



2014 ACC GLOBAL WORK-LIFE BALANCE REPORT

ACC EXECUTIVE SERIES

FIND OUT WHAT benefits in-house lawyers want and what programs best support those looking for work-life equilibrium.

DISCOVER INSIGHT from 2,004 in-house lawyers in 43 countries.

TABLE OF CONTENTS

Introduction	02
Definitions	06
Executive Summary	08
Full Report	22
Interpreting the Data	40
Overall Survey Results	42
Demographic Overview	86
Methodology	90

As any corporate counsel can attest, the demands of work can rapidly infringe on personal responsibilities. Although our individual scenarios may differ, we have all found ourselves caught in the middle between professional and personal commitments: answering an email in the middle of the night, answering a phone call when we should be focused on our children, or trying to prepare dinner while participating in a conference call.

Work-life balance issues transcend where you live and where you work. Indeed, work-life balance is the one universal diversity and inclusion issue. All of us feel like we do not have enough hours in the day to both complete our work and to care for our loved ones and ourselves.

To better understand these universal challenges and their impact on business outcomes, we have published the second installment of the Association of Corporate Counsel Executive Series, the **2014 ACC Global Work-Life Balance Report**.

This report examines the quandary in-house lawyers face when work demands compete with caregiving and parenting responsibilities. All of us talk a great deal about work-life balance – whether we have it, how we try to attain it and what it takes to manage a rewarding career in today’s fast-paced business environment with our desire to have fulfilling personal lives. In this report, we offer the combined perspectives of over 2,000 in-house counsel working in more than 40 countries.

After reading the report, we hope you come away with a better understanding of the complexities of these issues and how they relate to your own life and to the environment of your law department or company. While many organizations worldwide have procedures in place for employees to manage professional and personal responsibilities, many in-house counsel perceived a significant disconnect between policy and practice.

As the largest organization representing the interests of in-house lawyers around the world, the candid feedback from the study’s respondents will help employers to guide their thinking about how work-life balance initiatives can help attract, retain and support in-house counsel. We believe that corporate environments that foster improvements in work-life balance and allow employees to attend to all of their personal responsibilities will ultimately drive positive business outcomes.

Very truly yours,

Veta T. Richardson
President & CEO
Association of Corporate Counsel

David R. Allgood
Executive Vice President & General Counsel
Royal Bank of Canada

INTRODUCTION

Organizational support for work-life balance heavily influences employees' intentions to leave or stay with their company. Still, there is a disconnect between benefits offered and employees' comfort in using them.

In every practice and industry, a large workload coupled with constant global connectivity has erased the boundaries between work and personal time. This around-the-clock work environment and our growing appetite for immediate response make it challenging for in-house counsel to separate highly valued personal relationships and commitments from professional responsibilities. Even lawyers who love their work struggle with the demands of a 24/7 career. To better understand the state of work-life balance among in-house lawyers, the Association of Corporate Counsel (ACC), the world's largest organization dedicated to corporate counsel, reached out to more than 30,000 lawyers. This survey report reflects the views of 2,004 individuals in 43 countries who work as in-house counsel.

Results show that for many, work-life balance had a significant impact on the decision to join the in-house counsel community. Worldwide, the movement toward creating a healthy balance between professional ambitions and personal goals is gaining momentum. Benefits like flexible scheduling and telecommuting are highly valued by lawyers everywhere. Successful leaders know that the key to greater commitment and productivity is support for employees to use benefits that both encourage career success and meet personal needs.¹ This may mean a mix of flexible benefits for those who need to be at home but also want to experience in-person teamwork and morale.

Organizational support for work-life balance heavily influences employees' intentions to leave or stay with their company.² Still, there is a disconnect between benefits offered and employees' comfort in using them. Separating work and personal time has always been a challenge in high-demand professions. However, many lawyers who participated in this study noted that traditional benefit models that support work-life balance have been heavily influenced by technology and around-the-clock service. Taking vacation time or sick leave now often includes checking e-mail or responding to clients. In-house counsel who take advantage of work-life benefits often find they are working longer hours at home than they would in the office to demonstrate they are as productive and committed as those who work onsite. The outcome may be visible when looking at global trends. For example, in Europe, where benefits have traditionally been viewed as favorable to work-life balance, in-house lawyers are more often working unplanned hours and report being less happy with work-life balance compared with their peers in Canada and the United States.

