Workplace Culture and Civil Rights/Racial Equity Audits

Clients engage Skadden to conduct culture and racial equity audits to assess their impact on social issues, help them achieve their social justice goals and discover information that may be relevant to current and prospective investors.

We focus on various aspects of a company's business, including the diversity of senior management, and the targeting of products and political contributions. We also examine practices with respect to customers, suppliers and/or other stakeholders relating to equity and inclusion to identify areas that may be in need of improvement and potential changes to policies, procedures, personnel and practices. Importantly, our audits can address potential issues of bias and discrimination before legal risks emerge.

Our attorneys have advised boards and management on matters involving both proactive reviews and reactive shareholder proposal demands in connection with audits on culture and racial equity issues. Recognizing that there is not a one-size-fits-all approach, our team prepares each audit in collaboration with our client to address the varying needs and responses necessary for each issue. Our team also has deep experience handling regulatory investigations, as well as shareholder activist demands and civil litigation that can develop in these situations.

We are well equipped to address ESG considerations — such as racial justice and diversity, human capital, #MeToo and workplace culture, and environmental issues — which are becoming increasingly relevant to shareholders, activists and prominent proxy advisory firms, as well as government enforcement agencies and regulators as part of their review and investigation of potential corporate misconduct. Our ESG practice takes a cross-disciplinary approach drawing on attorneys from our white collar investigations and defense group, as well as other practices and offices, who collectively draw on their up-to-date experience to assist clients as they navigate this evolving field.