

Breaki One

By Lydia Lum

WOMEN OF COLOR ARE SCARCE

every year in the *MCCA General Counsel Survey*.

Typically, three or fewer are newcomer GCs at Fortune® 500 employers, resulting in glaring disparities between these women and their nonminority peers. Nothing indicates the 5-to-1 gap in hiring, promotion and representation will disappear soon.

However, this year's survey reveals that five minority women who have never appeared in MCCA's roster became Fortune® 500 legal chiefs.

ng Barriers, Person at a Time

This rarity raises questions: Is this a new trend? Are opportunities growing for female minorities? Or, is this survey finding an anomaly?

“I don’t believe this is just an anomaly,” said Sharon Barner, vice president and general counsel of Cummins (148). “The candidate pool is definitely expanding at corporations. More and more women of color are interested. Women such as myself are spreading the word, telling them that it’s a good job. It’s like being let into a secret society. Also, because more women are serving on corporate boards, it has resulted in more women of color among general counsel.”

Barner receives a call every month from an executive recruiter or chief executive officer outside Cummins who’s seeking GC candidates. “They are looking specifically for women of color,” she said.

Minority men and white women also remain underrepresented in MCCA’s annual survey, but the chronic lagging of female minorities makes it worth examining this year’s newcomer class.

“IT’S TERRIFIC THAT HOMEGROWN talent has emerged,” said Jean Lee, MCCA’s president and CEO. “These GCs demonstrate that talent development and talent management don’t have to be exclusive of each other. The four companies didn’t have to look far for highly qualified minority women.”

Breaking Barriers, One Person at a Time

Three of the five are first-time GCs. The others are Deneen Donnley at insurance conglomerate USAA (114) and Sara Yang Bosco at Emerson Electric (128), an equipment provider for the metals processing, mining, automotive assembly and commercial building design industries.

Prior to becoming USAA's legal chief, Donnley was GC of its banking businesses, and before that, GC of a financial services institution. Bosco was most recently president of Emerson's Asia-Pacific operations and previously, its GC in that region.

Four of the five women—including Bosco and Donnley—won promotions to legal chief over external candidates. The other two were deputy general counsel: Trecia Canty

at PBF Energy (217) and Maxine Lum Mauricio at EMCOR Group (381).

“It's terrific that homegrown talent has emerged,” said Jean Lee, MCCA's president and CEO. “These GCs demonstrate that talent development and talent management don't have to be exclusive of each other. The four companies didn't have to look far for highly qualified minority women.”

Four of the five Fortune® 500 companies, including Emerson, reside in historically male-dominated industries: PBF Energy in petroleum refining, EMCOR in construction and Union Pacific (129) in railroads. The latter hired Rhonda Ferguson, formerly chief ethics officer at a utility, as its top counsel.

Minorities Fortune® 500

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
Ford Motor	Bradley Gayton ¹	9	9	Motor Vehicles and Parts
AmerisourceBergen	John Chou	12	16	Wholesalers: Health Care
HP	Kim Rivera ¹	20	19	Computers, Office Equipment
Home Depot	Teresa Wynn Roseborough	28	33	Specialty Retailers: Other
Citigroup	Rohan Weerasinghe	29	28	Commercial Banks
Alphabet	David C. Drummond	36	40	Internet Services and Retailing
Target	Don Liu ¹	38	36	General Merchandisers
MetLife	Ricardo Anzaldua	40	39	Insurance: Life, Health (stock)
PepsiCo	Tony West	44	44	Food Consumer Products
Cigna	Nicole Jones	79	90	Health Care: Insurance and Managed Care
United Continental Holdings	Brett Hart	80	79	Airlines
Publix Super Markets	John Attaway Jr.	87	101	Food and Drug Stores
3M	Ivan Fong	93	98	Miscellaneous
Tesoro	Kim Rucker ¹	98	77	Petroleum Refining
Macy's	Elisa D. Garcia ¹	103	105	General Merchandisers
McDonald's	Gloria Santana	109	110	Food Services
USAA	Deneen Donnley ¹	114	122	Insurance: Property and Casualty (stock)
Raytheon	Frank R. Jimenez	120	129	Aerospace and Defense
US Foods Holding	Luis Avila ¹	122	128	Wholesalers: Food and Grocery
Centene	Keith Williamson	124	186	Health Care: Insurance and Managed Care
Emerson Electric	Sara Yang Bosco ¹	128	120	Electronics, Electrical Equipment
Union Pacific	Rhonda Ferguson ¹	129	123	Railroads
Danaher	Brian Ellis ¹	133	147	Scientific, Photographic and Control Equipment
Aflac	Audrey Boone Tillman	135	132	Insurance: Life, Health (stock)
Abbott Laboratories	Hubert Allen	138	134	Medical Products and Equipment
Cummins	Sharon Barner	148	154	Construction and Farm Machinery
Fluor	Carlos Hernandez	155	136	Engineering, Construction
Pacific Gas & Electric	Hyun Park	166	182	Utilities: Gas and Electric
Bristol-Myers Squibb	Sandra Leung	168	195	Pharmaceuticals

This spate of male-dominated businesses choosing female GCs doesn't surprise Cummins' Barner.

The vast majority of queries that she receives from recruiters and CEOs are on behalf of manufacturers in the Midwest, where her employer is based. For 20 years, the law department at Cummins, which designs and distributes diesel and natural gas engines, has been led almost entirely by women. The length of GC tenure for each of the four women—two of them minorities including Barner—has varied, with only a single, one-year, male GC stint during the past two decades.

Women's leadership, including that of non-minorities, in so-called hard hat professions is nothing novel in MCCA's survey.

Three years ago, the number of female GCs in these industries—which also include aerospace, military defense, trucking and oil and gas exploration—was almost as high as that of the retail and food-related sectors combined. The proliferation of women in mostly male settings included Barner, who joined Cummins in 2012.

This year, 35 Fortune® 500 companies in hard hat industries employ female legal chiefs across all ethnicities, compared with only 30 when combining retail, grocery and other food-related businesses.

Regardless of industry type, Barner applauded the recent promotions of female, minority newcomers, but she pointed out that multiple pipelines feed into the GC post.

“Women of color at law firms are prime targets to be

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
CBS	Lawrence P. Tu	203	212	Entertainment
Lincoln National	Kirkland Hicks ¹	205	223	Insurance: Life, Health (stock)
SYNNEX	Simon Leung	212	220	Wholesalers: Electronics and Office Equipment
PBF Energy	Trecia Canty ¹	217	149	Petroleum Refining
Waste Management	Barry Caldwell	221	217	Waste Management
Guardian Life Ins. Co. of America	Tracy Rich	226	254	Insurance: Life, Health (Mutual)
Consolidated Edison	Elizabeth Moore	229	236	Utilities: Gas and Electric
Ross Stores	Ken Jew	237	269	Specialty Retailers: Apparel
Entergy	Marcus Brown	247	241	Utilities: Gas and Electric
Praxair	Guillermo Bichara	262	249	Chemicals
Unum Group	Lisa Iglesias	265	279	Insurance: Life, Health (stock)
eBay	Marie Oh Huber	300	172	Internet Services and Retailing
Corning	Lewis Steverson	313	297	Network and Other Communications Equipment
Avis Budget Group	Michael Tucker	330	336	Automotive Retailing, Services
American Family Insurance Group	Mark Afable	332	358	Insurance: Property and Casualty (Stock)
Hershey	Leslie Turner	362	376	Food Consumer Products
Dover	Ivonne Cabrera	377	346	Industrial Machinery
Huntington Ingalls Industries	Kellye Walker	378	390	Aerospace and Defense
EMCOR Group	Maxine Lum Mauricio ¹	381	421	Engineering, Construction
Targa Resources	Paul Chung	387	329	Pipelines
Anixter International	Justin Choi	391	420	Wholesalers: Diversified
Asbury Automotive Group	George Villasana	393	450	Automotive Retailing, Services
Symantec	Scott Taylor	400	405	Computer Software
Oshkosh	Ignacio Cortina ¹	424	394	Motor Vehicles and Parts
Hanesbrands	Joia Johnson	448	490	Apparel
Peabody Energy	A. Verona Dorch	458	398	Mining, Crude-Oil Production
Spectra Energy	Reginald Hedgebeth	493	449	Pipelines

¹New to list

Breaking Barriers, One Person at a Time

wooded away,” she said. “Firms have become an active recruiting ground. The best route is not always going in-house and climbing to the top. Instead, it might be easier to move directly from a firm to general counsel.”

Barner’s career path is an example. Cummins had been a client when she was practicing at Foley & Lardner LLP in Chicago. A partner there since 1996, she spent six years as the only minority woman on the firm’s executive management committee. Her contact with then-Cummins General Counsel Marya Rose remained steady.

“Part of why I stayed at the firm as long as I did was to help other women there build a book of business and make partner,” Barner said. “I was already in Marya’s line of sight, and I became very familiar with Cummins through that relationship. Even though I had not purposely sought out the GC position, I was, when approached about succeeding Marya, already thinking about what else I wanted in my career. I was receptive to a new challenge, and along came Cummins.”

She offered three reasons for why so few minority women have been Fortune® 500 legal chiefs.

