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# Tony West, GC of Uber, Explains How He Incentivizes Law Firms to Diversify Ranks

"I'm one of these people who actually thinks that diversity and inclusion is not rocket science," West told a group of more than 70 mostly African American lawyers at the National Bar Association's annual conference in New York City. "I think it's more about intentionality."

By Jason Grant | July 25, 2019



***Tony West.***

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At a National Bar Association panel on Thursday, Tony West, the general counsel of Uber and former general counsel of PepsiCo, said that at both companies his office has ranked law firms based on a series of diversity methods and factors—including how firms distribute work to their minority attorneys—and then have funneled legal jobs to “top-scoring firms.”

West—a high-profile African American executive who also worked multiple stretches at the Department of Justice, eventually rising to become Associate Attorney General under Eric Holder—also outlined from a conference-room podium how at PepsiCo he would invite the top-scoring law firms to Pepsi’s headquarters annually for “a daylong recognition.”

While there, he said, he would ask the firms' representatives to share with each other "best practices," and to trade ideas for improving diversity across the legal industry.

He will do the same, he said, at Uber.

"I'm one of these people who actually thinks that diversity and inclusion is not rocket science," the GC told a group of more than 70 mostly African American lawyers at the NBA's annual conference in New York City. The NBA is the nation's oldest and largest national network of African American attorneys; this week it has been holding its 94th annual convention at the Sheraton Times Square Hotel.

"I think it's more about intentionality," continued West, speaking about building diversity in the both upper echelons and more widely throughout the legal industry. "It's about the hard work of doing it."

Still, said West, when it comes to encouraging, or propelling, law firms to make substantial moves toward diversifying ranks that have long been filled mostly by whites and men, "economics matter."

"This is something [improving diversity] I've been working on literally my entire career," he said, referring to efforts he first started making while at Stanford Law School, where he was the Law Review's president in 1992.

"And what strikes me," he said, "is that sometimes you need incentives that help to move the needle" for firms and for other organizations that don't seem to be progressing.

As rows of accomplished lawyers in both the private sector and government listened intently, West also talked candidly about the challenges of starting at Uber on the same day in 2017 that a massive company data breach was announced, and while employee morale and retention was low.

An Uber-commissioned report by Covington—referred to as the “Holder Report,” where Eric Holder had become a partner—had also just been issued. Covington had investigated for months allegations of sexual harassment and discrimination at the ride-sharing company.

“Either way, we will make history and turn [it] around, or we will go down in flames,” but it will be an exciting and interesting time, West recalled himself telling newly installed Uber CEO Dara Khosrowshahi as he came on board at Uber.

Khosrowshahi, according to a profile of West in The New York Times, had brought in West to “professionalize” the then-embattled company and to help turn it around.

In pointing to some of his early decisions, West said Thursday that his first hire was Tammy Albarran, the Covington attorney who had authored the report about sexual harassment and discrimination at Uber. It was partially an effort, he said, to show by example the type of workplace culture he was intent on building inside the large company.

Later in the discussion, which featured West, 53, being asked questions by Yvan-Claude J. Pierre, an African American partner at Cooley, West was direct about challenges he has faced, and what he’s learned, while rising through the legal ranks as a black man.

He told onlookers that as a black man in a high-profile position of influence, he believes he and other African Americans in such roles face some unique challenges. One of them, he said, is to continue to take risks even after having achieved a certain level of success.

It can be too easy, he explained, for a black man or woman who has achieved a top position to “sit safely” in the role. And meanwhile, he said, adulation from friends and family usually rolls in.

“You’re now in this position,” West said, “and there is this tendency sometimes to just play it safe, and sort of sit in the position, and not to expend any of the political capital you now have.”

“My view is that the reason you are in the position is to spend the capital,” he told the roomful of lawyers as some of them nodded and let out “mm-hmms.”

But “that can be easier said than done sometimes,” West said. So “it is important to remind yourself that you are there for a reason. Be willing to stretch and expend that capital.”

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