The nonstop workweek occurs in the face of evidence that perceptions of work-life balance play a significant role in the career decisions of in-house counsel across generations and practice areas. Fifty-five percent of lawyers who participated in this study reported that work-life balance was a large factor in their decision to choose an in-house position. Interestingly, 36 percent of all respondents declared that they have considered looking for a different role or another company in anticipation of caregiving or parental responsibilities.

While few would question the growing role work-life balance plays in the recruitment, retention and engagement of lawyers, there are too few examples of successful career development programs aimed at developing those who take advantage of alternate work programs like job sharing or reduced hours. The **2014 ACC Global Work-Life Balance Report** confirms that in the minds of many in-house counsel, the stigma associated with using work-life benefits is incentive enough not to use them. To demonstrate this point, one in four in-house lawyers who participated in the ACC study, and who are caregivers, left

58%

of in-house counsel
are happy with their
work-life balance

ACC ASKED AND YOU REPLIED:

What are the biggest barriers to successful work-life balance? Are some in-house counsel happier with their work-life balance compared to others and why? Do caregivers have a harder time balancing work and personal responsibilities? What is most useful for lawyers as they strive to be successful in their career while providing care to those who depend on them?

DEFINITIONS



Definitions

- **Caregivers** – Individuals who indicated they have primary care responsibilities for someone who needs assistance caring for himself/herself. This includes parents of children age 21 or under and those caring for other adults.
- **Working Parents** – Parents who have primary care responsibilities for a child or children age 21 or under.
- **Multiple Caregivers** – Individuals who indicated they are caring for individuals in more than one “caregiver” category. Fifty-seven percent of those with caregiving responsibilities to another adult are also parents to a child or children age 21 or under.

EXECUTIVE SUMMARY OF KEY FINDINGS

In-house lawyers happy with their work-life balance

More than half of in-house lawyers are happy with their work-life balance in their current work setting. Fifty-eight percent reported they were either very (25 percent) or somewhat (33 percent) happy with their work-life balance (Figure 1). Globally, Canada and the United States rate their happiness with work-life balance more positively than those from Europe, the Middle East and Africa (EMEA), Asia Pacific and Latin America (Figure 2).

FIGURE 1
Overall happiness with work-life balance

How happy are you overall with your work-life balance based on your current working pattern?

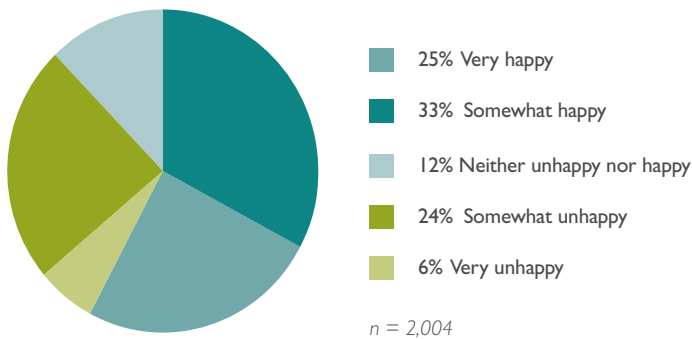


FIGURE 2
Global perceptions of work-life balance

How happy are you with your work-life balance based on your current working pattern?