“If you’re not in the existing pool already,” she said of the Fortune® 500, “how does anyone know of you?”

“A second reason is women of color who are already in-house need high-profile assignments and visibility in order for the board of directors and CEO to consider them strong candidates for GC. So if you’re a GC, you need to have a

diverse, in-house pool in the first place. But if a GC doesn’t plan or doesn’t want to take on succession planning, then it’s really tough for in-house employees to gain visibility to build relations with the CEO and board. Planning for succession of the GC falls partly on the board, partly on the CEO and partly on the incumbent GC.”

The third reason might be akin to the classic causality dilemma of whether the chicken or egg came first.

“There needs to be a critical mass of minority women as GCs to help others traverse the ladder to join us,” Barner said. “It has taken us many years, however, to grow into a critical mass.”

Numbers Tell the Story

This year, 56 Fortune® 500 corporations employ minorities as general counsel, an all-time high and a net gain of five from MCCA’s previous survey.

The 56 GCs consist of 34 men and 22 women. That’s three more men and two more women than previously.

The racial breakdown is 28 African-Americans, 13 Hispanics and 15 Asian-Pacific Americans, one of whom is South Asian. That’s three more African-Americans and two more Hispanics than a year ago.

Michelle Banks, chair of MCCA’s board of directors and a board member since 2007, said, “It’s good to see a record number of minority GCs, especially while minorities

Minorities Fortune® 501–1000

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
Neiman Marcus Group	Tracy Preston	502	533	Specialty Retailers: Apparel
NVIDIA	Brian Cabrera	508	553	Semiconductors and Other Electronic Components
Ascena Retail Group	Duane Holloway ¹	523	537	Specialty Retailers: Apparel
Zoetis	Heidi Chen	527	538	Pharmaceuticals
KeyCorp	Paul Harris	540	592	Commercial Banks
MasTec	Alberto de Cardenas	572	562	Engineering, Construction
The Andersons	Naran Burchinow	574	569	Food Production
Bemis	Sheri Edison	586	534	Packaging, Containers
Agilent Technologies	Michael Tang ¹	589	389	Scientific, Photographic and Control Equipment
Meritor	April Miller Boise ¹	647	641	Motor Vehicles and Parts
Lennox International	John Torres	655	693	Industrial Machinery
C. R. Bard	Samrat Khichi	661	700	Medical Products and Equipment
Hubbell	An-Ping Hsieh	666	695	Electronics, Electrical Equipment
Citrix Systems	Tony Gomes	676	725	Network and Other Communications Equipment
Alliant Energy	James Gallegos	679	697	Utilities: Gas and Electric
Varian Medical Systems	John Kuo	708	745	Medical Products and Equipment
Carter’s	Michael C. Wu	726	779	Apparel

appear not to be making similar advances in law firms. The powerful business case for diversity and inclusion seems to be better appreciated in corporate America currently, but it's still a small GC group. More change is needed."

MCCA's Lee agreed, adding, "Just because there's an uptick doesn't mean we can rest on our laurels. Corporate leaders have clearly taken action, but these numbers can easily go down again."

Last year's roster of Fortune® 500 minorities was three fewer than that of the previous year, resulting from 25 percent of the African-American GCs vacating their positions. More recently, Cox Enterprises announced in mid-October that it hired Juliette Pryor away from US Foods Holding. Pryor was in previous MCCA surveys.

So the influx of five female newcomers has also helped stave off further dwindling of the overall minority roster.

Another bright spot lies in promotions of Emerson's Bosco and EMCOR's Mauricio doubling the number of Asian-Pacific American women. For many years, this subset stalled at two.

Moreover, women of color such as Cummins' Barner populate 10 percent of the 100 companies ranked from No. 69 to No. 168. That's better representation than their 4 percent share of the total Fortune® 500 and supports the argument that diverse perspectives can yield strong business results and higher profits.

Hence, diversity champions clamor for more leadership opportunities for historically underrepresented demographics.

"Kudos to corporations for pushing the needle forward, but 22 is still really small," Lee said of the minority female head count.

When factoring in Caucasian women, the number of female, Fortune® 500 GCs this year is 124—only four more than a year ago. This follows increases of eight and seven in two previous surveys.

Lee considers any growth—even at a modest pace—positive, but pointed out that because women make up more than one-third of the legal profession, there should be no shortage of female job candidates.

Banks, meanwhile, said that diligent succession planning and preparation can exponentially boost general counsel opportunities for women. She knows this firsthand.

Less than a year ago at Gap (177), Julie Gruber succeeded Banks as executive vice president and global general counsel, becoming the fourth consecutive woman to serve as the retail clothier's top lawyer. Gruber, Banks and previous GC Lauri Shanahan were all developed and promoted from within the company.

Yet too few corporate law departments employ these tactics, Banks and others said, which can cause underrepresented demographics to languish.

Take Hispanics, for instance.

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
DistributionNOW	Raymond Chang	727		Wholesalers: Other
Sabre	Rachel Gonzalez	736	763	Internet Services and Retailing
Triple-S Management	Carlos L. Rodríguez-Ramos	749	919	Health Care: Insurance and Managed Care
WGL Holdings	Leslie T. Thornton	802	801	Energy
Edgewell Personal Care	Manish Shanbhag ¹	856	579	Household and Personal Products
A. Schulman	Andreas Horton ¹	865	883	Chemicals
Public Storage	Lily Yan Hughes	870	952	Miscellaneous
Wayfair	Enrique Colbert	906		Internet Services and Retailing
Twitter	Vijaya Gadde	914		Internet Services and Retailing
Herman Miller	Tim Lopez	932		Home Equipment, Furnishings
Popular	Javier D. Ferrer	938	970	Commercial Banks
Restoration Hardware	Edward Lee	940		Specialty Retailers: Other
IDEX	Denise Cade ¹	964	969	Industrial Machinery
Verifone Systems	Albert Liu	971		Computers, Office Equipment
Shire	Mark C. Darrell	980		Utilities: Gas and Electric
BlueLinx Holdings	Shyam Reddy	991		Wholesalers: Diversified
EP Energy	Marguerite Woung-Chapman	995	721	Mining, Crude-Oil Production

¹New to list

Breaking Barriers, One Person at a Time

Following Pryor's departure from US Foods (122), Luis Avila was appointed interim GC.

However, the only other male, Hispanic newcomer in the Fortune® 500 this year is Ignacio Cortina of Oshkosh (424), whom the vehicle manufacturer promoted to GC. In last year's survey, Guillermo Bichara's promotion at Praxair (262) made him the sole male, Hispanic newcomer.

The most recent female, Hispanic newcomers to this group were Ivonne Cabrera of Dover (377) and Rachel Gonzalez of Dean Foods (336)—three years ago. Gonzalez has since moved to Sabre (736).

The Uphill Climb Toward Change

These sobering survey findings don't surprise MCCA board member Ricardo Anzaldúa, who said what's hindering the advancement of Hispanic lawyers afflicts all underrepresented demographics: a lack of sponsorship.

"No one comes straight out of law school with all the apparatuses to be a general counsel just as no one comes straight out of law school with all the apparatuses to be a partner at a white-shoe law firm," said Anzaldúa, who's executive vice president and general counsel at MetLife (40). "In-house talent development programs tend to be devoted

Women Fortune® 500

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
Walmart	Karen Roberts	1	1	General Merchandisers
McKesson	Lori A. Schechter	5	11	Wholesalers: Health Care
UnitedHealth Group	Marianne Short	6	14	Health Care: Insurance and Managed Care
Kroger	Christine Wheatley	17	20	Food and Drug Stores
HP	Kim Rivera ¹	20	19	Computers, Office Equipment
Cardinal Health	Susan Jacobson ¹	21	26	Wholesalers: Health Care
JPMorgan Chase & Co.	Stacey Friedman ¹	23	21	Commercial Banks
Home Depot	Teresa Wynn Roseborough	28	33	Specialty Retailers: Other
Phillips 66	Paula Johnson	30	7	Petroleum Refining
IBM	Michelle H. Browdy	31	24	Information Technology Services
Procter & Gamble	Deborah Majoras	34	32	Household and Personal Products
Marathon Petroleum	Suzanne Gagle ¹	42	25	Petroleum Refining
FedEx	Christine Richards	58	65	Mail, Package, and Freight Delivery
Lockheed Martin	Maryanne Lavan	60	64	Aerospace and Defense
New York Life Insurance	Sheila Davidson	61	80	Insurance: Life, Health (Mutual)
Honeywell International	Kate Adams	75	74	Electronics, Electrical Equipment
Oracle	Dorian Daley	77	81	Computer Software
Cigna	Nicole Jones	79	90	Health Care: Insurance and Managed Care
Allstate	Susan Lees	81	89	Insurance: Property and Casualty (Stock)
American Express	Laureen Seeger	85	88	Diversified Financials
TJX	Ann McCauley	89	103	Specialty Retailers: Apparel
ConocoPhillips	Janet Langford Carrig	90	51	Mining, Crude-Oil Production
NIKE	Hilary Krane	91	106	Apparel
Deere	Mary K. W. Jones	97	86	Construction and Farm Machinery
Tesoro	Kim Rucker ¹	98	77	Petroleum Refining
DuPont	Stacy Fox	101	87	Chemicals
Avnet	Erin Lewin	102	108	Wholesalers: Electronics and Office Equipment
Macy's	Elisa D. Garcia ¹	103	105	General Merchandisers
McDonald's	Gloria Santona	109	110	Food Services
Sears Holdings	Kristin Coleman	111	99	General Merchandisers
USAA	Deneen Donnley ¹	114	122	Insurance: Property and Casualty (Stock)
Duke Energy	Julie Janson	115	116	Utilities: Gas and Electric

to people who meet the preferences and predilections of those who have power and authority, and historically, that has been white men. The system isn't overtly prejudiced. There are leaders who are bigoted, but most are not."

