

In-House Counsel Spotlight on Diversity Initiatives

GlaxoSmithKline Is Mixing Diversity and Inclusion to Produce a Global Remedy for Success



By Sandra Giannone Ezell and Jill D. Jacobson

This is the eighth article in *In-House Defense Quarterly's* series spotlighting the diversity initiatives of in-house legal departments. In this article, we shine the light on GlaxoSmithKline, a 2010 recipient of the Minority Corporate Counsel Association's (MCCA) Employer of Choice Award. We spoke with some of the individuals who are involved in the development and implementation of GlaxoSmithKline's (GSK) corporate-wide diversity and inclusion strategy, as well as some

involved in the legal department's own diversity and inclusion mission. We are excited to share their stories with you.

Although GSK was formed by a merger of Glaxo Wellcome and SmithKline Beecham in 2000, its roots extend back almost three centuries. In 1715, Silvanus Bevan founded the Plough Court Pharmacy, which grew into one of England's largest pharmaceutical companies. Glaxo, which began as a purveyor of vitamin-enriched powdered milk that helped prevent rickets in children, acquired Plough Court's successor in 1958. Smith Kline was a Philadelphia company that got its start in medicine by selling medical supplies to field hospitals at Civil War battlefields.

It is from these modest beginnings that GSK and its predecessors have contributed some of the most important and necessary pharmaceuticals known to humanity. The company now produces medicines that treat major disease areas such as asthma, virus control, infections, mental health, diabetes and digestive conditions. In addition, GSK is a leader in the important area of vaccines and has developed and manufactured over 25 different vaccines; in 2009 it shipped over 1.4 billion vaccine doses, and over 1 billion of those were to developing countries. GSK has also committed vast resources to tackling the World Health Organization's three "priority" diseases: HIV/AIDS, tuberculosis, and malaria.



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Equality and Inclusion: A Prescription for Excellence

GSK is also one of the world's leading research-based pharmaceutical and health care companies, committed to improving the quality of human life by enabling people to "do more, feel better and live longer." One of the largest pharmaceutical companies in the world, GSK is truly a "global" company, employing over 90,000 people

in 114 countries. GSK is headquartered in the United Kingdom, but it has a significant organization in the United States.

As a pharmaceutical company, GSK relies on innovations in the development, design and delivery of medications for its success. Such innovations are people and knowledge driven, so it becomes imperative for GSK to create a workplace culture that empowers its employees. "Empowerment enables better and faster decision making, creates a more agile and responsive organization, and results in simplified processes. It also helps motivate people, encourages innovation, and improves our ability to deal with challenges." GSK.com, Responsibility, Our People, available at <http://www.gsk.com/responsibility/our-people/index.htm> (last accessed on March 2, 2011).

GSK recognizes that diversity and inclusion are important components of individual empowerment. The company's global inclusion and diversity strategy "aims to create a working environment where all employees feel valued and included for the unique qualities they bring and empowered to contribute to their full potential." GSK.com, Responsibility, Our People, Inclusion and Diversity, available at <http://www.gsk.com/responsibility/our-people/inclusion-and-diversity.htm> (last accessed on March 2, 2011). The strategy is not just lip-service to an ideal—it is sponsored by senior executives. Indeed, GSK embraces what PD Villareal, Senior Vice President of Global Litigation



Above, from left: PD Villareal, Senior Vice President of Global Litigation; GSK General Counsel Dan Troy; and Vice President and Associate General Counsel Rick Richardson.

recently identified as the "fundamental message" of diversity: "Not rigid categories, not quotas, not head-counting, but diversity of thought, innovation and creativity driven by diverse and multicultural teams. Diversity as a competitive advantage. Diversity as a strategy to win!" PD Villareal, Senior Vice President of Global Litigation, What We Talk About When We Talk About Diversity, Address at the Diversity Luncheon at DRI's 2010 Drug and Med-

The company encourages employee conversations with supervisors about environments that will enable employees to do their best work, and managers are expected to support these conversations.

ical Device Seminar (May 21, 2010), in *For The Defense*, August 2010, at 8–9.

Four Active Ingredients Combine to Create an Empowered, Inclusive Workforce

There are four key areas that contribute to creating and maintaining an empowered, inclusive workforce: leadership, employees, business practices/relationships, and community. GSK's diversity and inclusion strategy focuses on each of these areas.

