

DLA PIPER GLOBAL WOMEN'S LEADERSHIP SUMMIT
OCTOBER 16-17, 2018 • THE RITZ-CARLTON CHICAGO

CLE CREDIT
OPPORTUNITY

Remaining Relevant in a Multigenerational Workforce: The Role of Technology and Innovation

October 17, 2018
11:00 a.m. – 12:15 p.m.



Speakers

- **Hannah Cole**, Assistant General Counsel, Employment
Becton, Dickinson and Company (BD)
- **Maria Harris**, Senior Vice President, General Counsel and
Secretary, *SoulCycle*
- **Mackenzie Phillips**, Senior Vice President and Chief Corporate
Counsel, *JLL*
- **Sally Rau**, General Counsel, *Cambium Networks*

Facilitator

- **Keara Gordon**, Partner
DLA Piper

Panel coordinator

- **Katie Hausfeld**
Associate, *DLA Piper*

Overview

Today's workplaces are unique in that they are often populated with up to four generations working in the same environment, and in-house legal departments are no exception. Effective collaboration and communication across all of the generations can be challenging due to opposing or divergent viewpoints, the perception that different generations have different sets of values, and varying levels of comfort with workplace technology.

Panelists will discuss the general counsel's role in effectively leading a multigenerational workforce and address the use of technology across generations. Panelists will also discuss what the legal department and the organization as a whole can do to remain relevant to all generations.

Five generations in the workforce

Traditionalists/ Greatest Generation

- Born before 1946
- Core values – Respect for authority; value hard work and loyalty; prefer organizational hierarchies/conformity/customs
- Communication styles – Written; formal; no news is good news
- Stereotypes – Old-fashioned; practical; rule followers; tech illiterate

Baby Boomers

- Born between 1946-1964
- Core values – Optimistic; tolerant; crave stimulation; workaholics
- Communication styles – One-on-one; telephone; not keen on feedback
- Stereotypes – Ambitious; self-centered; questions authority; optimistic; wealthy; tech illiterate

Generation X

- Born between 1965-1980
- Core values – Value work/life balance; crave stimulation; independent and self-reliant; informal
- Communication styles – Direct; email; text; seeks direct feedback
- Stereotypes – Cynical; not team players/selfish; risk takers; task-oriented

