



diversity, equity and inclusion advisory

In order to be successful, Diversity, Equity and Inclusion (DEI) programs must not only introduce internal organizational change but also adeptly navigate external factors, including an ever-changing legal landscape. From within, internal stakeholders and employees play a crucial role in shaping relevant, effective, and tailored DEI initiatives. Externally, changes in the political climate, Supreme Court precedent, and heightened scrutiny from activists, regulators, and investors have become potential sources of legal and reputational risks for DEI programs. It is imperative for a company to delicately navigate these internal and external dynamics to ensure that DEI programs can withstand scrutiny and safeguard the company's culture, reputation, and commitment to diversity, equity and inclusion.

We help entities and executives develop and implement legally-compliant DEI policies, and provide equal opportunity employment, anti-harassment, and anti-discrimination training to management and employees. We also conduct DEI audits and surveys to review existing policies in a manner that minimizes risk while maintaining the commitment to diversity, equity, and inclusion that drives their organizational success.

MSK's Labor & Employment group includes former in-house counsel to major companies and entertainment trade associations. Through these varied perspectives—and with the input of related practices such as litigation, regulatory, and immigration—we provide strategic advice and counsel on DEI initiatives that includes:

- Auditing existing DEI programs for legal and business risk.
- Establishing DEI programs and affinity groups.
- Assessing company's use of analytics in connection with DEI goals.
- Conducting DEI-related surveys.
- Communicating internally and externally in crisis situations involving claims of discrimination and harassment.
- Training management and staff on DEI-related issues.

practice contact

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related practices areas

employment litigation & counseling

immigration

labor & employment

litigation

regulatory



- Advising on strategic DEI communications (including annual reports) and partnerships with outside organizations.

MSK provides these services with a deep understanding of the value of diversity in the workplace. Our firm's past partners include the first woman president of the Beverly Hills Bar Association, and our current partners include a member of the California State Bar Committee on the Status of Diversity in the Profession. MSK is a member of Leadership Council on Legal Diversity (LCLD), an organization committed to building a more equitable and diverse legal profession. We are proud of those facts, just as we are proud to assist clients in creating working environments that welcome, respect, and nurture the growth of all.

capabilities

DEI Program Design and Implementation

- Develop and review mission statements to align with DEI objectives
- Prepare DEI written policies
- Evaluate current or proposed policies and procedures for legal compliance
- Provide counsel on establishing affinity groups, such as Employee Resource Groups
- Develop strategic plans to increase recruitment, retention, and promotion of underrepresented groups throughout all levels of the workplace, including increasing Board of Directors and C-Suite diversity and inclusion. Conduct audits of current DEI programs and assist with program roll-out

DEI Training

- Counsel leadership on their responsibilities in creating a diverse, equitable, inclusive, and respectful workplace
- Provide training to management and employees regarding DEI, equal opportunity employment, anti-harassment, anti-discrimination, unconscious bias, and enhancing workplace culture
- Prepare and facilitate employee focus groups – *i.e.*, “employee listening” sessions
- Conduct leadership coaching and implement a DEI scoring system for employee feedback
- Establish anonymous reporting systems for DEI issues and define clear and objective procedures for addressing problematic behavior
- Ensure recruitment and hiring systems minimize unconscious bias



Legal Compliance and Government Agency Reporting

- Counsel and litigation support for pay equity issues, including compliance with the California Pay Act and Federal Equal Pay Act
- Advise on compliance with EEO-1 Reporting Requirements
- Perform OFCCP audits and facilitate compliance for government contracts

Assessment of Employment Practices & Data

- Conduct comprehensive, tailored assessment of organizations' strengths and challenges in maintaining and utilizing diversity analytics, including but not limited to analyzing employee data and salary history
- Analyze hiring and selection interviews to ensure accessibility and fairness
- Assist in implementing annual DEI surveys and enhancing existing surveys
- Provide guidance for effective communication in response to discrimination and harassment crises, both internally and externally
- Advise on policy implications of on and off-duty conduct, including issues related to political speech, social media, and hair and dress codes

Strategic DEI Communications and Community Outreach

- Recommend potential charitable, educational, and impact partner organizations that align with company DEI goals
- Assist with preparing Annual DEI Reports, ESG (Environmental, Social and Governance) or CSR (Corporate Social Responsibility) Reports

headlines

Louise Truong Named Finalist of *L.A. Times B2B Publishing's* 2024 Inspirational Women Awards
L.A. Times B2B Publishing, November 14, 2024

Mitchell Silberberg & Knupp Launches Practice Group to Advise Clients on DEI Programs
September 17, 2024

Louise Truong Featured in "Leaders of Influence: Minority Attorneys 2024" by the *Los Angeles Business Journal*
January 22, 2024



Elaine Kim and Louise Truong Named to *Profiles in Diversity Journal's* 2023 "Women Worth Watching" List
Profiles in Diversity Journal , October 12, 2023

Louise Truong and Bryse Thornwell selected for Leadership Council on Legal Diversity (LCLD) 2023 Leadership Programs
April 18, 2023

news

Louise Truong Quoted in *Los Angeles Business Journal* on Corporate Philanthropy and DEI Compliance
Los Angeles Business Journal , August 4, 2025

Louise Truong Quoted in *The American Lawyer* Discussing DEI Issues
The American Lawyer, November 12, 2024

Louise Truong Quoted in *The American Lawyer*
October 3, 2024

MSK's DEI Advisory Practice Group Launch Featured in *Law360*
Law360, September 18, 2024

alerts

New Considerations for Employers Committed to DEI Initiatives
MSK Client Alert , August 7, 2024

events & speaking engagements

3rd Annual Video Game Industry DEI Summit
Legal Insights Panel
October 29, 2024