GSK's successes with its diversity and inclusion efforts are attributed in part to the company's support for those efforts by its leadership, the first component of

an empowered, inclusive workforce. At GSK, leaders at all levels of the company are expected to adopt the company's diversity and inclusiveness values and lead by example. In fact, a core set of six GSK behaviors clearly defines the way GSK employees are expected to deliver on business strategy. One of the six behaviors is flexible thinking—recognizing that there is rarely one right answer

or view but rather many, and sometimes conflicting, perspectives that need to be understood in order to develop the best way forward. At GSK, proactively seeking diverse perspectives is essential to building a flexible-thinking culture. Additionally, the top three tiers of GSK management have made commitments to mentor at least one employee, which provides support for high-performing employees and helps to create future generations of leaders. The mentees are identified, in part, through a talent review process, where an ability to bring a diverse and unique perspective is acknowledged as a component of talent.

Employees are obviously the largest component of an empowered, inclusive workforce. There is much focus on creating an inclusive environment, as well as promoting practices that benefit from inclusive behaviors. Diversity, while certainly a focus, is simply a pipeline to the greater good, inclusion. The global reach of the company, along with GSK's continuous efforts, have created a richly diverse workforce; the challenge for GSK is making sure that all the diverse perspectives are included at the table.

Inclusion at GSK is promoted in everything from manuals to workspaces. For example, the GSK Employee Guide to Business Conduct includes a policy addressing the "Equal and Inclusive Treatment of GSK Employees," which states "GSK recognizes the value of striving for a balanced work-



GSK Legal Department accepting the Minority Corporate Counsel Association's 2010 Mid-Atlantic Region Employer of Choice award.

force and is committed to the principles of equal opportunity, equality of treatment, and creating a dynamic climate where diversity is valued as a source of enrichment and opportunity.” Similarly, GSK’s Human Rights Statement establishes that the company is “opposed to discrimination and committed to promoting diversity,” that it “seek[s] to ensure that our suppliers observe similar standards in their relations with their employees and their own suppliers.”

GSK also actively supports and fosters employee resource or affinity groups (networks), a recognized component of an inclusive organization. GSK employee resource groups include Asian, African American and Hispanic groups, cancer survivors, GLBT, mid-career and beyond, veterans, families and friends, young professionals, and women. Each group has an executive sponsor who helps set and achieve goals, obtain resources, and promote objectives. In the United States, group leaders were given a two-day training course to further develop their leadership and strategic thinking skills. The company’s support for these employee resource groups is yet another example of its top-down support for equality and inclusion as key components for an empowered, inclusive workforce.

GSK also increases inclusiveness through its flexible work culture, which promotes “creative and agile work prac-

tices.” These practices include learning opportunities that teach flexible thinking skills, employment practices that support career development, benefits and rewards that reflect changing needs, and performance-based flexible work practices and policies that meet both business and personal life needs. GSK provides flex-time, part-time, and job shares, as well as collaborative workspaces and technology. The company encourages employee conversations with supervisors about environments that will enable employees to do their best work, and managers are expected to support these conversations. “We spend a lot of time and money to find the best people, so it just makes sense to create an environment where these people can do their best work,” said Belinda R. Shannon, Vice President of Corporate Human Resources, Equality & Inclusion.

The next component of their multi-level strategy is the business practices/relationships. Here, GSK has instituted a formal and active supplier diversity program (the legal department’s own supplier diversity program is discussed in detail below). In the United States, the company’s Procurement Supplier Diversity Advocacy Team helps ensure diverse supplier inclusion throughout GSK by proactively developing supplier diversity goals and developing ways to engage business partners. The team participates in national and local diversity councils, mentors high-potential

diverse suppliers and provides improvement grants to help them expand their business with GSK and other corporations. It also sponsors diverse business leaders to attend executive programs at prominent business schools, hosts matchmaking forums in which diverse suppliers can meet key senior executives and buyers within GSK, and many other activities. Outside the United States, all procurement employees worldwide are responsible for supporting diverse suppliers where possible. In 2009, this commitment to diversity resulted in 21 percent of GSK’s United States pharmaceutical and consumer health care discretionary spending going to small and diverse businesses.