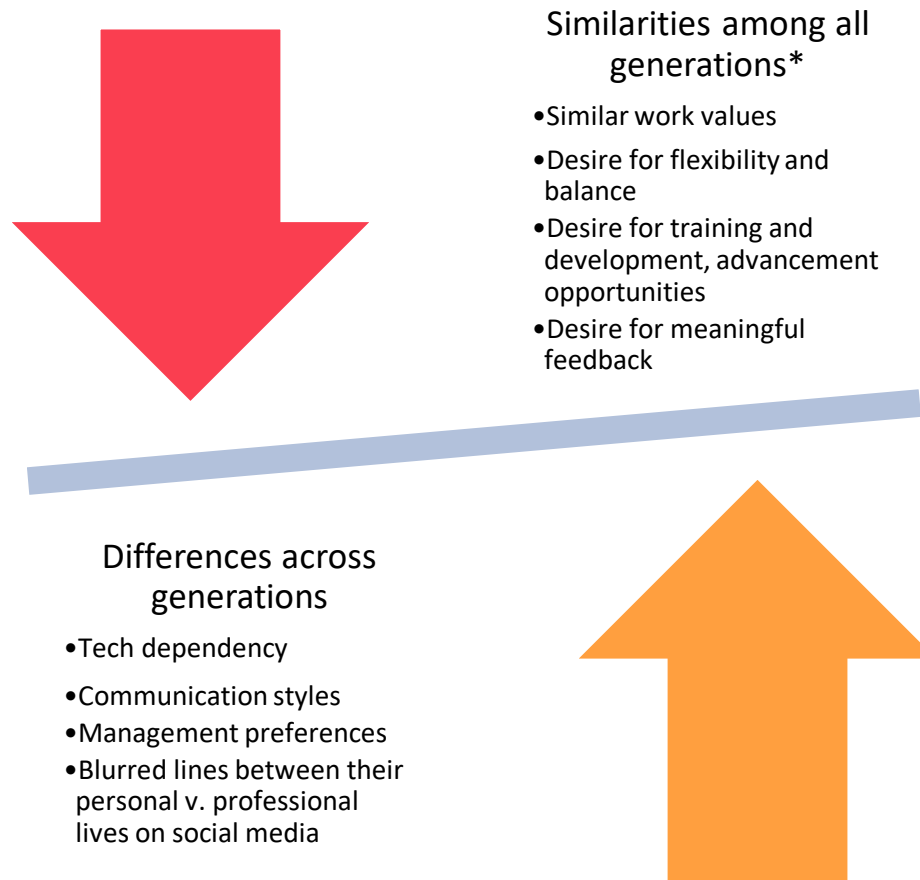
Millennials

- Born between 1981-1996
- Core values – Eager; goal-focused/purpose-driven; eager; value innovation/change; self-directed; tech savvy
- Communication style – Text; social media; requires a lot of feedback and wants it instantaneously
- Stereotypes – Self-absorbed; can't take criticism; lazy/entitled; job-hoppers; tech-dependent

Generation Z/ Generation 2020

- Born 1997 and later
- Core values – Values authenticity and uniqueness; creative; flexible; collaborative; self-reliant
- Communication styles – Text; social media; digital platforms; seeks real-time, bite-sized feedback
- Stereotypes – Tech-dependent; distracted; apathetic; lazy/entitled

Manifestation of generational divide in the work place



*While they may manifest differently across the generations, several studies have shown that there are more commonalities than differences in the various generations' drive, values and motivations within the work place. The perceived differences in these areas are often fueled more by misunderstandings related to differing communication styles.

How should general counsel and senior leadership in the legal department adjust their management styles to be responsive to a multi-generational team's needs?

- Adjust communication styles
- Be flexible with varying technological skill levels
- Actively seek out and leverage multiple perspectives
- Motivate the legal team with incentives that matter to them
- Be true to company culture

What role have you played in bridging the generational gap among lawyers and other staff members on your team?

Succession planning: Why it matters

- Necessary to ensure business continuity and prevent a skills gap.
- More workers – including lawyers – are choosing to work well beyond the traditional retirement age.
- Thirteen countries (including the US, UK, Japan, Germany and France) are anticipated to have “super-aged” populations (*i.e.*, 20 percent of population or more older than 65 years old) by 2020.
- A 2017 *ALM Intelligence Succession Planning* survey noted that more than 60 percent of respondents state that over half of law firm and client leadership was over age 55.
- Conversely, more than one in three US labor force participants (35 percent) are Millennials – and in 2017, nine million individuals from Generation Z were employed or looking for work (5 percent of the labor force).
- Failure to plan appropriately can create tension internally and potentially endanger the company’s reputation externally.

See <http://www.pewresearch.org/fact-tank/2018/04/11/millennials-largest-generation-us-labor-force/> and https://www2.deloitte.com/content/dam/insights/us/articles/HCTrends2018/2018-HCTrends_Rise-of-the-social-enterprise.pdf

See also https://www.alm.com/intelligence/wp-content/uploads/2017/12/Succession-Planning_2017.pdf

Succession planning: Promoting gender and generational diversity

- Succession planning can present risks of age or gender discrimination if not undertaken carefully.
- Women are often impacted more than men – for example, companies “stop investing” in women’s careers as they age, approximately ten years earlier than men.
- Discrimination risks can be mitigated by involving the more seasoned lawyer(s) to develop a plan and timeline, including developing a pool of well-trained and qualified candidates of both genders.
- Ensure age and gender diversity strategies as part of the legal team’s culture – and take concrete steps to ensure an age and gender diverse workforce.