During the summer, MetLife legal rolled out a sponsorship initiative for 10 percent of its employees, including white men and non-lawyers, who are junior and mid-level professionals up to and including assistant vice presidents. Participants were chosen based on performance, enthusiasm and effort. Each member of Anzaldua's senior leadership team sponsors at least one participant by creating career

development plans and issuing stretch assignments. The sponsors' work is part of their annual performance review.

In-house opposition from nonparticipants has evaporated.

"There is usually debate over new, internal programs and policies," Anzaldua said. "Once we communicated that we are trying to perform the same service that has historically been provided to nondiverse individuals, there was no more pushback. People understood why this is a business imperative.

"We rarely experience," he noted, "this kind of silence."

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
Northrop Grumman	Sheila Cheston	118	124	Aerospace and Defense
AbbVie	Laura J. Schumacher	123	146	Pharmaceuticals
Community Health Systems	Rachel Seifert	125	135	Health Care: Medical Facilities
International Paper	Sharon Ryan	127	114	Packaging, Containers
Emerson Electric	Sara Yang Bosco ¹	128	120	Electronics, Electrical Equipment
Union Pacific	Rhonda Ferguson ¹	129	123	Railroads
Whirlpool	Kirsten Hewitt	134	148	Electronics, Electrical Equipment
Aflac	Audrey Boone Tillman	135	132	Insurance: Life, Health (stock)
Dollar General	Rhonda Taylor	139	159	General Merchandisers
Tenet Healthcare	Audrey Andrews	140	170	Health Care: Medical Facilities
Starbucks	Lucy Helm	146	187	Food Services
Cummins	Sharon Barner	148	154	Construction and Farm Machinery
Altria Group	Denise Keane	149	169	Tobacco
AECOM	Carla Christofferson	156	343	Engineering, Construction
SUPERVALU	Karla Robertson	160	164	Food and Drug Stores
Bristol-Myers Squibb	Sandra Leung	168	195	Pharmaceuticals
Colgate-Palmolive	Jennifer Daniels	174	179	Household and Personal Products
ConAgra Foods	Colleen Batcheler	176	173	Food Consumer Products
Gap	Julie Gruber ¹	177	188	Specialty Retailers: Apparel
Whole Foods Market	Roberta Lang	181	214	Food and Drug Stores
FirstEnergy	Leila Vespoli	188	206	Utilities: Gas and Electric
DaVita HealthCare Partners	Kathleen Alyce Waters ¹	200	231	Health Care: Medical Facilities
WellCare Health Plans	Anat Hakim ¹	202	234	Health Care: Insurance and Managed Care
Visa	Kelly Mahon Tullier	204	238	Financial Data Services
HollyFrontier	Denise McWatters	214	150	Petroleum Refining
PBF Energy	Trecia Canty ¹	217	149	Petroleum Refining
Texas Instruments	Cynthia Hoff Trochu	219	233	Semiconductors and other Electronic Components
CDW	Christine Leahy	220	253	Information Technology Services
Occidental Petroleum	Marcia Backus	225	115	Mining, Crude-Oil Production
J.C. Penney	Janet Link	228	250	General Merchandisers
Consolidated Edison	Elizabeth Moore	229	236	Utilities: Gas and Electric

Breaking Barriers, One Person at a Time

He knows of similar initiatives underway or being planned at about half a dozen Am Law 100 firms.

“There seems to be a common recognition emerging in the profession,” he said. “It’s exciting that other organizations are taking identical steps that we have at MetLife. I wish general counsel at more corporations would recognize that this needs to be done. Diverse talent is more populous at junior levels within organizations, but this is also where attrition is high. It’s disappointing that so much hemorrhaging takes place. Too often, no one in the upper ranks talks to people in the junior levels.”

Anzaldúa cautioned against expecting major changes immediately, such as the number of minority GCs skyrocketing overnight.

“You don’t build Rome in a day,” he said. “You cannot make someone into a general counsel in only a year, but at MetLife, we have many legal and compliance professionals who could easily become senior, in-house leaders or senior partners at firms within a year.”

Cummins’ Barner added that lawyers with GC aspirations can assume more control in making their goal a reality. She compared the process of becoming a strong GC

Women Fortune® 500 (continued)

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
VF	Laura Meagher	231	248	Apparel
L Brands	Shelley Milano	234	262	Specialty Retailers: Apparel
Principal Financial	Karen Shaff	236	282	Insurance: Life, Health (stock)
CSX	Ellen Fitzsimmons	239	240	Railroads
United States Steel	Suzanne Rich Folsom	244	176	Metals
L-3 Communications	Ann Davidson ¹	245	252	Aerospace and Defense
Voya Financial	Trish Walsh	252	268	Diversified Financials
Sherwin-Williams	Catherine Kilbane	253	266	Chemicals
Hilton Worldwide Holdings	Kristin Campbell	254	280	Hotels, Casinos, Resorts
R.R. Donnelley & Sons	Suzanne Bettman	255	258	Publishing, Printing
Estée Lauder	Sara Moss	261	271	Household and Personal Products
Biogen	Susan Alexander	263	298	Pharmaceuticals
Unum Group	Lisa Iglesias	265	279	Insurance: Life, Health (stock)
Public Service Enterprise Group	Tamara Linde	272	274	Utilities: Gas and Electric
Sempra Energy	Martha Wyrsh	279	270	Utilities: Gas and Electric
AutoZone	Kristen Collier Wright	280	307	Specialty Retailers: Other
Discover Financial Services	Kelly McNamara Corley	283	303	Commercial Banks
Western Refining	Melissa M. Buhrig ¹	289	204	Petroleum Refining
Advance Auto Parts	Tammy Finley	293	294	Specialty Retailers: Other
eBay	Marie Oh Huber	300	172	Internet Services and Retailing
Hormel Foods	Lori Marco	304	310	Food Consumer Products
PayPal Holdings	Louise Pentland ¹	307		Financial Data Services
Republic Services	Catherine Ellingsen ¹	312	323	Waste Management
Anadarko Petroleum	Amanda McMillian ¹	324	162	Mining, Crude-Oil Production
Pacific Life	Sharon Cheever	326	387	Insurance: Life, Health (stock)
PPL	Joanne Raphael	350	257	Utilities: Gas and Electric
SpartanNash	Kathy Mahoney	351	359	Wholesalers: Food and Grocery
Quanta Services	Carolyn Campbell ¹	352	361	Engineering, Construction
WESCO International	Diane Lazzaris	357	360	Wholesalers: Diversified
Foot Locker	Sheilagh Clarke	361	384	Specialty Retailers: Apparel
Hershey	Leslie Turner	362	376	Food Consumer Products

candidate to that of an Olympic athlete competing for a gold medal.

“The qualities that got you into the race aren’t necessarily what set you above other highly qualified lawyers,” Barner said. “Being a good GC is more than just having great legal skills and acumen. It’s having soft skills and another layer to yourself.”

Fortune® 501-1000

Minority women making their debut in MCCA’s survey helped fuel an increase in minority GCs at Fortune® 1000

employers—just as they did in the Fortune® 500.

For instance, chemicals distributor A. Schulman (865) promoted Andrean Horton, who spent six years handling its litigation, intellectual property, real estate and other matters. Also, automobile components manufacturer Meritor (647) hired April Miller Boise, who was legal chief at two other companies and a law firm partner.

Last year, a sole, female, minority newcomer joined this cohort.

