

## Barriers & Biases

Supporting Women  
Leaders & Avoiding  
Employment Law  
Pitfalls





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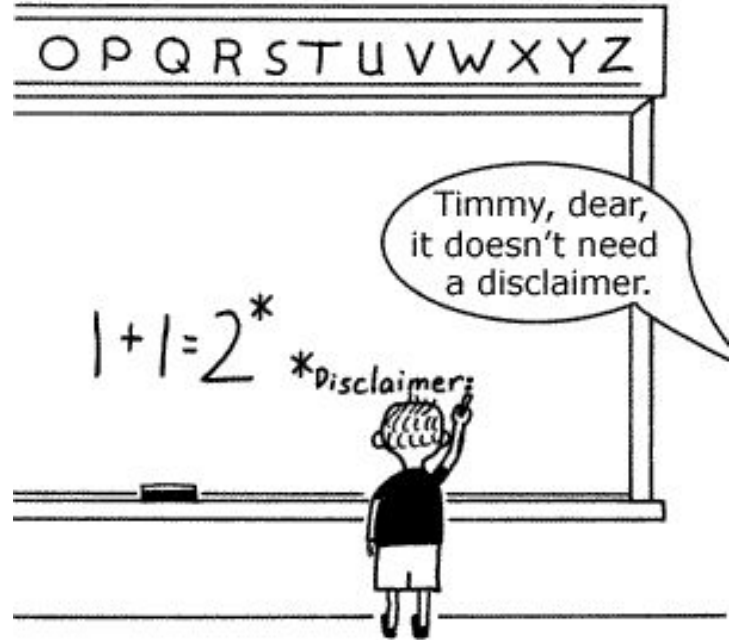
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Timmy  
doesn't need  
a disclaimer  
but we do...



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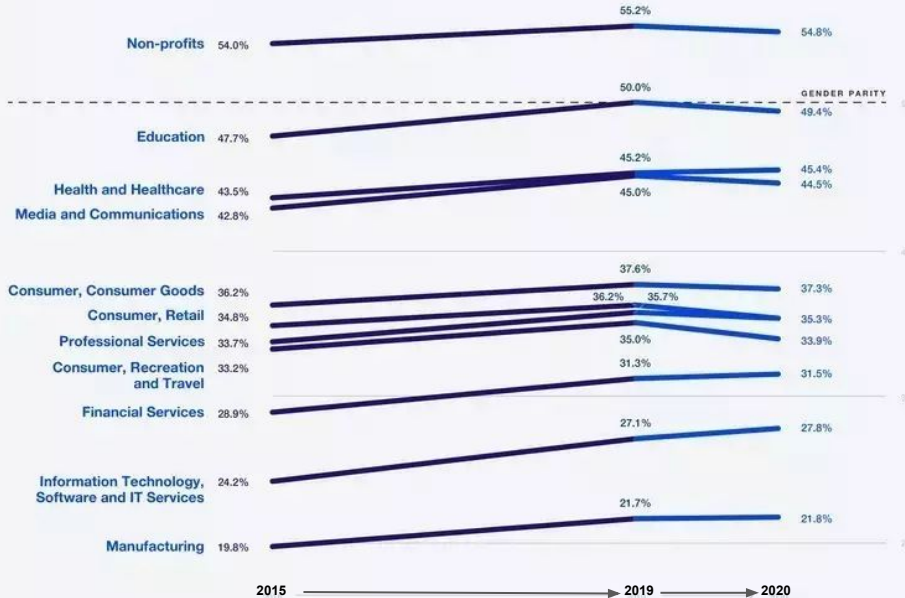
- **Stats on Women in the Workplace**
- **Women in Leadership - Challenges**
- **Hiring - Pitfalls to Avoid**
- **Supporting Women in the Workplace**
- **Terminations - Pitfalls to Avoid**

# Stats on Women in the Workplace



# Women's hiring into senior management positions reverses backwards in 2020

● Women hired in senior management roles 2015-2019  
 ● Women hired in senior management roles 2019-2020



Source: World Economic Forum's Global Gender Gap Report 2021



# Business Case for DEI

- Catalyst Resources if you still need to make the case:

“People looking to increase diversity at organizations are often asked to “make the case” for why it is necessary. Much research has been done to demonstrate that when done well, diversity and inclusion in the workplace can lead to increased revenue, reduced costs, greater innovation, and increased employee engagement, productivity, and commitment. Notably, for companies to most effectively serve the market, their workforce needs to look and think like their customer base.”