See <https://www.bna.com/wrinkles-age-diversity-n73014447790/>

Succession planning: How do you prepare?

- Knowledge management
- Mentorship
- Involve key stakeholders
- Ensure opportunities for learning and development for all levels
- Retain the talent necessary for the business to succeed

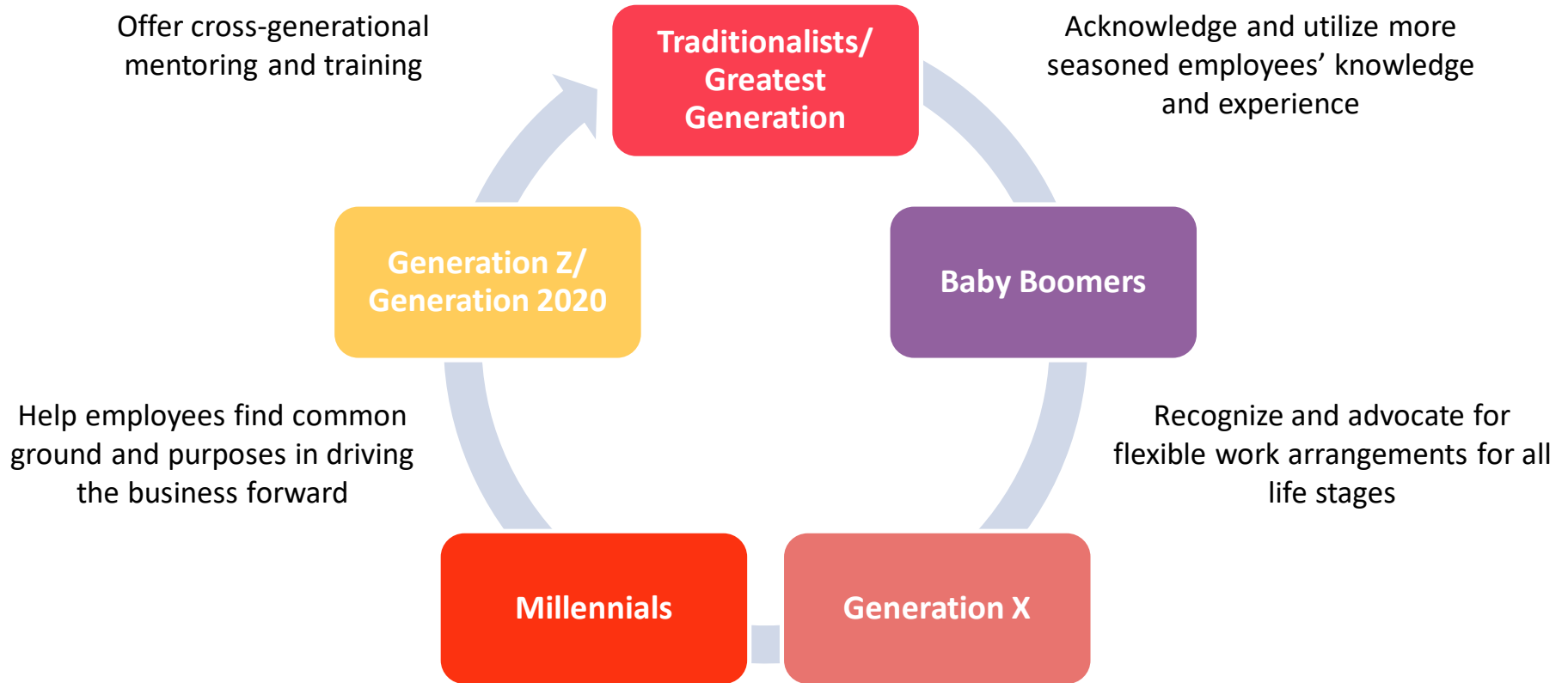
How has your organization leveraged its technological resources to adapt to the work styles of the various generations?

