

# Virus Alert!

## 10 Ways to Combat Diversity Fatigue

By Dr. Arin N. Reeves

**DIVERSITY FATIGUE** (di.VUR.suh.tee fuh.teeg): According to WordSpy.com, a web site dedicated to tracking new terms that have appeared multiple times in major media, “diversity fatigue”—a form of mental exhaustion brought on by the constant attention required to create or increase diversity in work settings—is now an official part of the workplace lexicon. The concept of diversity fatigue first appeared in a *New York Times* (April 6, 1998) article on how the nation’s newspaper editors wanted to roll back the goals of increasing diversity in the newsrooms because “there’s a widespread sense of diversity fatigue.”

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Since 1998, the term has picked up traction and support. An article in the May 31, 2006, edition of Time.com (the online version of *Time* magazine) asks, “Are Americans Suffering Diversity Fatigue?” The article goes on to state that, “It’s clear people are tired of walking on eggshells, afraid to offend those with different beliefs, ideas, and lifestyles. It’s grown exhausting, and they want their lives back. The idea of diversity seems to have worn out its welcome. It is now like a house guest who has stayed too long.” The term continues to receive high levels of attention, as evidenced by a dialogue on the October 12, 2006, episode of National Public Radio’s *Talk of the Nation*, entitled “Explosion of Diversity Training Leads to Fatigue.”

As this term simultaneously defines and is defined by the work on diversity in the workplace, the reality of diversity fatigue is starting to set into law firms and legal departments that have been diligently working on their diversity initiatives. The effects of diversity fatigue—the desensitization of people to the importance of diversity, the reduced motivation of leaders and masses prioritizing diversity amidst the clamor of many other issues demanding their attention, and the frustration of those charged with creating results in diversity—are real and need to be dealt with proactively and consciously if a law firm or a legal department is to continue the work that is necessary to create and maintain sustainable diversity.

According to Jacqueline Wilson Cranford, director of diversity at O’Melveny & Myers, diversity fatigue is very real, both for people charged with leadership for diversity at an organization as well as the constituents of that organization who hear about the diversity efforts. However, Cranford notes, “The fatigue is not always about the commitment to diversity or the intention to be more diverse. It is about the fact that the results are so incremental and slow that people get frustrated by the pace of change and the effort

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required to even make that small change happen.” C. Elaine Arabatzis, diversity/pro bono counsel at Dickstein Shapiro, agrees that diversity fatigue in the legal profession is not so much about frustration with diversity itself but more about impatience with the rate of progress.

The realities of diversity fatigue resulting from the slow pace of change of diversity in law firms and corporate legal departments are especially salient for partners of color who assume the leadership for their organizations’ diversity efforts while still maintaining a full legal practice. Barron Wallace, an African American partner at Vinson & Elkins and chair of its firmwide Diversity Committee, noted that the fatigue that results from “constantly balancing client needs, practice needs, and diversity needs” as well as “efforts to support and encourage all of the younger minority lawyers who look up to minority partners as role models” is quite intense.

Janet Love, an Asian American partner at Lord Bissell & Brook and co-chair of the firm’s Diversity Committee, found that one of her frustration points lies in the fact that “fitting diversity in around my practice meant that what I gave to our diversity efforts sometimes fluctuated.” Love further noted that partners like her who have full dual responsibilities for managing a practice and leading diversity efforts can burn out fast, because all of their downtime at work is spent on diversity efforts and mentoring diverse lawyers.

Although the experience of diversity fatigue is quite tangible in law firms and legal departments, the need for inclusiveness in the workplace continues to intensify, given the shifts in U.S. demographics and the sustained pressure on companies and law firms to have a diverse workforce that can compete and succeed in a global marketplace. The following list of strategies offers 10 ways in which law firms and corporate legal departments can battle diversity fatigue in their institutions in order to keep their inclusiveness efforts moving forward.

## **1. Stress diversity as a journey, not a destination.**

One of the primary causes of diversity fatigue is the lack of active management of people’s expectations of what diversity is all about. By stressing diversity as a journey of inclusion that expands opportunities for everyone in the organization, leaders avoid the “aren’t we there already?” frustration that results from understanding diversity as a destination. The focus on the journey gives people the message that diversity efforts are an integrated and constant part of everything the organization does. Once the expectation is created that diversity is a journey, it greatly mitigates the fatigue that results from people constantly asking each other, “Why aren’t we there yet?”

Understanding and communicating diversity as a journey, not a destination, naturally integrates the necessary virtues of patience and perseverance. Arabatzis remembers Lloyd M. Johnson, Jr., founder and first executive director of the Minority Corporate Counsel Association, once telling her that, “We didn’t get to this point overnight, and we are not going to get out of it overnight.” She derives inspiration and strength from these words when the fatigue knocks on her office door.