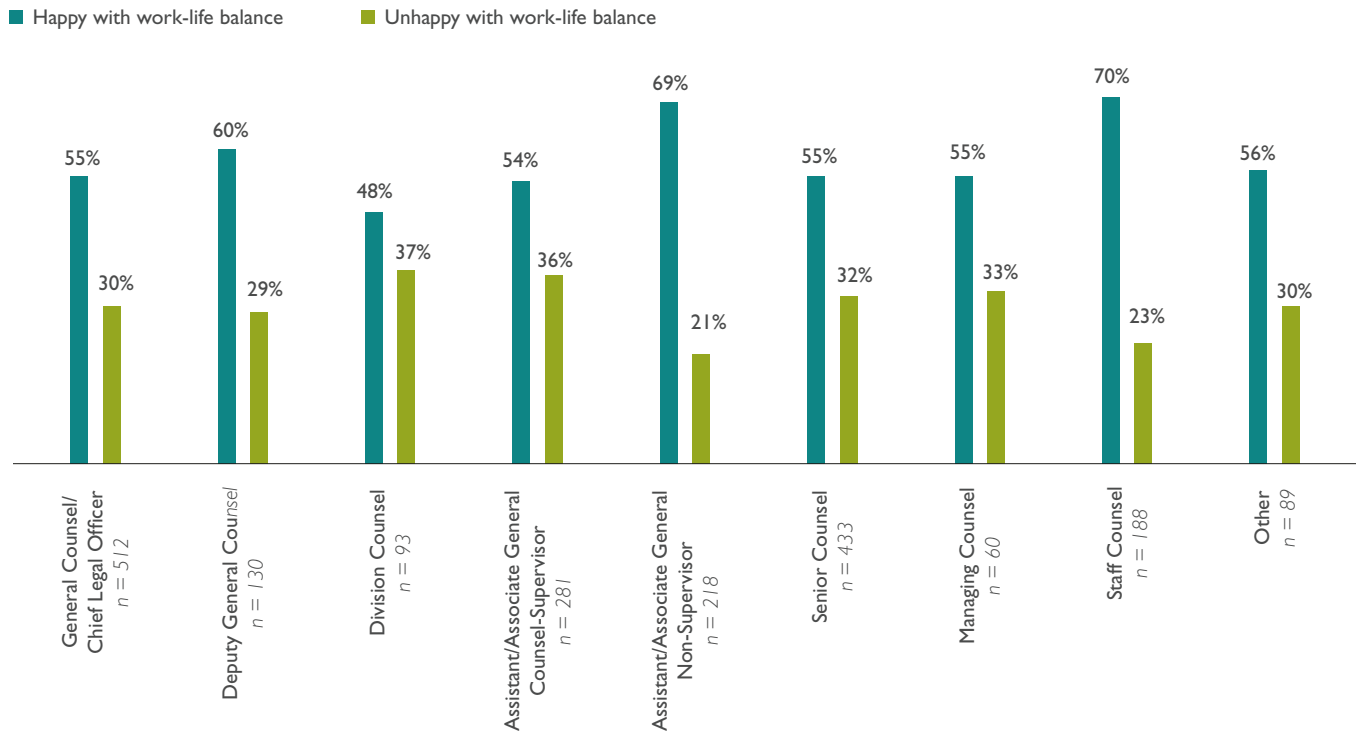


“Legal departments need to learn to value people who want to work less, but will still work extremely well. I would happily take a reduced salary if it meant I could work less and still be respected/valued.”

SENIOR COUNSEL, CANADA

FIGURE 3
Happiness with work-life balance — by role

How happy are you with your work-life balance based on your current working pattern?



Results revealed variances in happiness among multiple in-house counsel roles. For example, assistant/associate general counsel in non-supervisor roles and staff counsel were significantly more likely to report being happy with their work-life balance compared with lawyers in other roles — 69 percent and 70 percent, respectively (Figure 3).

Survey results revealed different levels of happiness and varying views on how adequately companies support work-life balance by law department size. Fifty-five percent working in large departments reported that organizational policies adequately support caregivers (Figure 4). Lawyers working in large legal departments (200+ employees) expressed more favorable views with the *level* of departmental support offered to caregivers compared with counsel working in small to mid-size legal departments (Figure 5). While the workload is heavy in all legal departments, the autonomy of a solo in-house counsel and the back-up or support that exists in larger organizations appear to have an influence on perceptions of organizational support.