- Leveraging expertise
 - Encourages greater collaboration within the organization and allows companies to draw on subject matter expertise regardless of location
 - Easier access to training/developmental resources
- Communications
 - Use of email and telephone in addition to Skype, Google Hangout/Slack, etc.
 - “Bring your own device” programs
- Demands for balance
 - Facilitate flexible schedules and remote work
- Other uses?

Social media

- Building a social media presence for your business has many advantages, including:
 - Providing a forum for attorneys and legal staff to discuss ideas, post news, ask questions and share links
 - Providing an opportunity for the business to broaden its internet presence and business contacts
 - Improving the company's and/or legal team's business reputation and client base
 - Promoting diversity and inclusion
 - Serving as a useful and effective recruiting tool
- But how should you best engage your legal team across all generations?
 - Keep it easy and simple
 - Emphasize the personal value
 - Leverage employees' experience and encourage collaboration

How do you keep younger employees on the legal team engaged without isolating the more seasoned generations?



How do you manage privilege and security concerns while staying engaged with new technologies?

- Know which technologies the legal team and company employees are using and why
- Ensure the legal team and all company employees know and understand the full depth and breadth of confidentiality and privilege rules
- Make sure the technologies are secure – utilize identity-driven, data-driven and/or device-driven security tools
- Trainings and policies that address real-world scenarios and practical solutions
- Assess efficacy and ensure understanding of company privacy policies and how such policies impact privilege

Emerging technologies and innovations in the legal profession

Advent of artificial intelligence

- Streamlining and assisting with data processing and review;
- Automates more routine legal matters for consumers providing greater access to justice;
- Allows attorneys to take advantage of predictive analytics to benefit their clients

Digital documentation and cloud technology

- Eliminates dependence on paper;
- Gives attorneys ability to share screens/documents in real time, encouraging collaboration regardless of individual attorney's locations

Promoting flexible work solutions

- Gives attorneys greater autonomy over how, when and where they work;
- Permits attorneys to design a legal career that works for them, project/portfolio based or freelance work;
- Promotes greater diversity (both age and gender diversity) in the legal profession

- What are your views on the future of technology and innovation for your legal team?



- How do you see those enhancing communication and collaboration among the generations on your team?

What are your top tips for achieving multi-generational harmony in the work-force?

1. Avoid stereotyping/discrimination and foster respect
2. Reinforce common ground
3. Recognize and leverage the advantages of having multiple perspectives
4. Communicate with each generation according to their preferences
5. Provide activity-based training on diversity and communication across the generations
6. Lead by example and encourage more senior attorneys to be flexible in their management style
7. Motivate your legal team with incentives that matter to them
8. Encourage knowledge sharing

Additional reading and resources

- Carol Hymowitz, “The Tricky Task of Managing the New, Multigenerational Workplace,” (<https://www.wsj.com/articles/the-tricky-task-of-managing-the-new-multigenerational-workplace-1534126021>)
- Kevin M. McGovern, “How Employers Can Benefit From Increased Longevity,” July 19, 2018 (<https://www.bizjournals.com/boston/news/2018/07/19/how-employers-can-benefit-from-increased-longevity.html?surround=etf&u=yGeEpg7%2FBIS%2F18FknXccZCxdfR&t=1535335183&j=83051021>)
- Gerald C. Kane, Doug Palmer, Anh Nguyen Phillips, David Kiron, and Natasha Buckley, “Coming of Age Digitally: Learning, Leadership, and Legacy,” (<https://www2.deloitte.com/content/dam/Deloitte/nl/Documents/technology/deloitte-nl-consulting-coming-of-age-digitally.pdf>)
- Karen Hinds, “8 Ways to Manage in a Multigenerational Workforce,” March 5, 2018 (<http://www.hartfordbusiness.com/article/20180305/PRINTEDITION/303019926/8-ways-to-manage-in-a-multigenerational-workforce>)
- Mark A. Cohen “Why the Legal Industry Must Embrace Diversity, Technology, and Collaboration,” August 21, 2017 (<https://www.forbes.com/sites/markcohen1/2017/08/21/why-the-legal-industry-must-embrace-diversity-technology-and-collaboration/#269cb17ba95f>)
- Daniel Newman, “How to Drive Digital Transformation a Multi-Generational Workforce,” June 13, 2017 (<https://www.forbes.com/sites/danielnewman/2017/06/13/how-to-drive-digital-transformation-in-a-multi-generational-workforce/#276ae7fb26d6>)
- Ryan Jenkins, “Why Generational Diversity is the Ultimate Competitive Advantage,” May 15, 2017 (<https://www.inc.com/ryan-jenkins/why-generational-diversity-is-the-ultimate-competitive-advantage.html>)