Community is the fourth area that contributes to an empowered, inclusive workforce. Employees are encouraged and expected to become active in community affairs so that they can learn about and connect with the community in sustainable ways. For example, the legal department has developed and implemented the Young Inventors’ Program to help attorneys get involved in their community. Through this program, attorneys visit fourth, fifth, and sixth graders at various community schools and give a presentation on innovation, inventions, and patents. They then challenge the students to come up with new and patentable ideas. The ideas are judged and the winners are recognized by GSK. In this and other ways, GSK recog-



Sree Patel and Ted Furman, Co-Chairs of GSK Legal's Diversity and Inclusion Steering Team.

nizes that only by learning about the individual communities it serves can it develop the products that will best help those in the community.

The long list of awards the company has won in recognition of its inclusive environment is proof that GSK's inclusion and diversity strategy is working. Those awards include MCCA's 2010 Mid-Atlantic Region Employer of Choice, Working Mother's "100 Best Companies to Work For" (18 years in a row), 2010 "Best Diversity Company" (chosen by the readers of *Diversity/Careers*), 2009 Britain's Most Admired Companies (ranked fifth overall, with first-place finishes in a number of special categories, including "ability to attract, retain, and develop top talent"), Best Places to Work for GLBT Equality (five years in a row), Best Employers for Workers Over 50 (from AARP), PricewaterhouseCoopers Building Trust in the Community Award (2008), and the International Visual Communications Association Clarion Award (2008), to name a few.

For GSK Legal, Diversity and Inclusion Are Powerful Vehicles

GSK's legal department is widely known and recognized for its efforts to increase diversity in the legal profession, efforts that start with GSK's general counsel and filter all the way down to its staff. The GSK in-house counsel group is a leader globally in moving the company forward in the diversity and inclusion space.

At the top of GSK's legal department is General Counsel Dan Troy, a strong advocate for diversity and inclusion not only within the department, but within the entire organization. As he noted during one recent panel discussion, "I have lawyers from 35 countries reporting to me, so I have no choice but to have global conversations." GSK's legal department leaders realize that their department must be diverse, global, and inclusive in order to effectively and competitively serve a vast global organization like GSK, and Mr. Troy expects GSK's lawyers to be leaders for diversity and inclusion inside and outside the company.

Leaders in GSK's legal department find ways to be actively engaged in department and company-wide efforts, further reinforcing the top-down support for diversity and inclusion. For example, Mark Werner, GSK's Senior Vice President, Legal Operations, North America and Deputy General Counsel, is a champion of hiring diverse in-house counsel and has shown a willingness to take to task a law firm for its lack of diversity. Mr. Werner is now the executive sponsor of the Legal Diversity and Inclusion Steering Team, a team of 19 attorneys (including those at the VP and Sr. VP levels), paralegals and administrative assistants that helps guide GSK Legal's diversity and inclusion strategy. Another member of the steering team, Rick Richardson, Vice President and Associate General Counsel, attends several diversity events every year in his efforts to expand the number of diverse outside counsel with whom GSK Legal works. As Mr. Richardson noted, "top-down support for bottom-up efforts" is one reason why GSK Legal is leading the company and the profession towards greater diversity and inclusion.

Steering Team Administers Diversity and Inclusion Strategy

The steering team itself is another reason cited by the legal department for its successes in the diversity and inclusion arena. The team, co-chaired by Theodore Furman, Vice President and Global Head, Con-

sumer, Stiefel, Ophthalmology, and Patents, and Sree Patel, Vice President, Legal & Corporate Affairs, GSK India, meets regularly, has a global focus, and spends many, many hours discussing, collecting, and implementing best practices.

The steering team was formed in 2002, but was re-energized when Dan Troy took the department's helm in 2009. The team has three regional heads, and is also organized into functional subteams. Mr. Furman and Ms. Patel head up the US and international teams, respectively, while Sophie Bodet, Vice President and Head of Global Trademarks, heads up the EU/UK team. Functional subteams include recruiting and retention, communications, and external law firm relations, among others.

One of the challenges the steering team immediately faced, and that it still faces, is defining "diversity" in terms that were applicable to the entire global department. Ms. Patel, who is based in Mumbai, notes that "diversity" for individuals outside the US and Europe is defined in ways that are different than those we use here. She explained that the US-based diversity model focuses on "minorities," and develops programs around things like EEOC classifications; however, internationally, people of color are not minorities, and the diversity model implemented here did not carry over to the other countries in which GSK had operations. Ms. Patel and her col-

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leagues have had many conversations about the meaning of "diversity." As a result, each of the different regional subteams deals with diversity somewhat differently, but they all find common ground in inclusion. "The important piece is inclusion," said Furman. "If you're inclusive, you'll automatically be diverse and, by the way, you'll be taking advantage of all that diversity."