It’s important to consider context before cheering for the fact that 34 GCs of color populate this year’s Fortune®

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
CenterPoint Energy	Dana O'Brien	363	313	Utilities: Gas and Electric
The Williams Companies	Sarah C. Miller	364	370	Energy
Casey's General Stores	Julia Jackowski	374	382	Specialty Retailers: Other
Dover	Ivonne M. Cabrera	377	346	Industrial Machinery
Huntington Ingalls Industries	Kellye Walker	378	390	Aerospace and Defense
EMCOR Group	Maxine Lum Mauricio ¹	381	421	Engineering, Construction
UGI	Monica Gaudiosi	384	349	Energy
Salesforce.com	Amy Weaver	386	483	Computer Software
Spirit AeroSystems	Stacy Cozad ¹	389	396	Aerospace and Defense
CMS Energy	Catherine M. Reynolds	403	383	Utilities: Gas and Electric
FMC Technologies	Dianne Ralston	410	357	Oil and Gas Equipment, Services
A-Mark Precious Metals	Carol Meltzer	426	444	Miscellaneous
Avery Dennison	Susan Miller	435	427	Packaging, Containers
WEC Energy Group	Susan Martin	437	519	Utilities: Gas and Electric
Marathon Oil	Sylvia Kerrigan	438	227	Mining, Crude-Oil Production
Hanesbrands	Joia Johnson	448	490	Apparel
Realogy Holdings	Marilyn Wasser	449	488	Real Estate
J.M. Smucker	Jeannette Knudsen	452	467	Food Consumer Products
Clorox	Laura Stein	455	469	Household and Personal Products
Ingredion	Christine Castellano	456	462	Food Production
Peabody Energy	A. Verona Dorch	458	398	Mining, Crude-Oil Production
Host Hotels & Resorts	Elizabeth Abdoo	472	485	Real Estate
Owens Corning	Ava Harter	480	498	Building Materials, Glass
NiSource	Carrie Hightman	483	418	Utilities: Gas and Electric
ABM Industries	Sarah Hlavinka McConnell	485	515	Diversified Outsourcing Services
Booz Allen Hamilton Holding	Nancy Laben	487	475	Information Technology Services
Lam Research	Sarah O` Dowd	491	563	Semiconductors and Other Electronic Components
Fiserv	Lynn S. McCreary	492	512	Financial Data Services
Cincinnati Financial	Lisa Love	499	525	Insurance: Property and Casualty (Stock)
Burlington Stores	Janet Dhillon	500	532	Specialty Retailers: Apparel
¹ NEW TO LIST				

Breaking Barriers, One Person at a Time

1000, a spike from the 26 a year ago. Among the 34 companies that employ minorities, eight either returned to the list after an absence—Verifone Systems (971), for example—or broke in for the first time. Of these eight, only Shyam Reddy of BlueLinx Holdings (991) was hired to his position within the past two years.

These 34 legal chiefs are composed of 23 men and 11 women, the first time that female minorities have pierced double digits.

When broken down by race, there are 14 Asian-Pacific Americans—four of whom are South Asian—10 African-Americans, eight Hispanics and two multi-ethnics.

The eight Hispanics, however, include no newcomers.

“This is really disheartening,” said MCCA’s Lee. “We must make consistent and collective efforts to improve Hispanic advancement across all corporations.”

Meanwhile, 99 Fortune® 1000 corporations employ

female legal chiefs across all ethnicities. NuStar Energy (948) has two, female co-general counsel, bringing the head count in this cohort to 100, an increase of four from a year ago.

However, 17 of these 99 companies are either Fortune® 1000 first-timers or, like restaurant chain Cheesecake Factory (941), have returned after an absence. Only three of these 17 legal leaders assumed their posts within the past 13 months, another sign that female advancement remains limited.

One reason behind the high turnover of companies in this roster is the brisk pace of mergers and acquisitions across a gamut of industries. Financial software provider SunGard, purification products supplier Pall and insurer StanCorp were among the many female GC-led companies from MCCA’s previous survey that have been acquired by other businesses.

Women Fortune® 501–1000

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
KBR	Eileen Akerson	501	424	Engineering, Construction
Neiman Marcus Group	Tracy Preston	502	533	Specialty Retailers: Apparel
Robert Half International	Evelyn Crane-Oliver	503	552	Temporary Help
Brookdale Senior Living	Geri Krupp-Gordon	515	639	Health Care: Medical Facilities
Northern Trust	Susan C. Levy	520	571	Commercial Banks
Zoetis	Heidi Chen	527	538	Pharmaceuticals
Polaris Industries	Stacy Bogart	528	574	Transportation Equipment
Quad/Graphics	Jennifer Kent	530	531	Publishing, Printing
Post Holdings	Deidre Gray	535	892	Food Consumer Products
Flowserve	Carey O'Connor	539	528	Industrial Machinery
Hasbro	Barbara Finigan	550	595	Toys, Sporting Goods
Intuit	Laura Fennell	552	572	Computer Software
Hyatt Hotels	Rena Hozore Reiss	562	583	Hotels, Casinos, Resorts
Coach	Nancy Axilrod ¹	575	535	Apparel
Graphic Packaging Holding	Lauren Tashma	577	599	Packaging, Containers
Tiffany & Co.	Leigh Harlan	582	597	Specialty Retailers: Other
Avaya	Amy Fliegelman Olli	584	581	Network and Other Communications Equipment
Wynn Resorts	Kim Sinatra	585	477	Hotels, Casinos, Resorts
Bemis	Sheri Edison	586	534	Packaging, Containers
Colfax	A. Lynne Puckett	596	559	Industrial Machinery
ULTA Salon, Cosmetics & Fragrance	Jodi Caro	602	709	Specialty Retailers: Other
Dynegy	Catherine C. James	606	865	Energy
USG	Michelle M. Warner ¹	616	653	Building Materials, Glass
Xylem	Claudia Toussaint	622	626	Industrial Machinery
Albemarle	Karen Narwold	624	837	Chemicals

Also, the ongoing slump in crude oil markets resulted in numerous companies in natural gas production, drilling, pipelines and mining to tumble out of the list, irrespective of who the GC is. Pipelines company SemGroup and oil and gas producer Newfield Exploration are among those absent. Most of the corporations in such industries that remain here and even in the Fortune® 500 slipped in the standings, a few plummeting more than 200 places in rank.

Sagging revenues mean volatility will likely recur. The national average price for gas during Labor Day weekend, often considered the end of the summer driving season, was only \$2.20 per gallon—about \$1.20 cheaper than it was in 2014. The global market, meanwhile, remains soft because vehicles are becoming increasingly energy-efficient and the economies in European and developing nations are still weak.

The Dialog Isn't About Just Race and Gender

MCCA's Lee is calling upon corporations to step up their workplace diversity and inclusiveness efforts beyond women and people of color.

Openly lesbian, gay, bisexual and transgender individuals ought to not only be welcomed as employees, Lee said, but they should also be encouraged to express this part of their identities in office settings. As examples, LGBT employees and executives should feel comfortable displaying photos of same-sex partners and spouses on their desks and bringing their partners to company parties—without wondering or worrying about potential fallout.

Lee's words coincide with efforts to try expanding MCCA's survey in future years to include LGBT general counsel.

At least two in-house leaders self-identify as LGBT—Stacey Friedman of banking giant JPMorgan Chase & Co. (23),

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
Martin Marietta Materials	Roselyn Bar	641	764	Building Materials, Glass
Meritor	April Miller Boise ¹	647	641	Motor Vehicles and Parts
FMC	Andrea Utech	654	613	Chemicals
Analog Devices	Margaret Seif	659	780	Semiconductors and Other Electronic Components
PolyOne	Lisa Kunkle	668	638	Chemicals
Cooper Standard	Aleksandra Miziolek	670	707	Motor Vehicles and Parts
CME Group	Kathleen Cronin	671	732	Securities
TD Ameritrade Holding	Ellen Koplow	680	727	Securities
Helmerich & Payne	Cara Hair	692	655	Oil and Gas Equipment, Services
IASIS Healthcare	Karen Abbott	697	771	Health Care: Medical Facilities
Tempur Sealy International	Lou Jones	699	758	Home Equipment, Furnishings
CONSOL Energy	Stephanie Gill ¹	706	652	Mining, Crude-Oil Production
Time	Lauren Ezrol Klein ¹	707		Publishing, Printing
Steelcase	Lizbeth O`Shaughnessy	716	759	Home Equipment, Furnishings
International Flavors & Fragrances	Anne Chwat	720	737	Chemicals
Scripps Networks Interactive	Cynthia Gibson	722	820	Entertainment
Brinker International	Scarlett May	731	777	Food Services
Sabre	Rachel Gonzalez	736	763	Internet Services and Retailing
Graham Holdings	Nicole Maddrey	737	670	Education
Green Plains	Michelle Mapes	742	712	Energy
Gannett	Barbara Wall	752		Publishing, Printing
LINN Energy	Candice J. Wells	754	520	Mining, Crude-Oil Production
KapStone Paper & Packaging	Kathryn Ingraham	774	925	Packaging & Containers
Paychex	Stephanie Schaeffer	783	860	Diversified Outsourcing Services
New Jersey Resources	Mariellen Dugan	784	649	Energy

Breaking Barriers, One Person at a Time

and Michael Everett, who's co-GC of VCA (935), a chain of veterinary hospitals, labs and other health care services for pets.

In order to be counted in future MCCA surveys, LGBT legal chiefs at Fortune® 500 and Fortune® 1000 companies are encouraged to e-mail KimHoward@mcca.com with subject line, "Annual GC Survey."

Career Moves

Besides Oshkosh's Ignacio Cortina, other male minorities who have been hired as, or promoted to general counsel recently include Brian Ellis at Danaher (133), Duane Holloway at Ascena Retail Group (523) and Michael Tang at Agilent Technologies (589).

As another member of this leadership fleet, Bradley Gayton shifted gears along his in-house route at Ford Motor (9) and now steers its law department.

Carlos L. Rodríguez-Ramos, who was acting GC at Triple-S Management (749) for about two years, was tapped for the insurance company's permanent position. His predecessor, Roberto García-Rodríguez, is currently chief executive officer there.