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Hannah Cole

Assistant General Counsel,
Employment

Becton, Dickinson and Company (BD)

As Assistant General Counsel, Employment, Hannah Cole advises Human Resources and senior management on employment matters in the US and Canada, including:

- Wage and hour compliance
- Sales compensation planning and dispute resolution
- Compliance with OFCCP regulations and responses to compliance evaluations
- Non-competition and non-solicitation provisions, including enforceability and recruiting options
- Protection of company trade secrets and confidential information
- Due diligence and integration activities related to mergers, acquisitions, and divestitures
- Reorganizations and reductions in force
- Compensation and benefits
- Recruiting, hiring, performance management and termination
- Leaves of absence and reasonable accommodations
- Employee relations
- Traditional labor law, including NLRB representation elections and campaigns
- Employee misconduct and investigations

In addition, Ms. Cole manages employment litigation, including the assessment and supervision of outside counsel.

Prior to going in-house, Ms. Cole worked at Paul Hastings LLC, representing employers in litigation including wage and hour class actions, as well as single and multi-plaintiff cases involving discrimination, harassment, retaliation, and wage-and-hour claims. Ms. Cole's practice also included providing advice and counseling to employers on a variety of employment-related topics.

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Maria Harris

Senior Vice President, General Counsel and Secretary
SoulCycle

Maria Krasnikow Harris is the Senior Vice President and General Counsel at SoulCycle Inc., the boutique fitness and hospitality company. Prior to joining SoulCycle in April 2017, Ms. Harris held a number of senior international in-house roles in the retail, beauty and pharmaceutical industries, as General Counsel, Americas for The Body Shop, the UK beauty retailer; Assistant General Counsel for Global Business Operations at Revlon; and Assistant General Counsel at Warner Chilcott Pharmaceuticals, where she had the opportunity to live/work in Dublin, Ireland. Prior to her in-house practice, Ms. Harris was an associate at Latham & Watkins' New York office, focusing on Mergers & Acquisitions and Latin America transactional work.

Maria Harris is a proud double Hoya, receiving her B.S. in Foreign Service and her J.D. from Georgetown University. She serves on the Alumni Association of the Marymount School of New York. Ms. Harris lives in New York with her husband and daughter.

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Mackenzie Phillips

Senior Vice President and Chief Corporate Counsel
JLL

Mackenzie Phillips serves as Chief Corporate Counsel focused primarily on compliance, subsidiary management, securities regulation and corporate governance.

JLL (NYSE: JLL) is a professional services and investment management firm offering specialized real estate services to clients seeking increased value by owning, occupying and investing in real estate. A Fortune 500 company with annual fee revenue of \$5.2 billion and gross revenue of \$6.0 billion, JLL has more than 250 corporate offices, operates in more than 80 countries and has a global workforce of more than 60,000. On behalf of its clients, the firm provides management and real estate outsourcing services for a property portfolio of 4.0 billion square feet, or 372 million square meters, and completed \$138 billion in sales, acquisitions and finance transactions in 2015. Its investment management business, LaSalle Investment Management, has \$56.4 billion of real estate assets under management.