Compliance and ethics, technology, real estate and employment and labor are practice areas where in-house lawyers were most likely to say they have considered searching for another role in anticipation of parenting or caregiving responsibilities (Figure 6). Notably, in 2011, compliance and ethics was the most common in-house counsel discipline among lawyers new to an in-house role.⁴ If work-life balance does not meet the expectations of new in-house counsel, they may choose to change roles, positions or companies. Further, with work-life balance playing a major role in lawyers’ decision to take an in-house position, the organizational promotion of work-life balance may be a key attraction for lawyers who might otherwise choose a position with less pay but more balance. Choosing time over money in order to meet caregiving needs or personal goals is becoming more common as seeking work-life balance gains traction as a key factor in career decision making for demanding roles in the legal, medical and other specialty fields.⁵

FIGURE 4
Policies support caregivers — by department size

In general, do the policies in your organization adequately support caregivers and parents? % Yes

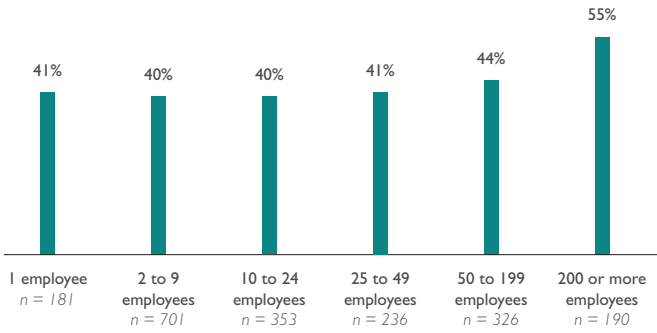


FIGURE 5
Level of organizational support for caregivers — by department size

Would you say your organization is generally supportive or not supportive of employees with parental or caregiving responsibilities? % Very/Somewhat supportive

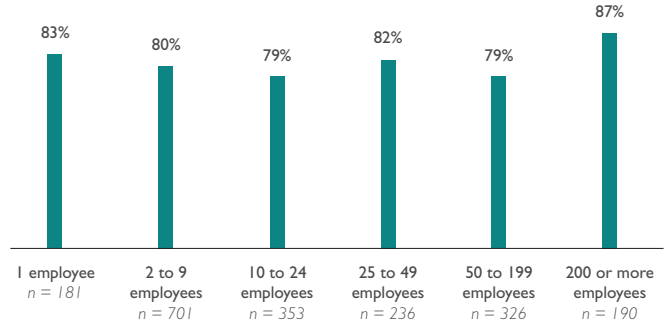
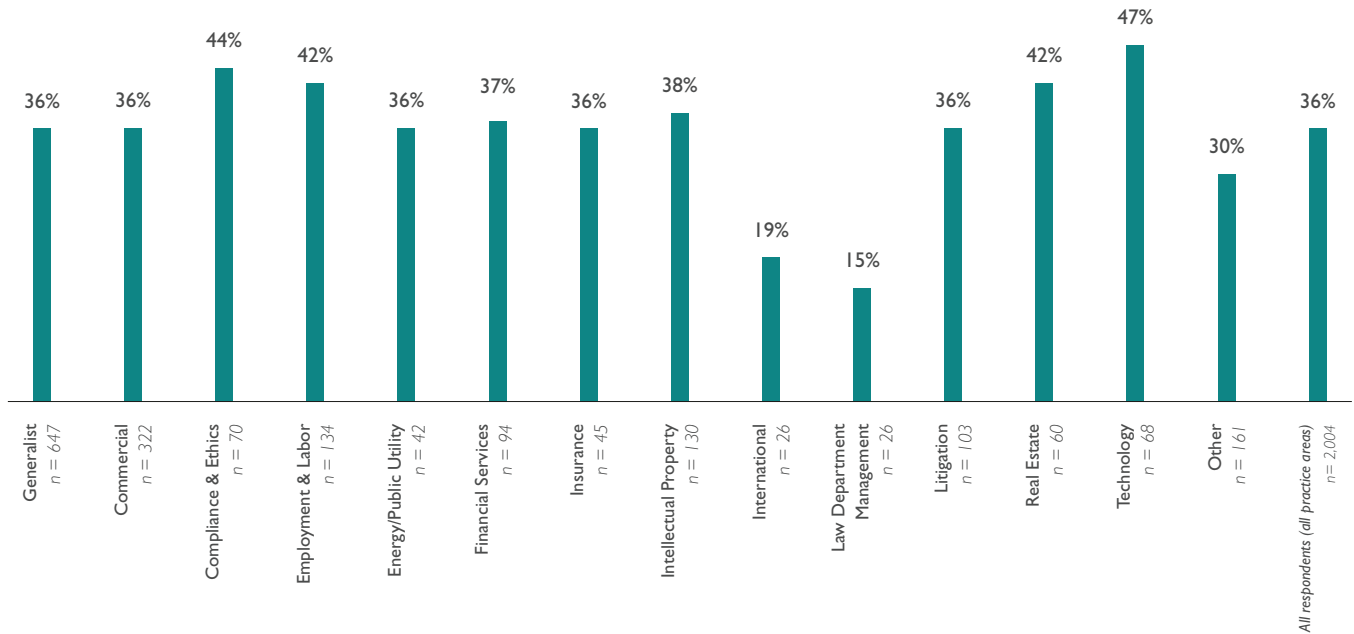


