

Addressing Unconscious Bias



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In the Workplace

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Exploring Unconscious Bias



by Howard Ross, Founder & Chief Learning Officer, Cook Ross, Inc.

Consider this: Less than 15% of American men are over six foot tall, yet almost 60% of corporate CEOs are over six foot tall. Less than 4% of American men are over six foot, two inches tall, yet more than 36% of corporate CEOs are over six foot, two inches tall. Why does this happen? Clearly corporate boards of directors do not, when conducting a CEO search, send out a message to “get us a tall guy,” and yet the numbers speak for themselves.

It seems not only unfair, but patently absurd to choose a CEO because of height, just like it is unfair and absurd to give employees lower performance evaluations solely because they are overweight. Or to prescribe medical procedures to people more often because of their race. Or to treat the same people different ways because of their clothing. Or even to call on boys more often than girls when they raise their hands in school. And yet, all of these things continuously happen, and they are but a small sampling of the hundreds of ways we make decisions every day in favor of one group, and to the detriment of others, without even realizing we’re doing it.

What if, more times than not, people make choices that discriminate against one group and in favor of another, without even realizing that they are doing it, and, perhaps even more strikingly, against their own conscious belief that they are being unbiased in their decision-making? What if we can make these kinds of unconscious decisions even about people like ourselves?

The problem with the good person/bad person paradigm is two-fold: it virtually assures that both on a collective and individual basis we will never “do diversity right” because every human being has bias of one kind or another. Secondly, it demonstrates a lack of understanding of a reality: human beings, at some level, need bias to survive. So, are we biased? Of course. Virtually every one of us is biased toward something, somebody, or some group.

We now have a vast body of research, conducted at some of our finest institutions of learning – Harvard, Yale, the University of Washington, the University of Virginia, MIT, Tufts, and the University of Illinois, among others – that is showing us the same thing: unconscious or hidden beliefs – attitudes and biases beyond our regular perceptions of ourselves and others – underlie a great deal of our patterns of behavior about diversity.

The Necessary Purpose of Bias

Let’s begin our exploration here by trying to understand the purpose of bias. We go out in the world every day and make decisions about what is safe or not, what is appropriate or not, and so on. Scientists estimate that we are exposed to as many as 11 million pieces of information at any one time, but our brains can only functionally deal with about 40. So how do we filter out the rest? How is it that we can walk down a busy street in New York City with a virtual ocean of stimulus in front of us and still look for a specific person or thing? If you or your partner was pregnant, did you notice how many more pregnant women you saw all of a sudden? If you were looking for a new car, how often did you suddenly start to see that car in commercials and on the street? We do it by developing a perceptual lens that filters out certain things and lets others in, depending upon certain perceptions, interpretations, preferences and, yes, biases that we have adapted throughout our life.

The Necessary Purpose of Bias



As a result of these pre-established filters, we see things, hear things, and interpret them differently than other people might. Or we might not even see them at all! In fact, our interpretations may be so far off that we have to question, how do we know what is real anyway?

The bottom line? We make assumptions and determinations about what is real every moment of every day. The challenge is that even knowing that we are inherently biased, we may not be able to help ourselves. Our perception, in other words, is so deeply buried in our unconscious, that even knowing that it is there makes it difficult, or impossible, to see its impact on our thinking and on what we see as real.

Seven Steps to Identify and Address Unconscious Bias

1. Recognize that you have biases.
2. Identify what those biases are.
3. Dissect your biases.
4. Decide which of your biases you will address first.
5. Look for common interest groups.
6. Get rid of your biases.
7. Be mindful of bias kick back.

Where diversity is concerned, unconscious bias creates hundreds of seemingly irrational circumstances every day in which people make choices that seem to make no sense and be driven only by overt prejudice, even when they are not. Of course, there are still some cases where people are consciously hateful, hurtful, and biased. These people still need to be watched for and addressed. But it is important to recognize that the concept of unconscious bias does not only apply to “them.” It applies to all of us.

And even at a law firm unconscious bias may determine whether or not you will mentor a diverse associate? Or give a paralegal a fair performance review? Or have positive feelings towards working on a deal with a female attorney? Or appoint the right Chair of the Firm?

