

FASKEN

Our Commitment to Diversity & Inclusion

For us at Fasken, a diverse workplace comprises individuals with unique backgrounds, characteristics and qualities, and an inclusive workplace creates an equitable environment where they are respected and welcome. Our commitment to equity, diversity, and inclusion (EDI) is demonstrated in the policies and practices we follow every day and the active engagement of our members involved in organizations that promote diversity and inclusiveness within the legal and business communities.

Our work in this area has been underway for some time now. We have an EDI Committee, which is chaired by the Chair of Fasken's Partnership Board, Katherine Pollock. The Committee seeks to, among other things, identify and address issues that impede the success of designated and under-represented groups in the Firm, including, without limitation, Black, Indigenous, people of colour, LGBTQ2S+, people with disabilities, and women.

We doubled down on our efforts in 2021 and appointed a senior executive officer to oversee our efforts and drive further action and change. The newly appointed Chief Equity, Diversity, and Inclusion Officer (CEDIO) reports directly to the Firm Managing Partner. She has worked closely with the Board and Management team to develop a sustainable and integrated EDI strategy for the Firm. The CEDIO and the Committee work together with Management to develop and implement our EDI programs, processes, and communications, and reviewing our policies, programs, and processes to remove barriers and systemic discrimination.

In 2021 we focused our efforts on understanding our current state by conducting an in-depth diagnostic which was supported by an independent third-party firm. It was critical for us to hear from our firm members, Partners, and other stakeholders, including clients and be guided by leading EDI practice norms within and outside the legal industry. For example, we embarked on several EDI initiatives to gather data and track progress i.e., we conducted a firm-wide EDI survey (with 78% participation exceeding industry benchmarks) with a global consulting firm Korn Ferry. We facilitated firm-wide focus groups and engaged in an in-depth analysis of our talent data.

In the Fall of 2021, a firm-wide transformational EDI strategy with measurable outcomes was finalized.

Training

We provide ongoing firm-wide trainings on topics of diversity and inclusion, including on racism, unconscious bias, and microaggressions.

Building a Pipeline of Future Diverse Lawyers

We are committed to helping build a more inclusive profession. We have partnered with a number of organizations to help develop and support underrepresented groups join and thrive in the legal profession.

Black Future Lawyers Program (BFL): We are part of a newly formed partnership of 14 leading Canadian law firms that have committed \$1.75 million to the ground-breaking BFL. The organization provides support and engagement opportunities to Black undergraduate students who aspire to become lawyers, including mentoring programs. The goal is to increase the number of Black students who attend law school and join the legal profession. Fasken commitment \$12,500 x10 years.

Icon Talent Partners: We partnered with ICON Talent Partners to create a scholarship for incoming Black and Indigenous students attending Canadian law schools in the fall of 2021. The program offers ten \$2000 bursaries in addition to mentorship from a Fasken lawyer, a series of skills building workshops, and a career development opportunity at one of the firm's Canadian offices during the summer.

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USAY (Urban Society for Aboriginal Youth) In Calgary, we partnered with the USAY youth organization, whose mission is to “enrich the lives of all urban Indigenous youth by nurturing self-empowerment and fostering healthy collaboration and communication to ensure healthy future generations.”

Canadian Association of Black Lawyers (CABL) Early Career Program:

We partnered with CABL to provide early career development and advancement for young Black lawyers. The program, which targets first to third year associates, will be designed and developed by CABL with input from Fasken and is set to begin in the first quarter of 2022.

Accountability through Data: Mansfield Rule

Fasken is also one of the original law firms to commit to Mansfield Rule Project. Fasken is **Mansfield Rule 4.0 Certified**. The certification aims to ensure that at least 30 per cent women, underrepresented racial/ethnic groups, LGBTQ+ lawyers and lawyers with disabilities are considered for significant leadership and governance roles in law firm.

The Firm has also **achieved Mansfield Certification Plus status** in 2021, which in addition to meeting or exceeding the baseline certification requirements, Fasken has successfully reached at least 30 per cent underrepresented lawyer representation in a notable number of our current leadership roles.

Affinity groups

Our various national and regional Affinity groups operate via formal and informal networks. They focus on fostering greater inclusion with a lens on learning, engagement, mentoring and professional development.

The Ontario Women’s Network (OWN) focuses on retaining women lawyers at Fasken and growing their careers. Internal OWN events and semi-monthly meetings highlight key initiatives being spearheaded by our female lawyers. Throughout the year, we host several networking and educational events geared to our women clients. These events also offer fantastic business development opportunities for our women associates and partners.

Feminine Force Fasken (F3) was founded in the Quebec region in 2012 and is composed of female associates. The committee’s objectives include:

- Promoting the success of women professionals in Quebec
- Encouraging lawyers to actively participate in female and philanthropy organizations in the business community
- Encouraging lawyers to serve on boards of directors

Fasken Pride: The Firm’s award-winning LGBTQ2S+ Affinity Group, Fasken Pride, focuses on:

- Increasing understanding and awareness of LGBTQ2S+ issues
- Promoting mentoring, professional development and retention of LGBTQ2S+ lawyers and staff
- Encouraging business development and networking within LGBTQ2S+ networks
- Outreach and support to the Canadian and international LGBTQ2S+ community
- The Pride Network has supported, among others, The 519, Covenant House, Rainbow Railroad and Habitat for Humanity

Speaking our truths with courageous conversations

“Conversation is one of the most powerful ways to build knowledge, awareness and empathy, and ultimately effect change.” - Dr. Robert Livingston (Harvard University)

We believe courageous conversations are imperative in making true progress towards understanding and fostering greater inclusion. Over the past year Fasken has held a number of internal and external conversations on a range of EDI topics in partnership with EDI experts, Firm leaders and our Fasken Community.

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- **Seeking and Speaking Truth About Racism** was held during Black History Month with Dr. Robert Livingston (Harvard University)
- **Pilot of “The Conversation”** - 3 Part series focused on Dr. Livingston’s session and book
- **In Conversation: Addressing Anti-Asian Racism**
- **A Celebration of Diversity, Acceptance and Anti-Bullying** for International Day of Pink
- **LGBTQ2S+ Perspectives: A Discussion on Intersectionality for Greater Inclusion**
- **She/He, They/Them and You: Correct Pronoun Usage and Why It Matters**

Fasken’s first Reconciliation Plan

On Canada’s first National Day for Truth and Reconciliation, Fasken launched a firm-wide Reconciliation Plan. The Truth and Reconciliation Commission of Canada’s Final Report published Calls to Action, including ones that target the legal profession and the corporate sector. Our Firm recognized that we needed to do something in response to the Calls to Action and established a Reconciliation Action Plan Committee in the summer of 2020. The Committee is comprised of people from all our Canadian regions and represents different facets of the firm, including Indigenous background. The plan was created in collaboration with the EDI Committee, the Firm’s Chief EDI Officer, and engaged with Kim Baird, the former Chief of the Tsawwassen First Nation who has significant expertise and experience in advising companies on the development of their reconciliation plans. We now have an established Reconciliation Plan Implementation Committee that is implementing key actions in 2022.