CEP Magazine - November 2022

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# Diversity, equity, and inclusion vs. policy: The compliance conundrum

By Solomon Carter

Whenever experiencing a presentation on diversity, equity, and inclusion (DEI), one of the first things you'll normally hear is "DEI efforts are not a compliance program," at which time, some people let out an inward (and often outward) sigh of relief. But why is that precursory mulligan given? Without listing all the reasons, let's discuss a few. Quite frankly, none of them are good.

## The first reason: DEI isn't taken seriously enough

If we're being honest, the first reason is usually because DEI isn't going to be taken seriously, and it's not going to be a genuine accountability-based action item. To be clear, it is impossible to proclaim something is serious but also has no consequences surrounding it. In fact, I think that position is the opposite of any kind of successful business model. To suggest otherwise is simply untrue. To back that statement up, let me ask you a simple question.

Imagine your organization has identified a systemic, structural, overt, and profound problem throughout your enterprise risk management process that:

- Devastates your morale and has a pernicious effect on your operational effectiveness
- Exposes you to undue legal liability and risk
- Has a deleterious effect on your reputation and brand worth that could cost hundreds of millions of dollars
- Is highly data-driven and irrefutable in both science and theory

Would your organization fail to mitigate the problem or refuse to attach real consequences to violations? I hope not! But those liabilities are prevalent when DEI best practices are violated, so a gentle approach to addressing prolific DEI issues is not what it takes to have successful outcomes. No matter how big of a press release, no matter how much money you throw at the initiative, and no matter who you hire as the new DEI head honcho, a qualifying statement that divorces DEI from accountability and compliance is a disingenuous and self-defeating practice that hampers you before the race begins—which, ironically, is the exact same set of circumstances that helped lead to a lack of DEI in the first place.

To be succinct, by uttering those prequalifying "words of comfort," you place a hamstring on an initiative designed to help demographics that were hamstrung out of the gate—using a hamstring to try to fix a hamstring? It's another reason why a qualifying statement is self-defeating at best and can increase your risk instead of insulating you from it.

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