

WLF Education Event - March 28, 2023
Pay Equity in the Legal Profession – Panel Discussion

On the panel: Rose Keith KC, Nicole Byres KC, and Cheryl D'Sa (Emma Abdjalieva from WLF Education Committee introductions and questions)

The panelists led a 1.5-hour discussion based on the Pay Equity in the Legal Profession Report prepared by the Women Lawyers Forum in 2021. The discussion centered around three issues:

- 1) Tackling the lack of transparency in compensation within firms;
 - For large law firms, junior lawyers are paid similarly in Vancouver – this is referred to as 'lock step'. We discussed that it is crucial for firms to be transparent with any 'formulas' that firms use as guidelines for calculating compensation (i.e. formulas that look at revenue generated, how much of that revenue was brought to the firm by that lawyer, less a standard amount for expenses).
 - It has been helpful to ensure that the committee/people that make compensation decisions are educated on the topic of unconscious bias and 'interrupting' bias during conversations.
 - Another initiative that could be helpful in equalizing compensation is to have one or two people skilled/knowledgeable on compensation and equity, to attend all compensation meetings to ensure consistency.
 - It is important to be proactive and inquire about compensation structure at the firm. It is important to understand how the bonus structure works in order to be able to reach the bonus.
 - It is also important to understand why you have a billable target so that you understand what you are working towards every month. Furthermore, it helps juniors understand the "business" of law.
 - As a junior associate, you could make proposals at the firm as to how the bonus structure can be changed in order to make the bonus attainable, especially for juniors.

- 2) The pay gap associated with leaves for having children or taking time to care for other family members;
 - One initiative that addresses some of these issues is to 'normalize' parental leaves whereby men are actively encouraged to take paid parental leave (irrespective of whether their spouse is at home).
 - Women lawyers need to be encouraged to take leadership positions in promoting their careers. Lawyers whose value is known/understood, will be in a better position to demand what they want/need. Nicole Byres, one of the speakers said that some women 'lean out' too soon, meaning they assume they can't take on a file/client because of

other demands versus negotiating how they can do so while meeting their other demands.

- Women have to advocate for themselves when they return from maternity leaves by making sure that partners know they have time and capacity to take on more challenging work.

3) How decisions on allocation of files contribute to gaps in compensation amongst lawyer cohorts

- We had a long discussion about how files get distributed at firms, including how partners make decisions about which associates get work and that it is crucial for senior lawyers to pay attention to how work gets assigned and to catch biases or to advocate for juniors
- However, overall advice was related to advocating for yourself and making sure that senior lawyers at the firm or managing partners know that as a junior you have capacity and desire to take on work – again advice was to be proactive

Speakers briefly discussed “pink work” and the fact that studies show that a big chunk of non-billable work gets delegated (or relegated) to female lawyers. Advice was to be take on non-billable work that helps you grow professionally or that interests you personally but to also understand what your long-term goals are in order to say no to work that does not serve you or your career.