When we get conscious about managing diversity, we are “tuning in” to the indicators around us that tell us everyone does not see the world the way we do. While we know that intellectually, when it plays out in a difference of opinion, a different response, or a different way of being, behaving, dressing, talking -- you name it, we forget that everyone is not ‘just like me.’ It is at that moment that we have to wake up, realize we need to manage the diversity that is facing us and begin by thinking, “OK, who is in this mix and what are their perspectives?”

The Impact of Unconscious Bias in the Workplace



The Résumé Study

A number of studies point directly to how unconscious decisions impact hiring decisions. Researchers at MIT and the University of Chicago have discovered that even names can unconsciously impact people's decision-making. These researchers distributed 5,000 resumes to 1,250 employers who were advertising employment opportunities. The résumés had a key distinction in them: some were mailed out with names that were determined to be "typically white," others with names that were "typically black." Every company was sent four resumes: one of each race that was considered an "average" résumé and one of each race that was considered "highly skilled."

Pre-interviews with company human resources employees had established that most of the companies were aggressively seeking diversity, a fact that seems more likely to have them lean toward somebody with a name that suggests a black candidate. And yet, the results indicated something else was occurring. Résumés with "typically white" names received 50 percent more callbacks than those with "typically black" names. There was another striking difference. While the highly skilled "typically white" named candidates received more callbacks than the average ones, there was virtually no difference between the numbers of callbacks received by highly skilled versus average "typically black" named candidates. Even more strikingly, average "typically white" named candidates received more callbacks than highly skilled "typically black" named candidates!

Affinity Bias

Unconscious patterns can play out in ways that are so subtle they are hard to spot. Imagine, for example, that you are conducting an interview with two people, we'll call them Sally and John. John reminds you of yourself or of someone you know and like. You have that sense of familiarity or "chemistry." You instantly like him, and though you are not aware of why, your mind generates justifications. You ask him the first interview question. He's nervous. Because you feel an *affinity* toward him, you pick up on his nervousness. You want to put him at ease. You say, "John, I know it's an interview, but there's nothing to be nervous about. Take a breath and let me ask the question again." John nails it this time and he's off and running to a great interview. The whole interaction took four seconds, yet it made a world of difference.

Then you sit down with Sally. There is nothing negative about her, just no real connection. It is a very "business-like" interaction. You ask her the first question and she's a little nervous too, but this time you don't pick up on it. The next day a co-worker asks you how the interviews went, and you respond: "John was great...open, easy to talk to. I think he'll be great with staff and clients." And your reply about Sally? "She's okay, I guess." Your perceptions about the interviews constitute your reality. You probably don't even remember the four-second interaction that changed John's entire interview. In fact, if somebody asks you, you would swear you conducted the interviews exactly the same way with the same questions. Your own role in influencing the outcomes was completely invisible to you, driven by your background of comfort with John.

Now, imagine that same dynamic occurring in the way you recruit people • make hiring decisions • decide who to invite to lunch or after-work social gathering • mentor colleagues (or not!) • make job assignments • give people training opportunities • listen to people's ideas and suggestions • give performance reviews and literally hundreds of other choices, and you can see that we have an issue that dramatically impacts firms. And almost all of it can be invisible to us.

Confirmation Bias and Unconscious Self-Perception



Confirmation Bias

Besides affinity bias, we also make decisions largely in a way that is designed to confirm beliefs that we already have. This phenomenon of “confirmational behavior” occurs unconsciously in both positive and negative ways. Our thoughts and decisions are constantly influenced by widely held stereotypes. Imagine, for example, that you have an ingrained unconscious belief that “young Hispanic men are lazy” (as untrue as that stereotype might be). How do you manage a young Hispanic man in your group? What actions are you likely to take? Isn't it likely that you will have a tendency to micro-manage him? Are you more or less likely to invest in developing him? Are you more or less likely to put him on high level assignments? When he makes a mistake, are you more or less likely to accept his explanation?

The answers are apparent. As a result of your stereotype and consequent actions, the employee would become frustrated, perhaps even angry. He would become resigned and lose motivation. He might leave, but, then again, having experienced the same kind of treatment in other places, he might believe that this is “just the way it is” and stay while “going through the motions” on his job. In other words, he would behave in a way that appears “lazy” to you, further confirming your erroneous stereotype.

