

NYSBA

Best Practices

How to Improve Gender Equity and Overall
Quality of Life at Your Workplace

New York State Bar Association
Gender Equity Task Force



NEW YORK STATE BAR ASSOCIATION

The following represents the Bar Association's suggested Best Practices* for promoting gender equity in the workplace. Use these Best Practices as a guide to equalize your workplace on issues of gender. Compare your answers on the Self Audit to the principles set forth here.

These principles are intended to help your firm be responsive to the needs of all its attorneys and to be more competitive in today's market. An employer that is responsive to the needs of all its attorneys will ultimately retain well-qualified attorneys who are more satisfied and productive.

These Best Practices address the following areas:

Work Environment

Compensation

Evaluation and Promotion

Recruitment and Retention

Professional Growth and Development

Work and Life Balance

Leadership

Submit your own Best Practice!

We're compiling an on-going list of Best Practices to share with our members. To learn how to share your practice or policy with us, please see page 15 of the Self Audit or go to www.nysba.org/GenderEquityBestPractice.

Work Environment

Adopt and enforce anti-discrimination and harassment policies, including gender discrimination and sexual harassment.

Employers should have both male and female employees available to receive and review complaints. Complaints should be handled confidentially, when possible, and complaining parties should not be subject to retaliation.

Senior management should be responsible for addressing behaviors reflecting conscious or unconscious stereotypes and perceptions of gender bias. Behavior may include language, excluding someone from an event or type of work, lack of civility and other inappropriate behavior, or failing to provide adequate alternative marketing opportunities.

Management's commitment to gender equity should include the expectation that all members of the organization are committed to gender equity within the organization.

Provide for adequate technology for all attorneys and sufficient support in their use. Consider technology that permits remote access and foster its use for attorneys.

Compensation

Establish non-discriminatory basis for compensation decisions within the organization.

Periodically evaluate compensation decisions to insure that there is no inequity based on gender – equal compensation for equal work.

Communicate the true basis for compensation to women and men within the organization.

Ensure that women participate in compensation decisions.

Recognize and equitably reward men and women for participation in administrative duties as part of the compensation decision.

Consider economic and non-economic measures, in addition to billable hours or seniority, as a basis for compensation.

Include business development, realization rates, efficiency, client satisfaction, administrative duties, mentoring and pro bono work in compensation decisions.

Ensure an equal base salary among like categories of employees, for example within the categories of full-time associates or part-time associates.

Evaluation & Promotion

Apply uniform standards for advancement of men and women within the organization.

Periodically review, communicate, and consider client satisfaction in the evaluation of all lawyers.

Recognize and reward lawyers for mentoring others.

Review lawyers' treatment of others and address inappropriate behaviors.

Recognize women and men for their achievements in all areas of legal practice, including recruiting, marketing and mentoring informally and/or through formal recognition programs.

Establish goals or benchmarks for individual lawyers as part of their personal evaluations.

Develop specific criteria for promotion to partnership/ shareholder and communicate that criteria to all attorneys.

Recruitment & Retention

Ensure balance in recruitment efforts both in outreach to achieve gender balance and use of female attorneys in the recruitment process.

Conduct exit interviews of all departing lawyers to determine the reasons for their departure.

Departing employees should be encouraged to elaborate on their reasons for leaving and allow for discussion about all aspects of firm management and culture. Attention should be paid to reasons involving quality of life and gender equity.

Information obtained during this process should be shared with management and used to improve the workplace environment.

Address gender inequity in retention rates for attorneys at all levels.

Professional Growth and Development

Provide women with equal access to clients and equal opportunity for challenging work assignments through succession and practice plans reviewed and adopted by the legal employer's management.

Provide women with training, financial support, recognition and commensurate compensation for developing sustainable and growing practices and establishing community reputations.

Encourage diversity in informal gatherings and social events.

Create opportunities for all junior lawyers to have access to more senior lawyers for training, evaluation, networking, and mentoring purposes.

Provide internal and external access to leadership training.

Recognize participation in community and bar leadership activities, including service on committees and boards, as a value to legal employers.

Ensure that all lawyers have the opportunity to participate in meetings and activities, including marketing events.

Provide and monitor equal access to work and clients for all lawyers in all practice areas, including establishing succession plans for equal access to clients or retiring attorneys.

Provide opportunity and support for all types of marketing activities including those non-traditional activities such as theater, arts, and family activities as well as the more traditional opportunities such as golf and sporting events.

Adopt and implement formal and informal mentoring programs that include internal and external leadership programs.

Work and Life Balance

Offer alternate work schedules including job sharing, flexible hours and part-time work and create an environment in which lawyers feel comfortable taking advantage of these benefits.

Provide for parental leave for all attorneys regardless of gender, including leave for birth and adoption and create an environment in which the attorney is encouraged to use these benefits.

Consider that the need for child care assistance is the number one issue for the majority of women attorneys and determine the best way your workplace can address this issue.

Consider and address the safety issues of your employees; for example, safety escorts during off hours and providing transportation for the employee to return home.

Consider the location of the firm event and ensure the comfort of all employees at that location.

Permit paid time off to attend to family responsibilities.

To the extent permitted by law, extend benefits not only to spouse but to heterosexual and same-sex domestic partners.

Offer equitable and viable alternative part time and flexible work schedules.

Provide adequate technology to maximize lawyers' productivity and to support their needs consistent with their work schedules.

Leadership

Ensure that women are represented on a proportionate basis and participate in all levels of employment management.

Gather and internally disseminate statistical information regarding gender representation in hiring, promotion, compensation and governance.

Charge a person and/or committee with promoting diversity, including gender equity.

Representation should be proportionate based on the ratio of female lawyers to male lawyers employed, not just women partners or women managers

Gender representation includes both participation in the activities related to hiring, promotion, compensation and governance, and the result of efforts in those areas.

Data should be kept and regularly reviewed regarding all aspects of the process of hiring, promotion, compensation and governance.

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