Ms. Phillips works closely with senior management advising on compliance matters under SEC rules, NYSE listing standards, Sarbanes-Oxley requirements and other corporate governance rules and regulations.

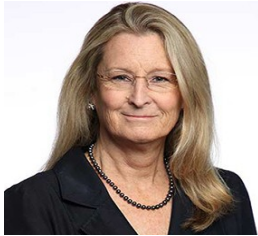
Prior to joining JLL, Ms. Phillips served as Interim Securities and Corporate Governance Counsel to a NYSE-listed online travel company through Axiom Law. Prior to Axiom, Ms. Phillips was an associate at each of Winston & Strawn LLP and Mayer Brown LLP. At both large law firms, her practice focused on M&A, securities, corporate finance, corporate governance and general corporate work.

Ms. Phillips currently serves as an Adjunct Professor of the Business Law Enterprise Clinic at The John Marshall Law School in Chicago, Illinois. Ms. Phillips was a Co-Editor of The Board of Directors (Portfolio No. 63-2nd) (September 2009) published by The Bureau of National Affairs, Inc. Corporate Practice Series.

Ms. Phillips received her Juris Doctor from the University of Michigan Law School where she served as Executive Editor of the *Michigan Law Review*. Ms. Phillips holds an A.B. in French from Cornell University.

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Sally Rau
General Counsel
Cambium Networks

Sally Rau grew up in San Diego, CA, and has worked in San Francisco and the UK. Ms. Rau began her legal career in San Francisco and worked as a Corporate and Securities lawyer in San Francisco at two pre-eminent San Francisco law firms, before becoming General Counsel of a global container leasing company, Cronos Containers, based in London. While at Cronos, Ms. Rau gained considerable international experience, followed by a successful US public offering.

After leaving Cronos, Sally Rau joined the Silicon Valley technology law firm, Gray Cary Ware & Friedenrich, which through mergers became DLA Piper, then the largest global law firm. While at DLA Piper, Ms. Rau represented public and private technology companies in fields including software, hardware, SaaS, signal reconnaissance and chip manufacturing, focusing on public and private offerings, mergers and acquisitions, public company compliance including SEC and FCPA compliance. This also included board and management governance.

In 2010, Ms. Rau joined Velti, a SaaS-based mobile marketing and advertising company, initially founded in Greece, and took them public on Nasdaq in an initial, as well as a follow-on, US public offering. Her role as Chief Administrative Officer and General. During her tenure, Velti completed four acquisitions, two in the US and two internationally.

She holds a J.D. from the University of Oregon School of Law and an A.B. in History from the University of California, Berkeley.

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Keara Gordon

Co-Chair, Class Action Litigation Practice Group Partner, Litigation
DLA Piper

Keara Gordon's practice includes the defense of class actions across a variety of substantive areas, including consumer, securities, privacy, and insurance litigation in a myriad of industries; financial and corporate litigation and counseling; corporate governance litigation; and internal investigations. She has been involved in appeals to the Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, Tenth, and Eleventh Circuits, and the appellate courts of New York, DC, Delaware, and Maryland.

Ms. Gordon is a member of the firm-wide Executive Committee, the Chair of the Partner Nominating Committee, co-chair of the Class Action Litigation Practice Group, and on the Steering Committee for DLA Piper's National Leadership Alliance for Women (LAW). She is on the board of directors of MAC Angels, a non-profit corporation that helps families coping with ALS, and coaches her daughter's mock trial team at the Ursuline School, which in their first year of competition won first place in the 2017 Thurgood Marshall Junior Mock Trial Program.

Keara Gordon earned her J.D., *magna cum laude*, from Georgetown University Law Center, and her B.A., *summa cum laude*, from Iona College.

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