On the other hand, take “John” from the interview mentioned earlier. For some reason, you believe in him. He reminds you of yourself when you were younger. How do you treat him? You show a deep interest in his career. You introduce him to all of the “right” people. You make sure he gets key job assignments for upward mobility. If people express concerns about him, you say: “Don't worry. He's a good kid. I'll talk to him.” Not because you are helping him, but because you really see him as more competent. The impact? John flourishes. In fact, four years later John is a successful mid-level associate who clients and partners beg to add to their matters. Your response: “Boy, am I a good judge of talent, or what?”

Our patterns of belief and their impact are so deeply ingrained, and so concealed in our unconscious, it becomes difficult for us to fully understand their impact on our decision-making. Our minds automatically justify our decisions, blinding us to the true source, or beliefs, behind our decisions. Ultimately, we believe our decisions are consistent with our conscious beliefs, when in fact, our unconscious is running the show.

Unconscious Self-Perception and Performance

While it's clear that unconscious beliefs impact the way we perceive others, unconscious beliefs also impact how we view of ourselves and, as a result, our work performance. In a 1995 study by three psychology professors, a group of Asian-American female undergraduates were asked to fill out a brief questionnaire, then complete a math test. The women were split into three groups. The first group was given a “female identity salient” questionnaire designed to activate the gender identity of the tester. The second group's questionnaire was designed to activate the Asian cultural identity of the tester. And the third group was a control group whose questionnaire had no conscious focus.

Based on these different questionnaires, participants in the group that answered the “Asian salient” questionnaire performed at the highest level, 54%, while the control group averaged 49% and the “female identity salient” group had only 42%. The positive stereotypes about Asians in math seem to have had an “encouraging” impact on the first group, while the negative stereotypes about women and math may have had a suppressing impact on the group that was focused on their gender identity.

Dealing With Unconscious Bias in the Workplace



There are a number of strategies that will help us create a law firm culture in which employees can actively reveal perceptions and patterns that have been hidden. Consider the following:

- Recognize that as human beings, our brains make mistakes without us even knowing it. The new science of “unconscious bias” applies to how we perceive other people. We’re all biased and becoming aware of our own biases will help us mitigate them in the workplace.
- Reframe the conversation to focus on fair treatment and respect, and away from discrimination and “protected classes”. Review every aspect of the employment life cycle for hidden bias – screening resumes, interviews, onboarding, assignment process, mentoring programs, performance evaluation, identifying high performers, promotion and termination.
- Participate in educational opportunities ,whether they are speaker’s series or brown bag lunches to learn more about the experiences of persons of color, GLBT and women. Many studies show that being exposed to mere positive images of specific groups of people can combat our hidden bias.
- Identify, support and collaborate with the firm’s programs that help increase and sustain diversity in the pipeline.

An understanding of unconscious bias is an invitation to a new level of engagement about diversity issues. It requires awareness, introspection, authenticity, humility, and compassion. And most of all, it requires communication and a willingness to act.

An awareness of unconscious bias requires us to fundamentally rethink the way we approach diversity work on a number of different levels. We have focused a great deal of attention on trying to find ways for people, especially those in the dominant groups, to “get” diversity. The challenge is that “getting it,” on a conscious level, may have little or no impact on our unconscious beliefs and, more importantly, behavior. Our knowledge of unconscious bias makes three things abundantly clear.

First, the limiting patterns of unconscious behavior are not restricted to any one group. All of us have them, and those of us who are diversity professionals particularly have to focus on our own assumptions and biases if we expect to have the moral authority to guide others in acknowledging and confronting theirs.

Second, the person who behaves in a non-inclusive or even discriminatory way does not have to have negative intent. When we approach people who view themselves as good individuals trying to do the right thing as if they “should have known better,” we are likely to be met with resistance. If we approach them with an assumption of innocence in intent, but with an emphasis on the impact of their behavior, we are more likely to reach them effectively and garner their willing attention.

Finally, we should not rely on any sense of subjective determinations of attitude, either individually or collectively, to determine whether our organizations are functioning in inclusive ways. Our conscious attitudes may have little to do with our success in producing results. We have to create objective measurements that give us individual and collective feedback on our performance if we are to create organizations that are truly inclusive.