Source: <https://www.catalyst.org/research/business-case-resources/>

# Intersectionality

- Much of the available stats are based on the experience of caucasian women - who continue to have the privileged best case scenario for women
- Anyone who intersects with being a woman in the workplace (e.g. race, gender, LGBTQ+, disability and more) face amplified barriers and biases



# Women in Leadership - Challenges

## Women Leadership Today

- **Women hold:**
  - **4% of Canada's largest publicly traded companies as CEO**
  - **18.3% of board seats on Cdn corporations**
  - **29% of seats in House of Commons**

Source: <https://canadianwomen.org/the-facts/women-and-leadership-in-canada/>

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# The Impact of COVID-19

- Impact on gender balance
- Impacts on women in the workforce
- As the impact of the COVID-19 pandemic continues to be felt, closing the global gender gap has increased by a generation from 99.5 years to 135.6 years

Source: World Economic Forum's Global Gender Gap Report 2021

**Women who stayed in the workforce have emerged as the heroes of the pandemic**

# The Wage Gap

## By Every Measure, Canadian Women Face a Gender Wage Gap

- Among full-time workers in 2021, women earned:
  - 90.5% of what men earned based on average hourly wage rates.
  - 85.5% of what men earned based on average weekly wage rates.
- Among all workers (full and part-time) in 2021, women earned:
  - 88.7% of what men earned based on average hourly wage rates.
  - 79.6% of what men earned based on average weekly wage rates.

Source: <https://www.catalyst.org/research/womens-earnings-the-pay-gap/>

# The Wage Gap

Leading causes of the gender pay gap include:

- gender segregation in jobs
- caregiving responsibilities that fall heavily to women
- a lack of pay transparency
- discrimination
- bias



## Hiring - Pitfalls to Avoid



# Encourage Women to Apply to Leadership Positions

- Men tend to apply to jobs if they have only 60% of the qualifications whereas
- Women tend to apply when they feel they have met 100% of the qualifications.

Source:

<https://www.forbes.com/sites/vickisalemi/2022/04/08/women-ceos-share-their-words-of-wisdom-to-close-the-c-suite-gap/?sh=6d4444e414c9>

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# Questions to Avoid During Interviews

- **Past salary**
  - Now illegal in nearly half of US states
- **Ontario's *Pay Transparency Act, 2018:***
  - Enacted by NOT yet in force; was paused when Ford government came in after 2018 election
  - *S. 5 - No employer shall seek compensation history information about an applicant by any means, whether personally or through an agent.*

# Hiring Tips

- **Job Postings:**
  - Give wider ranges of experience and education
  - Avoid “must haves” unless really necessary
- **Questions to avoid during interviews:**
  - Marital status
  - Family status
  - Whether or not they plan on having children

# Supporting Women in the Workplace



# Set Women Up to Succeed

Research shows that:

- women at every level receive less support in their transition to leadership
- Women report higher levels of stress in their transitions
- a larger percentage of men indicated being given clear expectations for success in their roles than women.

Source: <https://www.ddiworld.com/blog/gender-bias-in-leadership>

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# Microaggressions are Real

- “the everyday slights, indignities, put-downs and insults that members of marginalized groups experience in their day-to-day interaction with individuals who are often unaware that they have engaged in an offensive or demeaning way” (Dr. Derald Wing Sue)
- Article by employment law colleague Megan Keenan about microaggressions in legal profession (p 10)

Source: <https://www.yumpu.com/en/document/read/65838721/advocacy-matters-summer-2021>