## **2. Recognize and communicate that progress on diversity is not always a straight line progression.**

At its core, diversity is about human beings, and human beings rarely do anything in a neat linear fashion. Recognizing and communicating that diversity progress should be

measured as movement in the right direction over a period of time cuts down on the frustration that occurs when success varies from year to year. Love calls it the “wavy line to improvement” and has realized that, over the years, success in diversity is about “getting more people moving in the right direction” and not simply increasing raw numbers. She explains that some years, an organization may do particularly well with recruiting but have some devastating attrition. In other years, it may do well with retention but not have the most diverse incoming class.

Although the numbers remain the paramount measure of how well an organization is performing on diversity overall, focusing on these numbers with a longitudinal perspective that accounts for human choice staves off frustration in not seeing the numbers improve in a neat linear way from year to year.

### **3. Integrate diversity as a critical thread into all of the functions of the firm, instead of focusing on it as a stand-alone issue.**

Diversity is never really just about diversity. It is about recruiting, talent development, mentoring, professional advancement, equitable compensation, representation in the partnership ranks, and so forth. In short, diversity is a part of everything that makes a law firm or a legal department work, and it cannot possibly mean anything when it is isolated as its own function. In understanding that achieving diversity is the consequential sum of recruiting, developing, training, promoting, and marketing in a more inclusive way, diversity efforts can focus more on engaging everyone in the organization to do his or her part in a more inclusive way, instead of isolating diversity as a stand-alone objective. Integration of diversity makes it an organizational value; isolation of diversity invites diversity fatigue.

For Wallace, the only way to make diversity work is to contextualize “diversity issues in the framework of issues that are faced by all attorneys in the law firm” so that diversity is seen as a critical part of what everyone should be doing to move the firm forward. He states that “getting a strategic plan in place and getting traction on key initiatives takes time,” but he has found that the time is well spent when responsibility for the implementation of a strategic plan on diversity is not vested solely in a Diversity Committee, but is necessarily spread out across all of the key functions operating in an organization.

### **4. Support and reward the individuals who shoulder the responsibilities for leading the organization’s diversity efforts.**

Whether an organization’s leader on diversity issues is called a chief diversity partner, chief diversity officer, chair of the Diversity Committee, diversity director, Diversity Council, or diversity manager, the organization’s commitment to diversity is illustrated in the ways in which it supports and rewards the individuals who drive the change in this arena. In a world where compensation still serves as the primary feedback venue for the value imbedded in a certain organizational role, it is critical that compensation for the leadership of diversity is commensurate with the value of diversity in the organization. In order to attract talented leaders who will fight the ways in which diversity fatigue can creep into the organization and keep diversity efforts energized and engaging, management needs to show strong support for the individuals who accept this charge.

That said, compensation is not the only way in which leaders of diversity efforts can be supported and rewarded. Consistent support for and recognition of the work by the top leadership of the firm gives the diversity effort and its primary drivers the organizational

visibility and stature they need to keep diversity at the forefront of organizational priorities. Cranford notes that her “firm leadership’s sincere and vocal commitment” has made it easier for her to combat her own fatigue, as well as the fatigue of her colleagues.

Essential ways to support partners who are managing both active practices and diversity efforts are to ensure that these partners have the administrative support they need to provide leadership without getting bogged down in administrative details and to recognize, through compensation and other evaluation systems, the incredible benefits the partners’ work is contributing to the entire firm’s visibility, reputation, and marketability.

## **5. Prioritize goals in order to focus energies and resources.**

Arabatzi points out that, in many organizations, people cannot differentiate between ineffectiveness in achieving progress and actual fatigue. She advises people to take a “careful and candid inventory of the organization, its diversity priorities, and the resources it is allocating to move forward.” When goals are not prioritized, resources and energies are often scattered or even wasted, thereby hindering progress. When diversity goals are prioritized in the context of the organization’s overall mission, strategy, and resources, efforts can be focused with a laser precision that wards off the fatigue inherent in a strategy saddled with no priorities and scattered resources.

## **6. Mix it up.**

Although diversity is a serious topic, it does not always have to be addressed through overly serious programming. Mix up diversity programming with more informal events. Infuse humor, fun, and even a little silliness into programming. Laughter is one of the best ways to beat fatigue of any kind. Arabatzis recommends “constantly doing and communicating about inclusiveness in different ways and getting new people engaged with the diversity efforts to keep the efforts fresh and fun.” Wallace agrees and observes that one thing that energizes him is to see different people in his firm take ownership of different diversity initiatives and infuse the activities with their own personality and enthusiasm.

