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3 Ways Law Firms Can Be More LGBT Inclusive Right Now

By **Aebra Coe**

Law360 (June 24, 2020, 6:28 PM EDT) -- Many law firms are looking for ways to support their LGBT attorneys and staff in order to become truly inclusive workplaces.

Historically, firms have not had all of the safeguards and policies in place to ensure they are inclusive workplaces for lesbian, gay, bisexual, transgender and gender nonconforming employees, but a number have made strides in recent years working toward making their diversity and inclusion efforts beneficial for LGBT workers.

Being inclusive has many benefits, according to Dru Levasseur, deputy program officer at the National LGBT Bar Association and Foundation.

"An inclusive work environment is integral to employee's happiness, well-being, and sense of belonging," he said. "Inclusive environments lead to a higher employee retention rate and better employee performance."

Here, Levasseur and other experts share their thoughts on three ways firms can be more LGBT inclusive.

Make Sure the Firm's Internal Policies Are LGBT-Friendly

One of the biggest ways to show LGBT employees that they are welcome and valued is by implementing policies that ensure they are treated fairly and equally, experts said.

LGBT-inclusive workplaces should have a written nondiscrimination policy that explicitly includes sexual orientation, gender identity and gender expression, according to Levasseur.

Workplace diversity statements can also acknowledge that some people have multiple and intersectional identities, including LGBT people of color or LGBT people with disabilities, he said.

"Taking this step not only holds the workplace accountable for this expression of values, it also sends a message of inclusivity and acceptance ... [and] employees are more likely to feel that their identities are not only protected but welcomed," he said.

In addition to a strong nondiscrimination policy, law firms' diversity and inclusion strategies can contain diversity training for all employees that includes meaningful content around LGBT diversity, said Stan Kimer, president of Total Engagement Consulting by Kimer.

The National LGBT Bar Association offers an LGBTQ+ inclusion coaching and consulting program called Lavender 365 that provides such training.

"Any diversity work must start with internal practice," Kimer said.

Another way firms can ensure their workplaces are inclusive is by having restroom policies that further that goal, Levasseur said. They can do that by making sure there are enough single-stall, all-gender restrooms and by making sure no one is prevented or discouraged from using a restroom in

accordance with their gender identity.

Be Sure Firm-Provided Employee Benefits Are Inclusive

One vital element of LGBT inclusion at law firms is making sure that health care policies meet the needs of LGBT employees and those living with HIV, along with their families, according to Levasseur.

"Ensuring that these individuals have the necessary health care coverage they need is critically important to their success," he said.

Health care coverage for transgender people such as hormone replacement therapy and gender transition coverage should be included in the firm's health care policies, as should payment for medications used by those with HIV or to prevent the transmission of HIV, he said.

Additionally, inclusive plans should ensure that fertility treatments are available to same-sex couples, Levasseur said, and that same-sex partners and spouses are covered by the employer's health care coverage, the same way a spouse in a male-female marriage would be.

And all parental and adoption leave should be structured to include LGBT attorneys and staff, he said.

Look Outward to Show Solidarity With the LGBT Community

As law firms think about their community outreach programs, Kimer said one way they can increase their LGBT inclusivity is to include support for the local LGBT center as well as national organizations such as Lambda Legal.

"Especially in the U.S., consumers look to companies and firms to see if they are generally supportive of their communities," Kimer said.

Law firm leadership and management can also support and participate in or even initiate educational, understanding-focused and intellectually broadening events and gatherings that highlight LGBT issues alongside public advocacy groups, according to former U.S. Attorney James Santelle, who now works in private practice doing principally civil rights and human rights work.

"Law offices are well-postured to be the catalysts for these kinds of 'weddings' of the law and public advocacy for movement forward," Santelle said.

Another way firms can look outward as they strive to become more inclusive is through their recruiting efforts, according to Santelle.

Firm leadership should advertise and solicit applications for existing and future vacancies, both lawyer and staff positions, among nationwide and statewide LGBT associations, groups and organizations, he said.

Reviews of submitted resumes and interviews should also include direct involvement by and contributions from current LGBTQ employees, to ensure broad-based, informed decision making, he added.

--Editing by Brian Baresch and Emily Kokoll.