Ep. 27: Equity and Codeswitching in the Workplace

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It's been proven that equity in the workplace is an asset for both businesses and their employees, because it encourages innovation, creativity, and empathy. Yet the journey towards equity is ever-evolving, especially in law firms. What does the future of the legal industry look like as we push diversity efforts towards equity and inclusion?

Camille Bryant:	Hi, I'm **Camille Bryant**, a Member in McGlinchey's Labor and Employment team, and I'm based in the New Orleans office. I'm joined by my colleagues from the McGlinchey Diversity Committee: **Dhruv Sharma**, a commercial litigator in our Irvine office, and **Farren Davis**, a general litigator in our New Orleans office. Dhruv, I'll start with you. Recently, we had a discussion on why equity must take center stage in the workplace. And during that discussion, it was mentioned that our brains are actually hardwired to care more about equity than diversity, but yet we've actually achieved neither in most of our industries. Do you believe that diversity is the problem, or is equity the problem?
Dhruv Sharma:	Thanks, Camille. And thanks for having me. Good to speak to you again. I think that really both are a problem. I don't want to give a free pass to the diversity angle. I don't think we're there yet as a corporate workforce (and when I say we, I mean, corporate America) where we can just disregard the fact that our workforce is not as diverse as it should be. But equity is obviously an issue as well. And when we say equity, we're talking about really just fairness. That means that people, diverse candidates, are getting the same opportunities to progress in their fields as the other non-diverse candidates. So to say that one is a problem and not the other, I don't think is completely accurate. I would think they both are equally a problem at this stage.
Camille Bryant:	Basically what I'm hearing you say is that without equity diversity is meaningless, and diversity more so is a stepping stone to equity. Because without diversity, it's sort of difficult to even put people on the same level playing field. Is that right?

Dhruv Sharma: Yeah, that's exactly right. I think the first step is obviously getting the candidates, the right candidates in the door. The workforce is representative of the general population as a whole. And then once those candidates are in the company, making sure that they have the same opportunities available to them to progress and to succeed as other candidates in the company.

Camille Bryant: As an employment lawyer, I've been faced recently with a lot of information and data on return to work trends, specifically post-pandemic. And there are a lot of studies out there that talk about how most people of color actually don't want to return to the workplace because of sort of this heightened anxiety, and notion of not being able to be their true, authentic selves – also known as "codeswitching." Farren, do you feel like there's ever been a time where you've had to codeswitch, or you couldn't be your authentic self in the workplace?

It was a hard thing for me to deal with, getting out of law school, trying to stay true to yourself and still maintain this level of professionalism. So I had to really sit down and talk to myself like, what is really authentic to me? Is this something that I just don't want to change because I'm being stubborn, or is this really changing who I am?

Farren Davis: I mean, Camille, how much time do we have? For sure. It was pretty much a hard thing for me to deal with, getting out of law school, still trying to stay true to yourself and still maintain this level of professionalism. But still trying to figure out, like, where do I fit into that? So I had to really sit down and talk to myself – I'm not crazy, I promise! But I had to really sit down, like, what is really authentic to me? I use this analogy of a tree, the root of it being my soul and who I am at the core. And then the branches being all these characteristics, traits that make Farren who Farren is. Then I have the leaves, right? I came into law school with red hair, but as you know, you change throughout life and you evolve. And so those leaves come and go. So I had to really think about, am I really changing myself or am I evolving as a person? And so I think you have to have those conversations with yourself and really be honest with yourself. Like, is this something that I just don't want to change because I'm being stubborn, or is this something that's really changing who I am? So once I had that conversation, I was like, "Okay, you can let the red hair go. You can let, you know, the nails and all the different things [go]." You know, that changes every day, every week. I think once I had that conversation with myself, I started looking at things a little differently.

Camille Bryant: I think those are great points. And I think you're really sort of drawing the line between, you know, being your authentic self, versus, what is professionalism? I think that a lot of companies sometimes struggle with sort of defining that line. And where we're actually seeing across the country -- I know that you mentioned your red hair -- is the Crown Act, which is actually affecting a lot of employers. And it's specifically geared towards women of color being able to wear their natural hair in the workplace. It's sort of creating a path and an avenue for people of color to be their true and authentic selves. And so I think that we may, you know, begin to see more and more legislation. And I think that the Crown Act will soon be passed on the federal level, in that same regard, to

address some of those concerns regarding what is professionalism versus how do we let people be their true selves.

Dhruv, as someone that's an immigrant, has there ever been a time where you felt that you couldn't be your true, authentic self or that you had to codeswitch?

Sometimes I actually feel like I'm codeswitching when I talk to people back home now, because I have to all of a sudden pull out my Indian accent out of my "box of accents." It's impacted my life.

Dhruv Sharma: Yeah, absolutely. I think my story is a little bit different, and I approach the codeswitching discussion from a different angle. As you mentioned, I am an immigrant. I came over, first to Canada, and then the United States, but I left home when I was 17 years old. So I've been codeswitching to various degrees pretty much every day of my adult life, since I was 17. When I moved into a dorm room in Canada, I spoke the language, but I had a very strong accent. I remember my best friends at the time, you know, giving me glassy stares when I spoke to them, because they couldn't understand what I was saying. And then I had to adapt by sort of picking up the accent that they spoke with and then developing in that sense. So I'm very familiar with the concept. And my name, too. My name is something that people can't pronounce right off the bat and they sometimes struggle with. They ask me a lot of questions about it and I have to come up with a different way of saying it so that it's a little easier for people reading it to pronounce. So I certainly have been codeswitching my entire life. At this point, it's subconscious. It's not overly conscious. And sometimes I actually, I feel like I'm codeswitching when I talk to people back home now, because I have to all of a sudden pull out my Indian accent out of my "box of accents." It's impacted my life. I don't want to say it's been a negative impact. I think it's just something that I've done to adapt and grow in this society. I think the point that I would convey is that it's something that employers should recognize. Their diverse candidates, [this] may be something that they're dealing with. You know, just have a general understanding of what the concept, what it is, and why people do it, and why it's necessary for them to do it, or why they feel it's necessary for them to do it.