Manish Shanbhag rose to chief legal officer of Edgewell Personal Care (856), which distributes sunscreen and other hygiene products. Edgewell was spun off from its parent, Energizer Holdings, where Shanbhag had been a deputy GC.

Some of the men now carrying new business cards have appeared in other MCCA surveys with different employers. Formerly of Xerox, Don Liu joined retail mainstay Target (38), and Kirkland Hicks jumped from what is now Willis Towers Watson to insurer Lincoln National (205).

Similarly, quite a few women, including non-minorities, have made lateral moves.

Women Fortune® 501-1000 (continued)

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
Equinix	Brandi Galvin Morandi	786	884	Telecommunications
TransDigm Group	Halle F. Terrion	788	904	Aerospace and Defense
Hain Celestial Group	Denise Faltischek	795	967	Food Consumer Products
WGL Holdings	Leslie T. Thornton	802	801	Energy
Kennametal	Michelle R. Keating ¹	806	786	Industrial Machinery
Chico's FAS	Susan Lanigan ¹	807	819	Specialty Retailers: Apparel
KAR Auction Services	Becca Polak	808	905	Wholesalers: Diversified
WABCO Holdings	Lisa J. Brown	811	785	Motor Vehicles and Parts
Alere	Ellen Chiniara	818	766	Medical Products and Equipment
Mattress Firm Holding	Kindel L. Elam	827		Specialty Retailers: Other
Teradata	Laura Nyquist	834	809	Computer Software
J.Crew Group	Maria Di Lorenzo	840	841	Specialty Retailers: Apparel
Great Plains Energy	Heather Humphrey	843	846	Utilities: Gas and Electric
Edwards Lifesciences	Aimee Weisner	845	918	Medical Products and Equipment
ITT	Mary Beth Gustafsson	847	823	Industrial Machinery
Tops Holding II	Lynne Burgess	849	864	Food and Drug Stores
Southwest Gas	Karen Haller	851	976	Utilities: Gas and Electric
Medical Mutual of Ohio	Patricia Decensi	852	879	Insurance: Life, Health (Mutual)
A. Schulman	Andrean Horton ¹	865	883	Chemicals
Public Storage	Lily Yan Hughes	870	952	Miscellaneous
Donaldson	Amy Becker	873	873	Industrial Machinery
Pool	Jennifer Neil	875	937	Wholesalers: Diversified
Express	Lacey J. Bundy	876	965	Specialty Retailers: Apparel
Tetra Tech	Janis Salin	892	870	Engineering, Construction
Teledyne Technologies	Melanie Cibik	893	898	Scientific, Photographic and Control Equipment

L-3 Communications (245) launched a new chapter of Ann Davidson's career, piggybacking on her experiences piloting law departments at seven other aerospace and defense companies, most recently Exelis.

Under Kim Rivera's leadership, DaVita HealthCare Partners has been in MCCA's survey multiple times. When Hewlett-Packard split into two corporations, Rivera became chief legal officer of computer titan HP (20). Meanwhile, Kathleen Alyce Waters parlayed her experience from Health Net to replace Rivera at DaVita (200).

Waters wasn't the only health care legal chief to switch addresses. Deborah Rasin departed what is now Dentsply Sirona for Hill-Rom (977).

Despite sluggishness in the energy sector, some women landed opportunities to fuel corporate law departments with fresh perspectives. Petroleum refining giant Tesoro (98) hired Kim Rucker, formerly of Kraft Foods and before

that, Avon. Western Refining (289) tapped Melissa M. Buhrig as its top lawyer once it acquired Northern Tier Energy, where Buhrig was chief counsel.

Denise Cade left SunCoke Energy to hammer out answers to legal questions at IDEX (964), a manufacturer of pumps for energy markets and equipment for firefighting and other rescues.

In retail, Elisa D. Garcia moved to Macy's (103). Garcia was most recently the legal chief at Office Depot and before that, Domino's Pizza. Susan Lanigan, who has appeared in MCCA's survey with Dollar General, joined women's clothier Chico's FAS (807).

Across a spectrum of U.S. industries, other women who have been hired or promoted to chief legal counsel include Stacey Friedman at JPMorgan Chase & Co. (23), Suzanne Gagle at Marathon Petroleum (42), Anat Hakim at Well-Care Health Plans (202), Louise Pentland at PayPal (307),

COMPANY	GENERAL COUNSEL	2015 RANK	2014 RANK	INDUSTRY
Pinnacle Entertainment	Donna Negrotto¹	895	935	Hotels, Casinos, Resorts
Brocade Communications Systems	Nell O'Donnell	904	947	Network and Other Communications Equipment
Genesis Energy	Kristen O. Jesulaitis	908	633	Pipelines
Twitter	Vijaya Gadde	914		Internet Services and Retailing
Akamai Technologies	Melanie Haratunian	919		Computer Software
Kirby	Amy Husted	930	847	Miscellaneous
Microchip Technology	Kimberly van Herk	931		Semiconductors and Other Electronic Components
VCA	Rachael Jeck	935		Health Care: Medical Facilities
hhgregg	Candace Bankovich¹	937	914	Specialty Retailers: Other
Cheesecake Factory	Debby Zurzolo	941		Food Services
Rexnord	Patricia Whaley	947	986	Industrial Machinery
NuStar Energy	Amy Perry, Karen Thompson	948	741	Pipelines
On Assignment	Jennifer Hanks Painter	951		Temporary Help
Tower International	Nanette Dudek	957	956	Motor Vehicles and Parts
Wabash National	Erin J. Roth	961		Motor Vehicles and Parts
IDEX	Denise Cade¹	964	969	Industrial Machinery
Rackspace Holdings	Tiffany Lathe	970		Internet Services and Retailing
Genesee & Wyoming	Allison Fergus	972		Railroads
Hill-Rom	Deborah Rasin¹	977		Medical Products and Equipment
Providence Service	Sophia Tawil¹	978		Health Care: Pharmacy and Other Services
Hospitality Properties Trust	Jennifer Clark	988		Real Estate
Revlon	Mitra Hormozi	992		Household and Personal Products
EP Energy	Marguerite Woung-Chapman	995	721	Mining, Crude-Oil Production
Briggs & Stratton	Kathryn Buono	1000		Industrial Machinery

¹New to list

Breaking Barriers, One Person at a Time

Catharine Ellingsen at Republic Services (312), Amanda McMillian at Anadarko Petroleum (324), Stacy Cozad at Spirit Aerosystems (389), Nancy Axilrod at Coach (575), Michelle M. Warner at USG (616), Stephanie Gill at CONSOL Energy (706), Lauren Ezrol Klein at Time (707), Donna Negrotto at Pinnacle Entertainment (895) and Sophia Tawil at Providence Service (978).

At hhgregg (937), Candace Bankovich replaced Heather Cameron Greenawald, who left the consumer electronics and appliances chain.

As *Diversity & the Bar* went to press, Michelle R. Keating was interim general counsel at industrial toolmaker Kennametal (806).

Susan Jacobson joins this list as deputy general counsel at Cardinal Health (21), where she has been running the law department since the GC left the company. The same holds true for Carolyn Campbell at Quanta Services (352).

Other women have departed the roster. Audrey Strauss retired from Alcoa after it split into two businesses, one of which is Arconic. Kate Hargrove Ramundo, the former GC of retail clothier ANN, became the top lawyer at Arconic, which focuses on aerospace and automotive products.

After 17 years as chief legal officer at Nationwide Mutual Insurance Co., Patricia Hatler retired and moved to private practice. Also retired from corporate life is M. Suzanne Reidman, who was Kindred Healthcare's general counsel for 16 years and concurrently its diversity chief for five years.

Thrivent Financial for Lutherans promoted Teresa Rasmussen from GC to president of its core fraternal business unit. A financial services organization, Thrivent is the largest fraternal benefit society in this country.

Teri Plummer McClure, who was GC of United Parcel Service for nine years, left its law department but remains at the company as human resources and labor relations chief.

Other departures include Stacey Doré from Energy Future Holdings, Shawn Soderberg from Bio-Rad Laboratories, Maria Green from Illinois Tool Works, Heather Russell from Fifth Third Bancorp and Lucy Fato from S&P Global. Russell is now in private practice.

Among minority men, Arthur Chong retired from what is now Broadcom Limited, shifting to private practice, and Hoyt Zia retired from Hawaiian Airlines.

After 28 years at Smart & Final stores—and its top lawyer since 1991—Donald Alvarado has retired from the retailer.

The Clarion Call

This year's 90 minority GCs—33 of them women—and 224 female GCs—33 of them nonwhite—across the 1,000 highest-revenue corporations represent high-water marks in the history of the survey.

Certainly, progress has occurred since MCCA's founding nearly 20 years ago.

For example, MCCA's survey a decade ago identified only six Fortune® 500 women of color. Teri Plummer McClure, who had just been promoted by United Parcel Service, was the sole newcomer. A 2006 *Diversity & the Bar* article stated that McClure was the first female, minority newcomer since 2003—when Kellye Walker joined BJ's Wholesale Club, the first of four companies where she has been a GC.

Yet the absence of minority women among newcomer GCs didn't end in the mid-2000s.