Another challenge faced by the steering team was creating an inclusive department that was comprised of lawyers who

were physically located all over the world. In 2009, 88 lawyers in different countries were consolidated into GSK's legal department. This addition of diverse attorneys to GSK's 271 lawyers already in the department created an infusion of global diversity. This also presented a challenge for inclusion which GSK met head on. The steering team took steps within the legal

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department to increase the inclusion in its department of all attorneys. First, GSK's global legal department is now internally referred to as OneLegal, which reflects and embodies the department's goal of ensuring that it is globally diverse and inclusive so as to mirror its global company and global customer base.

Recognizing that communications, while always important, would now be critical to the department's ability to engage its entire population in the accomplishment of its objectives, the steering team turned the OneLegal internal website into a remarkable resource where members of the department can get information about the profession, industry and company. Opportunities for secondments, transfers, and temporary assignments are also posted, allowing GSK to use the best talent for a particular job.

The OneLegal website also brings the global department together by helping GSK attorneys learn more about each other and about key efforts like diversity and inclusion. For example, the legal department has published (online) over 30 separate news stories called "Country View," written by lawyers about their countries, their cultures, the practice of law, and ways of living in their particular geographic areas. Additionally, the OneLegal website has a diversity and inclusion link featured prominently on its front page, and this provides access to a diversity events calendar (internal events as well as external conferences), links to archived diversity news items, a link to the MCCA website, and a link to GSK's internal diversity and inclusion website. GSK's steer-

ing team has also published (online) numerous articles about the programs and efforts around diversity and inclusion, along with a quarterly newsletter.

Along with the website, the steering team has promoted face-to-face meetings to also enhance inclusiveness. For example, in April there was a meeting in London of 40 lawyers from around the world who support GSK's consumer health care business. In October, Ms. Patel attended an international attorneys' meeting in Kuala Lumpur, Malaysia, and she presented to that group on GSK's diversity and inclusion initiatives.

Diversity and Inclusion Fill the Recruiting and Promotions Pipelines

While the influx of new, diverse attorneys helped to diversify GSK's legal department even further, GSK Legal recognizes that it must continue to maintain a pipeline of diverse talent. This summer, for example, GSK Legal brought in diverse law student interns and externs to spend time in the legal department. These interns were recruited through programs such as the North Carolina Bar Association's Minorities in the Profession Committee Summer Clerkship Program and the Philadelphia Diversity Law Group First-Year Summer Program. The interns spent 8-12 weeks in GSK's legal department being exposed to a variety of legal matters under the guidance of one or more mentors.

In recruiting, the steering team has recommended a standard policy for GSK Legal job postings, which includes posting of all legal jobs on job boards targeted to diverse groups, such as the MCCA

Hot Jobs board, the Corporate Counsel Women of Color job board, and the Philadelphia Diversity Law Group job board. GSK also participates in diversity job fairs, such as MCCA's summer job fair.

GSK Legal has instituted a systematic process whereby it collects data on the diversity of resumes received for each job posting, the diversity of slates for the interview process, and ultimately the diversity of its new hires. It analyzes this data to better understand what is working and what is not, so that it can better gauge the effectiveness of its recruiting efforts.

Similarly, the steering team is working closely with GSK's human resources department to ensure that it is promoting from diverse pools of talent. Mr. Troy has made it clear to the team and the department that he expects more global and diverse senior leadership teams, and GSK Legal now tracks the promotion of diverse talent, particularly into VP levels and management teams. Senior leaders at GSK Legal also ensure that diverse attorneys in the department are getting opportunities for exposure, growth and development, which further drives its inclusive environment and diverse succession planning.

The department also focuses on the diverse attorneys it has recruited, developing and mentoring them so that they become tomorrow's diversity and inclusion leaders. For the past few years, GSK Legal has had a formal mentoring program, the



GSK employees on "Orange Day," a company-wide day of community service

purpose of which is, in part, to ensure that diverse talent has access to the knowledge and experience necessary to thrive in the department. In the spirit of inclusion, the program is available to all employees in the department, including lawyers and support staff. GSK Legal has also convened “lunch and learns,” both in the United States and the United Kingdom, which have focused on its diversity efforts and which have been successful in attracting new people to join the department.