Camille Bryant: Yeah, that's a great point. We often work with employers and teams to sort of help them acknowledge and recognize some of these things that may be going on in the workplace, to help them create more inclusive teams. I know that here at McGlinchey one way that we've done that is through affinity groups and through trainings as well. In your professional experience (I know that you've worked at a few other places), what things have you seen employers do to create an inclusive environment?

Dhruv Sharma: Well, certainly recognizing the fact that you have a diverse workforce that celebrates different holidays and has different things that they like and cherish, is important. Having an affinity group period is something that's been very helpful in that sense. You know, it recognizes that you fit a different demographic and you have a different way of looking at life, to put it simply. And then you can sort of create a group that can bond

and discuss not just about business, but just about life in general. And having the opportunity to do that has been very helpful. Having the opportunity to join affinity groups on a nationwide level -- I'm a member of the South Asian Bar Association in Southern California, I'm on the NAPABA [National Asian Pacific American Bar Association] board for the financial services network. So those sorts of organizations that bring people, diverse candidates from across the country, to share their experiences, I think has been really helpful. And the firm has been very supportive of that.

Camille Bryant: Those are all great points. I know that we've spent some time discussing race and ethnicity, but I wanted to sort of shift gears for a second and talk about our generational differences. There have been numerous studies that have come out about the generational divide, and specifically codeswitching and how that affects the generational divide. Probably, to no one's surprise, millennials are less inclined to want to codeswitch at work. However, the boomers and the Gen X-ers sort of acknowledge that, you know, this is the way things have always been done. And so they're more willing to sort of assimilate. Farren, as the youngest person on the panel and a millennial at that, have you noticed a generational divide with respect to codeswitching, and do millennials look at codeswitching differently than say boomers or Gen X?

We're not trying to punch in and punch out of being ourselves. We are trying to be ourselves 24/7. I think that's really the difference in between the baby boomers versus the millennials.

Farren Davis: For sure. I think the first thing that I think of is my parents, my first day being a lawyer, they came into town and I had on a suit, but it was, I think it was like a blue color. And my parents just could not believe that I was going to work in a suit with a blue color. I think that's quintessential of how baby boomers look at the workplace. You know, where I was thinking, "okay, I'm bringing a little flavor, a little life," just trying to feel good. My parents were like, "you need a gray suit, you need a black suit." And so I think that we are still trying to find... We're not trying to punch in and punch out of being ourselves. We are trying to be ourselves 24/7. I think that's really the difference between the baby boomers versus the millennials, because we see what life is about, and especially now with social media, and everyone's "trying to live their best life." So yeah, I think that that's probably a difference, where baby boomers are like, "I need to be this person nine to five, then I can go home and be myself." We're trying to figure out, how can I be Farren Davis 24/7? How can I be Camille Bryant 24/7? And still, of course, not kill the professionalism and still [have] the traditional side that the baby boomers that I love so much, that aspect that they bring.

Camille Bryant: Yeah, a really great point. And I worked pretty closely with a boomer, and we've had this discussion quite a lot. And so boomers are very sort of gung-ho on "I want that corner office. What do I have to do to get that corner office?" And that may be wearing the black suit to work every day, versus the millennial who is, "I'm more than happy to come to work, to do my time, but I want some fulfillment. I want the flexibility of being able to

work in a Starbucks. And I don't necessarily care so much about the corner office, if I can have that flexibility and freedom in how I go about my day."

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And, you know, you made a great point about the suit. My mom is always trying to buy me suits. And I have to constantly tell her, "unless I'm going to court, I'm not wearing a suit to work every day." And you know, I think part of that is our generational divide, but it's also the evolution in the workplace in general. Specifically, you know, now that we're sort of past COVID, a lot of companies are a little bit more lax in sort of their day-to-day operations. And so I think that that's something that we're going to sort of continue to see as times evolve, and once Gen Z and this next generation enters the workforce (and they're not very far behind). And I know we've talked a little bit about boomers and a little bit about millennials. Dhruv, as someone that's Gen X, or right on the cusp of Gen X, do you think that Gen X-ers look at authenticity or codeswitching in the workplace any differently?

Dhruv Sharma: Yeah, I think so. I mean, I think there's sort of a sliding scale, you know, as you move down from the boomers to the next category and then so on and so forth. I think people are learning about the concept and understanding what it's about and, and adjusting the way they look at the world. I mean, we are, I think millennials are, and Gen X-ers are as well. I think we are definitely evolving as a society towards a more accepting and understanding culture. And I think that's a really great thing. That's really positively a progressive thing that's happened over the last couple of years. I'm really looking forward to the society that my kids grow into, because I think they're going to have a completely different experience than we did. And I hope it stays as positive as it appears to be progressing towards.

Camille Bryant: That's a great point, Dhruv. I think that that's what we all are looking forward to. So with that, I'd like to thank everyone for joining us for this latest installment of "More with McGlinchey." Please tune in next time as we continue this conversation.

Thanks for tuning into this episode of "More with McGlinchey." If you have a question or would like to propose a topic, we'd love to hear from you at podcast@mcglinchey.com. For additional resources on this topic, please visit mcglinchey.com. On behalf of the law firm that brings you more, we hope you'll join U.S. next time.

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