None were in last year's Fortune® 500 class. A couple of them made lateral moves—such as Walker from American Water Works to military shipbuilder Huntington Ingalls Industries (378). The 2014 class wasn't much larger: Audrey Boone Tillman's promotion at Aflac (135) made her the only female, minority newcomer.

About 25 percent of Fortune® 500 employers have appointed new GCs since mid-2014. On average, that's one legal chief every seven days.

So corporate leaders cannot blame sparse opportunities. "This isn't a moment for self-congratulation," said MetLife's Anzaldua, emphasizing that the legal profession "is still underperforming as an industry."

Meanwhile, Fortune® 500 companies alone are responsible for two-thirds of the U.S. gross domestic product.

As the U.S. population becomes increasingly nonwhite—approximately 36 percent are now minority—MCCA keeps pressing for greater diversity and inclusiveness in corporate leadership ranks.

MCCA's Lee noted how the Voting Rights Act of 1965 was not signed into law until an entire century after the Civil War ended. She and others are determined not to let as many years elapse before parity is attained in corporate America.

"We can't become complacent," Lee said. "With collaboration, we can do better, because the pace of change is simply not fast enough." ■

LYDIA LUM was honored as national journalist of the year by the Organization of Chinese Americans. Now a freelance writer and editor, Lydia (lydialum999@yahoo.com) is a former reporter for the *Houston Chronicle* and *Fort Worth Star-Telegram*.

Sara Yang Bosco

Executive Vice President, Senior Vice President, Secretary and General Counsel
Emerson



BEFORE TAKING ON THE ROLE of Emerson's chief legal officer at its St. Louis headquarters in August, Sara Yang Bosco had been out of the country for 25 years, and not worked in a legal job for the last eight.

Previously based in Hong Kong, she led Emerson's corporate operations and strategic development in the Asia-Pacific region since 2008. Initially, she joined the multi-billion engineering giant in 2005 as general counsel, Asia-Pacific, a position that required her to oversee the company's legal affairs in the Asia-Pacific region, as well as provide legal counsel on a wide range of matters such as mergers and acquisitions, compliance, dispute resolution, and corporate and commercial operational matters. And before that Bosco supported the corporation as external legal counsel in her capacity as a partner with the Hong Kong offices of the Baker & McKenzie and Perkins Coie law firms.

"Emerson's growth in Asia corresponded with my time in Hong Kong and the development of my private practice," explained Bosco. "I did their China transactions for a long time before going in-house. They offered me an in-house position more than once. The third time I reasoned that if this was something I wanted to do I better accept because this might be their final offer.

"I felt I had nothing to lose." She explained, "I brought a lot to the job. I'd been practicing for over 20 years in private practice so I came with certain level of self-assurance. This confidence and feeling of freedom liberated me to be more vocal and willing to point out problems. I wasn't going to change too much from the person they already knew."

And while she presumes Emerson knew what they were getting with her, she was met with some surprises. "There was a lot more work than I'd expected. But I also felt a large sense of relief—I no longer had to worry about hours and business development that's so important at firms. I half joked that I should have gone in-house earlier."

Her eight years as general manager acquainted Bosco with Emerson's business side, she adds. "As general counsel, it's imperative to understand all aspects of the business. It's not enough to be a good lawyer. Because the business is complex and international, any one issue has multiple points, and legal is just one part of it."

Bosco grew up in South Bend, Indiana, where her father, an immigrant from Shanghai, was employed as a professor. Her mother was born in Hong Kong. And like the children of many immigrants, Bosco was pushed to succeed. "I liked to talk and argue so my parents directed me toward law. The other only other option would have been medicine. That was my identity growing up, an identity that I readily accepted."

Looking back, Bosco said being Asian and a woman has not been a problem at Emerson. "The biggest challenge has been not having an engineering background in a very engineering focused company."

Breaking Barriers, One Person at a Time**Elisa D. Garcia**

Chief Legal Officer
Macy's, Inc.



ELISA GARCIA JOINED MACY'S, INC. as chief legal officer in September. Since then she has been busy learning about the multi-billion dollar New York-based company and how it purchases, distribute and sells products and most importantly how it makes money. "I am learning about our legal and compliance structure and risks and I am getting to know all of my legal team members and peers. It is an exciting time, with lots of travel."

Prior to Macy's, Garcia was with Office Depot in Boca Raton, Florida. She joined the corporation in 2007 as EVP/General Counsel and Secretary, and became chief legal officer in 2013. For the seven years prior to Office Depot, Garcia was EVP/General Counsel and Secretary of Domino's Pizza, Inc.

Before that, she served as regional counsel, Latin America for Philip Morris International, International and Corporate Counsel for GAF Corporation, and a corporate finance associate with the law firm of Willkie Farr & Gallagher.

"Retail has a number of business challenges. We need to leverage our bricks and mortar, as this is something that our online competitors do not have, and we need to compete vigorously with our traditional competitors and try to differentiate our offering or experience. This leads to different work for the in-house team. We are doing different types of transactions and we need to ensure we are reviewing legal and compliance issues associated with the new way our business is operating."

Before going in-house, Garcia enjoyed the five years she spent at a firm: I loved every minute of that experience and learned how to lawyer. I

found that what I enjoyed most was learning a client's business and helping structure programs that identified and mitigated risk. I enjoyed corporate compliance, so in-house was a natural progression for me."

She adds, "I never 'plotted' a career, but I did take advantage of many opportunities and focused on learning many areas of the law and the business so that I could be an asset to the company. I developed as a generalist because of my inquisitive nature, and that enabled me to grow to a GC role."

A New York City native with a law degree is from the St. John's University School of Law in New York, Garcia returns to her hometown as chief legal officer of Macy's, Inc., one of the nation's premier retailers, and fiscal 2015 sales of \$27 billion. The company operates about 870 stores in 45 states including the iconic Herald Square location in New York City, the District of Columbia, Guam and Puerto Rico.

Ultimately, says Garcia, she has surpassed the dreams her parents held for her. "Education as 'a ticket' was thing my parents stressed. My dad left school in the 8th grade to help care for his family and I watched him struggle to get his GED when I was a child. I lost my dad when I was 19 and he never saw what I have achieved—but my mom has, and is very proud."

Bradley M. Gayton

General Counsel and Vice president
Ford Motor Company



WHEN BRADLEY GAYTON was named Ford Motor Company's general counsel in January, he was already familiar with the multi-billion corporation. In fact, Ford Motor is the only place that Gayton has ever worked as a lawyer.

He joined Ford's Office of General Counsel in 1991. "I spent the summer here as a second year law student and after that summer they offered me a full-time position to commence after graduation," he recalled. "I took the bar on a Wednesday/Thursday and started work the following Monday. I needed to get to work, and I've been here ever since."

Over the years he held positions of increasing responsibility within the Office of General Counsel including serving as director of Legal Affairs – Canada, Mexico and South America with responsibility for managing all aspects of Ford's legal matters related to regional manufacturing, sales and service, and distribution activities. He also served as assistant tax officer with responsibility for U.S. federal and state compliance, analysis, transfer pricing, and all aspects of global indirect taxes including litigation.

Prior to his current position, Gayton was corporate secretary and assistant general counsel for four years. Before that he served as assistant general counsel and assistant corporate secretary for a year.

Today as general counsel, Gayton leads the company's litigation, tax, corporate and intellectual property efforts. He also advises the company's board of directors and senior management on a wide range of legal issues, and oversees its General Auditor's.

There wasn't an exact moment when Gayton set his sights on his current position. "I can't remember one day deciding I wanted to be GC. But I've always had ambition to succeed at everything I do. And

while I'm ambitious, I recognized that I work in an office of incredibly talented people. So, I've always focused primarily on trying to develop my lawyering and leadership skills so that I could be considered a viable candidate for this position.

Growing up in Syracuse, New York, Gayton was encouraged to do well in school. His father and mother (an engineer and nurse, respectively) were supportive and valued education, and he credits his fourth grade teacher, Rosemary Dugan, with playing a large role in his academic development: "She singled me out as a talented student and tutored me on her own time by giving fifth grade math and reading assignments, which she would review with me after school 3 days a week. From that point forward "I loved school and dug in academically." Gayton holds a bachelor's degree in business and a law degree from the State University of New York at Buffalo.

Diversity and inclusion is important to Ford, says Gayton. "As we're recruiting I make an effort to ensure that our pool of applicants is diverse. But once here, I don't differentiate in terms of development. I feel equally obligated to develop all members of the office."

Gayton particularly enjoys the people development aspect of his job: "I like watching people grow and being part of that," he said. "It's important for the organization. There are quite a few people who spend large parts of their career at Ford Motor Company, including much of our OGC leadership team—half of which also came from the summer clerk program."

Amy E. Weaver

Executive Vice President and
General Counsel
Salesforce.com



AS GENERAL COUNSEL OF SALESFORCE.COM (a San Francisco-based global cloud computing company) since 2013, Amy Weaver enjoys the eclecticism of the job. “I have to do everything in the legal field and that includes three things a day that I never saw coming, everything from acquisitions to civil rights in Indiana to European privacy matters.

“We were on the front lines working against legislation in Indiana that we thought was discriminatory to the LGBTQ community,” said Weaver. “Equality is one of our core values at Salesforce; we were concerned about that legislation because of the impact on our employees and customers, and couldn’t not get involved.”

