://www.cigionline.org/publications/diversity-dividend-canadas-global-advantage/*

Murray, J. K. (2021, March 29). Jobs in diversity, inclusion and belonging have risen 123% since May- here's how to get one. Indeed Career Guide. https://www.indeed.com/career-advice/finding-a-job/diversity-inclusion-and-belonging-jobs-rise

National Archives. (n.d.). Executive Order 8802: Prohibition of Discrimination in the Defense Industry. National Archives and Records Administration. https://www.archives.gov/historical-docs/todays-doc/?dod-date=625#:~:text=In%20June%20of%201941%2C%20President,to%20enforce%20the%20new%20policy

Newkirk, Pamela. (2019). Diversity, Inc.: The failed promise of a billion-dollar business. Bold Type Books.

NG, E., Sultana, A., Wilson, K., Blanchette, S., & Wijesingha, R. (2021, May). Building inclusive workplaces. Ryerson Diversity Institute. https://www.ryerson.ca/diversity/reports/building-inclusive-workplaces/

Office of Equal Opportunity and Diversity. (n.d.). A brief history of affirmative action. University of California, Irvine Office of Equal Opportunity and Diversity (OEOD). http://www.oeod.uci.edu/policies/aa_history.php

Ontario Human Rights Commission. (2020, August 10). New OHRC report confirms Black people disproportionately arrested, charged, subjected to use of force by Toronto police. Ontario Human Rights Commission. https://www.ohrc.on.ca/en/news_centre/new-ohrc-report-confirms-black-people-disproportionately-arrested-charged-subjected-use-force

Ontario Treasury Board Secretariat. (2020, September 17). Ontario Public Service Launches Third-Party Review of Inclusive Workplace Policies and Programs. Ontario newsroom. https://news.ontario.ca/en/statement/58399/ontario-public-service-launches-third-party-review-of-inclusive-workplace-policies-and-programs

Pedulla, David. (2020, May 12). Diversity and inclusion efforts that really work. Harvard Business Review. https://hbr.org/2020/05/diversity-and-inclusion-efforts-that-really-work

Polonskaia, Alina & Tapia, Andres. (2020). The 5 disciplines of inclusive leaders: Unleashing the power of all of Us. Berrett-Koehler.

Ray, V. (2019, November 19). Why so many organizations stay white. Harvard Business Review. https://hbr.org/2019/11/why-so-many-organizations-stay-white?ab=seriesnav-bigidea

Roberts, L. Mayo, A. (2019, November 14). Toward a racially just workplace. Harvard Business Review. https://hbr.org/2019/11/toward-a-racially-just-workplace

Statistics Canada. (2020, October 15). Statistics Canada and disaggregated data. Government of Canada. https://www.statcan.gc.ca/en/transparency-accountability/disaggregated-data

Statistics Canada. (2019, February 27). Diversity of the Black population in Canada: An overview. Government of Canada. https://www150.statcan.gc.ca/n1/pub/89-657-x/89-657-x2019002-eng.htm

Thomas, Jr., R Roosevelt. (1990, March). From affirmative action to affirming diversity. Harvard Business Review Magazine. https://hbr.org/1990/03/from-affirmative-action-to-affirming-diversity

Thomas, D., & Ely, R. (1996). Making differences matter: A new paradigm for managing diversity. Harvard Business Review. https://hbr.org/1996/09/making-differences-matter-a-new-paradigm-for-managing-diversity?autocomplete=true

Thomas, J., R. Roosevelt. (2010). The state of the diversity field. Journal of Psychological Issues in Organizational Culture, 1(1), 88-94. https://doi.org/10.1002/jpoc.20003

Thomas Jr, R. R. (2011). The management of workforce diversity: A continuing evolution. Employment Relations Today, 38(3), 1-9. https://doi.org/10.1002/ert.20349

Treasury Board of Canada Secretariat. (2003, January 1). Overview of the employment equity act (1996) from a Public Service Perspective. Government of Canada. https://www.tbs-sct.gc.ca/pubs_pol/hrpubs/tb_852/overpr-eng.asp

Snowden, D. (Feb 2005) Multi-Ontology Sense Making: A New Simplicity in Decision Making. The Journal of Innovation in Health Informatics 13(1):45-54 DOI:10.14236/jhi.v13i1.578

Snowden , D. J., and Boone, M. E. (2007, November). A leader's framework for decision making. Harvard Business Review Magazine. Retrieved January 9, 2022, from https://hbr.org/2007/11/a-leaders-framework-for-decision-making

Subramaniam, V., O'Hara, C., Bradshaw, J., & Kerr, J. (2021, July 20). Companies show little progress on diversity a year after committing to Black North initiative. The Globe and Mail. *https://www.theglobeandmail.com/business/article-companies-show-little-progress-on-diversity-a-year-after-committing-to/*

United States Department of Labor. (n.d.). History of executive order 11246. Office of Federal Contract Compliance Programs. https://www.dol.gov/agencies/ofccp/about/executive-order-11246-history