Diversity and Inclusion Are Not Just Placebos

GSK’s legal department does not stop at its borders in promoting diversity and inclusion in the legal profession. It brings the same urgency and passion about these issues to its dealings with outside counsel as it does to its leaders and employees within the organization. As noted by Mr. Villareal, “as in-house counsel, we are one of the keys to making legal diversity work. We have the economic clout to make people change their behavior... It is incumbent on us to signal in every conceivable, tangible way that this is important.”

One of the ways that GSK measures outside counsel diversity is through a diversity survey conducted every two years with GSK’s preferred law firms. The survey asks for information regarding the percentage of minority and/or women on the firm’s management team, as equity partners, nonequity partners, and attorneys. It also asks whether or not the firm has a formal diversity policy, and contains questions specifically geared toward measuring the firm’s GLBT inclusion efforts. Finally, the survey asks for a breakdown in terms of hours and dollars attributable to minority or women partners and attorneys spent on GSK matters.

The key follow-up to the survey is a report card GSK Legal provides to each firm. The report card provides the firm’s score in each area, their ranking in that area compared to other firms, and whether they have improved or regressed in each area. The report card is accompanied by face-to-face meetings with GSK counsel in which the parties see and celebrate achieve-

ments and focus on and identify areas for improvement. All communications include the message that GSK Legal values diversity and inclusion, and that it definitely considers firms’ diversity scores when assigning outside legal work. GSK makes it clear to firms that diversity is a significant value and they are serious about it. They are also

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prepared to take action if they see a consistent lack of attention to diversity.

In addition to working with its preferred firms, GSK Legal makes extraordinary efforts to work with minority and women-owned law firms and legal service providers. GSK Legal has worked with over 30 minority and women-owned firms, many of which are members of the National Association of Minority and Women-Owned Law Firms (NAMWOLF). GSK has signed on to NAMWOLF’s Corporate and Public Entities Partnering Program, accepting the challenge to spend five percent of its total external budget on minority and women-owned law firms. GSK is also one of the cornerstone companies in the recently formed Inclusion Initiative, a group of 11 major corporations who have collectively agreed to spend in excess of \$30 million on services from minority and women-owned business enterprises in 2010 and to increase that amount in 2011.

GSK Legal is also active with external diversity organizations. It is a regular participant in diversity conferences sponsored by entities such as DRI, NAMWOLF, Corporate Counsel Women of Color, the ABA Diversity Summit, the Hispanic National Bar, the National LGBT Bar Association, and the Service Members Legal Defense Network. GSK is also an active member of the Minority Corporate Counsel Association.

GSK Legal also partners with other firms and companies to share best practices.

For example, in 2009, GSK hosted an “In House Counsel Career Day and Diversity Forum.” DuPont was an active participant in the forum, and the audience included in-house counsel from Wells Fargo, FMC, and the Vanguard Group. About 50 law students from schools such as Widener, Temple, Drexel, Villanova, University of Pennsylvania and Rutgers also attended. The event began with a panel discussion including GSK and DuPont counsel, and panel members shared their views on how diversity affects their practice as in-house counsel. There were opportunities for networking and continued diversity discussion after the panel. The success of this initial career day has prompted GSK Legal to make it a regular event.

Looking into the Future

The individuals we interviewed at GSK acknowledged that, while they have made great strides in diversifying their talent and becoming an inclusive organization, there is still more to be done. The steering team is working to develop metrics by which its inclusion efforts and improvements can be measured. The diversity report card is being refined, and new metrics and requirements are being considered for outside counsel relationships. GSK is working to recruit more companies to participate in the Inclusion Initiative and to increase the diversity spending from that group. According to the words and the deeds of GSK and its diversity and inclusion leaders, “Diversity and inclusion is multifaceted, and GSK will not achieve the greater goal through any one program. Rather, there are different aspects and different pieces, and they all have to work together.”

We hope that you have been inspired by the insights that the companies featured in our spotlight series have shared over the last several years. We want to hear about your company’s story. If you would like to describe your company’s diversity efforts, successes, and struggles, please contact Sandra Giannone Ezell (sandra.ezell@bowmanandbrooke.com) to add your voice to this issue and to shine the spotlight on your company.