# Microaggressions are Real

## ● Examples

- Calling women by first name, men by surname in formal settings
- Assumption an assistant rather than lawyer/manager/leader
- Assumptions about childcare/home obligations if staying late
- Telling women to “take a joke”
- Giving women the EQ, admin (e.g. taking notes) or event planning volunteer tasks, even if a ‘leadership’ role in organization
- Assuming women will not want to attend certain events (golf, office fantasy pools)
- Assuming women will have certain reactions to constructive feedback
- “You aren’t like other [insert marginalized group] person I know”
- “Don’t be so sensitive / politically correct”
- “Man up”
- Using terms like sweetheart
- Using height as physical intimidation
- Unwanted sexual attention or “just compliments”
- Interchanging names of people
- Assuming the one woman in the room can/wants to speak on behalf of all women

# Strategies to address Microaggressions

- Need to address each small microaggressions so they don't become part of organization's culture
- Don't casually overlook microaggressions as “honest mistakes” - address them proactively, politely, and positively
- Allow for space for follow-ups

Source: <https://hbr.org/2022/05/recognizing-and-responding-to-microaggressions-at-work>

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# Strategies to Help Remove Barriers for Women in Leadership

- **Create A Safe Environment for Women to Express their Concerns**
- **Employees with Families (ie not just women):**
  - **Avoid stereotypes - assume can/will work just as hard as workers without kids**
  - **Accommodate and Support**
  - **Flexibility; Option of Remote Work**
  - **Paid Personal Days**

# Strategies to Help Remove Barriers for Women in Leadership

- Deliberate mentoring, sponsorship, championing
- Embrace Relational Leadership:
  - “As more corporations, agencies and organizations recognize the pitfalls of the ‘take charge’ approach versus the relational ‘take care’ approach, it should open the door for more female leaders to rise through the management ranks. Demonstrating and role modelling relationship leadership is a powerful way for women to leverage their natural strengths and harness diversity as a superpower in times of crisis.”

Source: <https://desagloballeadership.com/> (White Paper on Women in Leadership)

# Women on Boards

## Women sitting on a board of directors in 2018:

- 18.3% of all directors
- Compared to 17.9%
- The dataset contained 9,232 corporations in 2018—a decrease from the 9,400 enterprises recorded in 2017.
- Almost 2/3 of corporate boards were composed entirely of male directors in 2017 and 2018.
- Just over 1 in 10 boards of directors had more than one woman, and over 1/4 in four had one woman director among its members.

Source: Statistics Canada: <https://www150.statcan.gc.ca/n1/daily-quotidien/210323/dq210323d-eng.htm> (released in 2021)

- Taking Women Seriously
- Girls on Boards Initiative: <https://www.foranetwork.org/girls-on-boards>

# Be Aware of Biases in the Workplace

- **Complaints about Women Leaders**
  - *Bossy, aggressive, cold, doesn't listen, arrogant, impatient*
  - *vs. Great leader, takes charge, impartial, not pushed around, confident, gets stuff done*
- **Workplace Investigations against Women**
- **Welcome to a big part of our legal practice**

# Terminations - Pitfalls to Avoid



# Terminations

- **Conduct exit interviews for resignations**
  - Why are women leaders leaving?
- **Engage front line managers and leaders**
  - Debrief about the real WHY of an exit
  - Repeat the business case for DEI, cost of turnover, bad press and human rights exposure

# Terminations

- **Avoid Stereotypes about the exit package & process that then trigger anger at ex-employee for defying stereotypes (true frequent story):**
  - Need to be softer, more gentle in negotiations
  - Will be emotional
  - Not breadwinner so can lowball / cash not as important
  - Won't be aggressive or fight back so can offer “reasonable” low package

# Key Takeaways



1. Internationalism in education  
- in what we know, how we know it,  
how what we know shapes how we  
know, how knowledge is produced and how it  
reflects the interconnectedness of  
the world.  
Transnationalism in education as a  
process of globalization, creating powerful  
networks, dialogue, migrations, and limit-  
ing of ideas and relationships;  
of education and relationships  
of Africa and the world.



## Key Takeaways

- **Avoid pitfalls when hiring women**
- **Think of how to support women in the workplace**
- **Keep in mind biases that exist**
- **Avoid pitfalls when terminating women**

# Questions?

To learn more about our team: <https://springlaw.ca/team/>

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