Prior to joining Salesforce, Weaver was executive vice president and general counsel of Univar Inc., where she was responsible globally for all legal and corporate affairs, governance, corporate transactions, compliance, litigation and employment law matters. Before Univar, Weaver was senior vice president and deputy general counsel at Expedia, Inc.

Weaver was the first in her extended family of 14 lawyers to go in-house when she joined Expedia, Inc., a global travel brand, in 2005. “Expedia combined technology and travel—two of my greatest interests. I went in-house and never looked back.”

Mentoring and fostering diversity are important to Weaver. “I encourage young attorneys to look outside their practice area, their background or their gender in seeking mentors,” she said. “It’s important they find confidence in expressing themselves their own way, so that they can bring their own diversity of thought to the job. I get concerned with mentor programs that welcome diverse attorneys and then

push them to act the same. It’s not true diversity and inclusion to say that in order to succeed you have to model your behavior on everyone who came in front of you. Trust your own gifts, skills and style.”

As an undergrad at Wellesley College, Weaver was looking toward a legal career. She went on to earn a JD from Harvard Law School. After law school, Weaver practiced law at Cravath, Swaine & Moore and at Perkins Coie LLP. Prior to entering private practice, she served as a legislative aide to a member of the Hong Kong Legislative Council and as a clerk on the U.S. Ninth Circuit Court of Appeals.

“There must be a genetic component to the law. Growing up outside of Seattle, surrounded by family in the profession, I don’t remember ever not wanting to be a lawyer,” she said. “There’s a dignity to the law. I felt it was a natural career progression for me.”

“My husband, who is not a lawyer, says my family gatherings can be about as much fun as attending a bar association meeting,” she adds.

As GC at Salesforce.com, Weaver is also a member of the executive committee: “Our CEO expects everyone on the committee to understand the business and corporate model, and to meet and talk to customers. I’m always learning here and with constant innovation, things are always changing.”

PATRICK FOLLIARD (epf2810@gmail.com) is a freelance writer based in Silver Spring, Md.

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Legal Minds

How Pursuits of Passion Can Boost Careers in Law

By Lydia Lum

IN RECENT MONTHS, Richard Q. Russeth has noticed patterns in the content of depositions and other documents involving a manufacturer that his employer, Leprino Foods, is suing.

The patterns are within a mountain of complicated evidence that delves into metallurgy, chemical reactions and engineering, all areas that Russeth, who has worked in-house at various food and ingredient production companies for 30-plus years, has limited familiarity with.

But he credits skills honed in his photography hobby with sharpening his legal abilities.

“I’m far better able to manage outside counsel as we prepare for trial,” said Russeth, referring to how photography has helped him as vice president and general counsel at the Denver-based Leprino. “In order to

shoot street photos, I must react quickly. After a while, I can see patterns to a good photograph and shoot without thinking. Similarly, I have become more skilled (at work) at catching patterns in the evidence when reviewing depositions related to lawsuits and contractual matters.”

Russeth and others say that pursuits of passion outside of their jobs in the legal realm can often build proficiencies and experiences transferable to their careers.

Just ask Khiara M. Bridges. A freelance, classically trained ballet dancer, she began lessons at age three and never gave up her pointe shoes. Nowadays, she performs almost monthly with one of the many dance companies in the Northeast.

When she was an early-career law school instructor, Bridges gauged students’ facial expressions and body language to determine whether her lecture style was effective.

“Just as I saw how my dancing engaged an audience, I could see

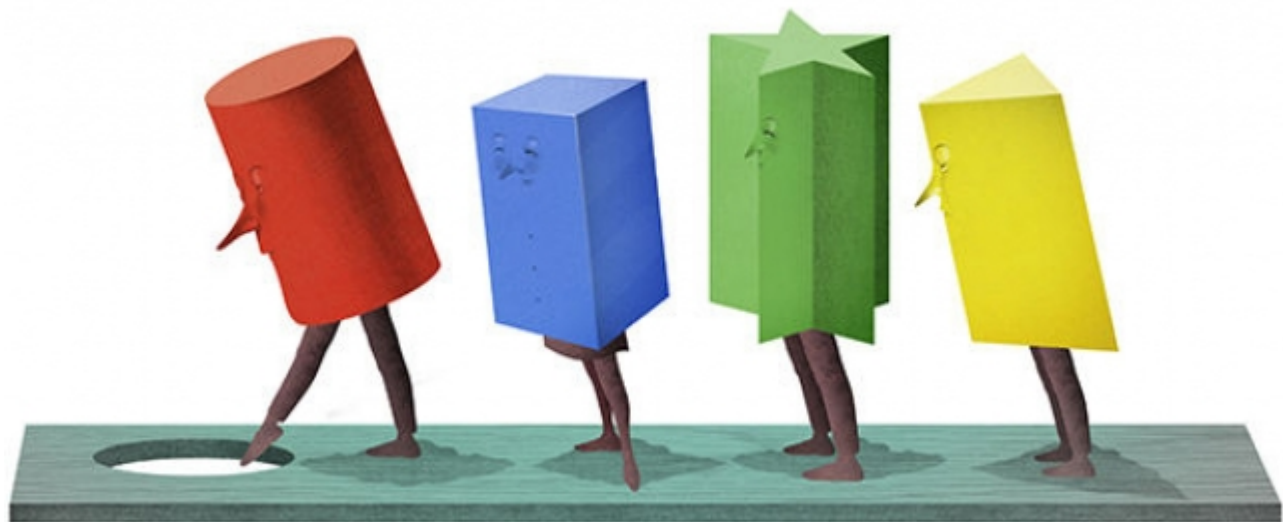


Richard Russeth, vice president and general counsel at Leprino, uses his photography hobby to spot patterns in the evidence when reviewing depositions related to lawsuits and contractual matters.

Schumpeter

Diversity fatigue

Making the most of workplace diversity requires hard work as well as good intentions



Brett Ryder

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RONALD REAGAN once said that “The nine most terrifying words in the English language are, ‘I’m from the government and I’m here to help.’” Today they are run a close second by 12 words: “I’m from human resources and I’m here to organise a diversity workshop.” Most people pay lip service to diversity in public. But what they think in private can be very different. Some HR consultants have even started to worry about “diversity fatigue”.

The arguments in favour of diversity are powerful. The most obvious is that diversity is simply a fact about the modern world. Women have entered the

workforce in huge numbers. Mass immigration has transformed Western societies: even in once-homogeneous countries such as Sweden, foreign-born people make up 14% of the population. Gay men and women increasingly feel no need to stay closeted, in or out of the workplace. Companies that ignore this may starve themselves of talent, as well as be out of touch with their customers. Adding to the evidence for diversity's benefits, a study published this week by the Peterson Institute for International Economics found that the more female executives firms have, the more profitable they seem to be.

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There is also evidence to support the commonsense idea that encountering people with different ideas and different

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Chicago, has produced several studies which suggest that people with more diverse sources of information consistently generate better ideas. Sara Ellison of the

Massachusetts Institute of Technology has shown that mixed-sex teams can

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How Great Companies Fuel Innovation through Diversity". As president of the Cultural Intelligence Centre, a consulting firm, Mr Livermore is a card-carrying member of the diversity industry. But over the years he has been struck by how many companies complain that they are not getting much return for their investment in diversity. "Tomorrow I have to go to a diversity-training workshop," he heard one man say to another in the gym. "Oh God!" came the reply. "That's right up there with getting a root canal."

Mr Livermore says that one reason for this is that talk of diversity often comes accompanied with a faint air of menace. Managers are dragooned into sitting

through lengthy seminars on equal opportunities. They are fearful of saying anything that departs from the “correct” line on any diversity-related matter. And they feel under pressure to hit their recruitment quotas. The more important reason, however, is that proponents of diversity often fail to acknowledge that there can be a trade-off: to get the benefits, employers must be prepared for, and deal with, some problems. Diversity does not produce better results automatically, through a sort of multicultural magic. It does so only if it is managed well.

The biggest challenge is to do with trust. Employees need to trust each other if they are to produce their best work. This is particularly true if that work involves tackling creative projects that have a high risk of failure and a circuitous path to success. But it is easier to establish trust with those you have a lot in common with. Mr Livermore notes that diverse teams have a higher degree of variance in their performance than homogeneous teams. They are more likely to produce truly innovative ideas, but they are also more likely to fail completely. He suggests that managers of diverse teams need to work hard at establishing bonds of trust. They need to set lots of short-term goals so that teams can see the benefits of working together. They also need to recognise that different groups forge trust in different ways. Westerners tend to think that getting straight down to the task at hand is the best way to do this, whereas South Asians believe in establishing rapport over cups of tea first.

A second challenge is to do with culture. Too many companies fail to rethink their management styles as they open their doors to new groups. They issue ambiguous instructions which presume that everyone comes from the same background. For example, one Western company urged its employees to “act like an owner” without realising that, in some cultures, acting like an owner means playing golf all day. They evaluate people on their willingness to speak up without realising that some people—women especially, in many countries—are brought up to hold their tongues and defer to authority. Mr Livermore argues that managers need to work harder at getting members of silent minorities to speak up and, failing that, give them other ways of contributing to the collective effort.