This suggestion comes with the understanding that the legal profession is not exactly known for the creativity of its organizational programming, but the more creative, the better chance of keeping diversity efforts safe from fatigue. Field trips? Book clubs? A firmwide diversity blog? Including personal hobbies and interests on official bios? Diversity updates via DVDs instead of emails? A diversity essay contest? New ideas will keep diversity initiatives fresh.

## **7. Recognize and encourage all of the different ways in which people generate ideas and contribute efforts.**

The more people are engaged directly in the organization’s diversity efforts, the less likely that diversity fatigue is to set in. Yet, there are many firms and legal departments that depend on a handful of people to generate ideas for diversity efforts and programming. Is it any wonder that everyone else gets tired of hearing from the same people all the time on an issue that is fundamentally about inclusion of everyone?

Centralize the leadership of the diversity efforts for the sake of prioritization of goals and expenditure of resources, but localize the generation of ideas for and the planning of events. Rotate responsibility for certain events across practice groups. Ask for volunteers. Give each idea a fair chance. When people step up, recognize their efforts throughout the organization. The more that management recognizes and encourages contribution of ideas

and efforts from different people, the less likely fatigue is to take hold. Conversely, fatigue flows easily into spaces where people feel that their ideas are not respected or that their individual efforts are not necessary. To Arabatzis, it is critical that she “directly solicit ideas and encourage participation.” She has seen the overall effectiveness of her firm’s programming increase when the ideas for programming are not just drawn from members of the Diversity Committee.

## **8. Seek feedback from as many people as possible as often as possible.**

People are less likely to disconnect from something that they feel is truly theirs to own and shape. Seeking feedback from individuals in the organization is one of the best ways to vest ownership of the diversity efforts in everyone. To keep up with what people are thinking about the organization’s diversity efforts and how they are connecting with the programming, Love actively seeks feedback from many people. She pushes them “to be critical, not just complimentary” so that she can engage them and learn from their perspectives. She has found that seeking feedback has been an effective tool in engaging people who were previously disinterested or even resistant to the organization’s diversity efforts.

Similarly, Wallace also has focused on continuously seeking people’s feedback as to the ways in which they feel they can integrate diversity efforts into their roles and duties. He acknowledges that it is “not always easy to talk about it over and over again with people who are trying to figure out how their role fits into the big picture, but it’s the only way to make it work.”

## **9. Look beyond the organization’s individual goals and realities to engage in the profession’s collective efforts to diversify the pipeline and the profession.**

Active engagement with the larger issue of diversity in the legal profession is a great way to create a network of peers who are on the same journey, understand its challenges and progress through a realistic perspective, and contribute to collective efforts to increase diversity in the legal progression and the pipeline leading into it. For Arabatzis, participation in various conferences as a speaker and a participant keeps her both informed and grounded, and it reminds her “how great it is to be an agent for change.” For Cranford, active involvement with peers who have similar positions in other law firms is an incredible source of support and inspiration.

Individuals and organizations that see themselves as part of a larger movement or effort are far less likely to feel fatigued, because they see how powerful the collective can be even if individuals are limited in what they can achieve. Recognizing individual efforts as critical pieces of a much larger whole allows diversity leaders to both take ownership and feel the benefits of shared responsibility.

## **10. When fatigue creeps in, create opportunities for people to “blow off steam.”**

At times, in spite of the best efforts to fight diversity fatigue, it will creep in and make itself at home in various corners of a law firm or legal department. When this happens, the only way to shoo it away is to give individuals the opportunity to vent their frustrations. For those individuals who are leading an organization’s efforts, build in some time every year to just tell war stories and blow off steam. Officially call the meeting a “vent session” and schedule it somewhere unusual for maximum benefit. For

everyone else in the organization, build in a feedback loop into all communications: Send email on diversity issues with a link to register feedback. Conduct diversity presentations and trainings in smaller settings where greater interaction is possible. Create a forum on the organization's intranet where people can post anonymous feedback.

Diversity fatigue is sometimes an inevitable consequence of actively engaging in diversity efforts; however, when it cannot be prevented, it can be managed and eliminated.

In accepting "diversity fatigue" as a new and perhaps even long-lasting addition to the workplace lexicon, it is important to understand that this phenomenon is now in organizations and gaining some traction. That said, just as the antonym for fatigue is energy, the antidote for "diversity fatigue" is "diversity energy." The 10 strategies detailed here provide the beginning of a roadmap on how to inject energy back into diversity efforts. Some will work immediately; others will take more time; some may need to be tweaked in order to fit within a firm or legal department's unique structure and culture. In the long run, the specific strategies matter less than leaders focusing on challenging "diversity fatigue" with "diversity energy" in whatever ways work most naturally, sincerely, and effectively. **DB**

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