Beyond box-ticking

Your columnist would add a third challenge: distinguishing between genuine cultural diversity and the box-ticking sort. It is easy for companies to think that

they have embraced diversity if they appoint the right number of people with the right biological characteristics. That can be hollow if they all come from the same backgrounds—if, say, all the black people a firm promotes to management are Harvard-educated sons of diplomats.

The growing diversity of the workforce should be a cause for celebration. Getting rid of discrimination against minorities represents a triumph for natural justice as well as a chance to make society as a whole stronger. But the celebration needs to be mixed with hard work and clear thinking. Companies will find it hard to make a success of diversity if they refuse to recognise that it brings challenges as well as opportunities. And they will find it impossible to confront these challenges if they dismiss any reasonable question that is raised about diversity policies as if it were a plea to go back to the age when white men ruled the roost.

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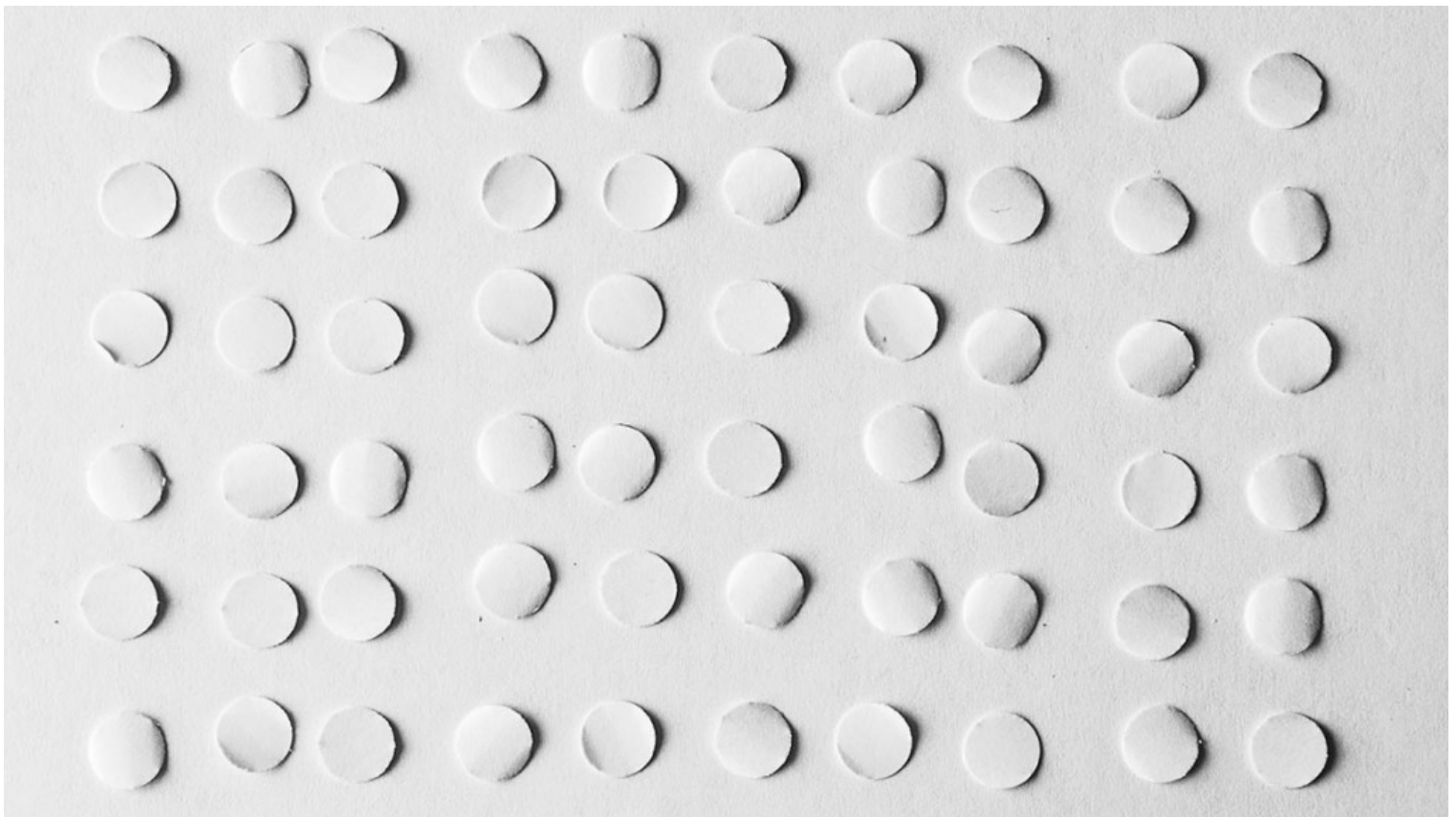
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GENDER

Diversity Policies Rarely Make Companies Fairer, and They Feel Threatening to White Men

by Tessa L. Dover, Brenda Major, and Cheryl R. Kaiser

JANUARY 04, 2016



U.S. companies spend millions annually on diversity programs and policies. Mission statements and recruitment materials touting companies' commitment to diversity are ubiquitous. And many managers are tasked with the complex goal of “managing diversity” - which can mean anything

from ensuring equal employment opportunity compliance, to instituting cultural sensitivity training programs, to focusing on the recruitment and retention of minorities and women.

Are all of these efforts working? In terms of increasing demographic diversity, the answer appears to be *not really*. The most commonly used diversity programs do little to increase representation of minorities and women. A longitudinal study of over 700 U.S. companies found that implementing diversity training programs has little positive effect and may even *decrease* representation of black women.

Most people assume that diversity policies make companies fairer for women and minorities, though the data suggest otherwise. Even when there is clear evidence of discrimination at a company, the presence of a diversity policy leads people to discount claims of unfair treatment. In previous research, we've found that this is especially true for members of dominant groups and those who tend to believe that the system is generally fair.

All this has a real effect in court. In a 2011 Supreme Court class action case, Walmart successfully used the mere presence of its anti-discrimination policy to defend itself against allegations of gender discrimination. And Walmart isn't alone: the "diversity defense" often succeeds, making organizations less accountable for discriminatory practices.

There's another way the rhetoric of diversity can result in inaccurate and counterproductive beliefs. In a recent experiment, we found evidence that it not only makes white men believe that women and minorities are being treated fairly – whether that's true or not – it also makes them more likely to believe that they themselves are being treated unfairly.

We put young white men through a hiring simulation for an entry-level job at a fictional technology firm. For half of the "applicants," the firm's recruitment materials briefly mentioned its pro-diversity values. For the other half, the materials did not mention diversity. In all other ways, the firm was described identically. All of the applicants then underwent a standardized job interview while we videotaped their performance and measured their cardiovascular stress responses.

Compared to white men interviewing at the company that did not mention diversity, white men interviewing for the pro-diversity company expected more unfair treatment and discrimination against whites. They also performed more poorly in the job interview, as judged by independent raters. And their cardiovascular responses during the interview revealed that they were more stressed.

Thus, pro-diversity messages signaled to these white men that they might be undervalued and discriminated against. These concerns interfered with their interview performance and caused their bodies to respond as if they were under threat. Importantly, diversity messages led to these effects regardless of these men's political ideology, attitudes toward minority groups, beliefs about the prevalence of discrimination against whites, or beliefs about the fairness of the world. This suggests just how widespread negative responses to diversity may be among white men: the responses exist even among those who endorse the tenets of diversity and inclusion.

In another set of experiments, we found that diversity initiatives also seem to do little to convince minorities that companies will treat them more fairly. Participants from ethnic minorities viewed a pro-diversity company as no more inclusive, no better to work for, and no less likely to discriminate against minorities than a company without a pro-diversity stance. (Other researchers have seen more promising results of pro-diversity rhetoric and images, but it's clear they're no panacea.)

The implications of this study are troubling for the ways we currently attempt to manage diversity and foster inclusion in our organizations. Groups that typically occupy positions of power may feel alienated and vulnerable when their company claims to value diversity. This may be one explanation for the lackluster success of most diversity management attempts: when people feel threatened, they may resist efforts to make the workplace more inclusive.

So what can managers do? First, they must appreciate the potential effect of diversity messages on groups that have traditionally been favored in organizations. Of course, this isn't to say that managers should avoid discussions about or efforts to increase diversity in order to spare the feelings of their white male employees. However, managers committed to fostering a diverse workplace may need to spend a bit more time crafting messages and designing programs that are more effective because they come across as more inclusive.

Second, managers should know the limits of diversity initiatives for minorities and women. Currently, diversity initiatives' strongest accomplishment may actually be protecting the organization from litigation – *not* protecting the interests of underrepresented groups. Women and minorities thrive in environments that support diversity. But extolling the values of diversity and trying to train employees to value it may not convince minorities and women that they will be treated well, and may not increase their representation in the workforce. In order to foster fair, inclusive workplaces, diversity initiatives must incorporate accountability. They must be more than “colorful window dressing” that unintentionally angers a substantial portion of the workforce. Diversity policies must be researched, assessed for effectiveness, and implemented with care so that everyone in the workplace can feel valued and supported.

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