FIGURE 6
Considered searching for another role — by practice area

Have you considered searching for another role or position at a different company based on anticipation of parenting or caregiving responsibilities? % Yes



Difficulty managing personal and professional responsibilities

Caregivers make up a significant part of the workforce. Fifty-five percent of in-house counsel surveyed are caregivers, one-third are working parents responsible for children age three and under, and 6 percent are primary caregivers to more than one child or adult. There was no difference in happiness with work-life balance between caregivers (58 percent) and non-caregivers (58 percent); however, there is a difference in how caregivers and non-caregivers rated their experience managing work-life balance (Figure 7). Fifty-nine percent of caregivers claim it is at least somewhat difficult* to balance personal responsibilities with the demands of their job compared with just 42 percent of non-caregivers.

Caregivers were significantly less likely to say they are considering changing their role or company in the next year when they work at organizations that offer supportive benefits, such as flexible scheduling or telecommuting. Figures 8 and 9 display the relationship between flexible scheduling and telecommuting benefits and demonstrate the correlation between work-life management initiatives and retention. A significantly higher percentage of in-house lawyers with caregiving roles are considering other options for the coming year as a result of their responsibilities at home.

FIGURE 7
Happiness with work-life balance and ease/difficulty balancing personal and work demands — by caregiver status

How happy are you with your work-life balance based on your current working pattern? % Very/Somewhat happy

How easy or difficult is it for you to balance your personal responsibilities with the demands of your job? % Very/somewhat difficult

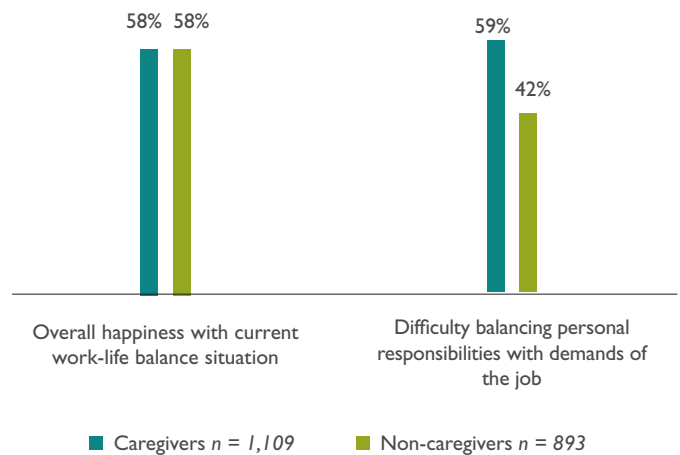


FIGURE 8
Impact of flexible scheduling on job plans among caregivers

In the next year, how likely is it that, as a result of being a caregiver or working parent, you will consider a different role/position? Does your organization offer flexible work scheduling?

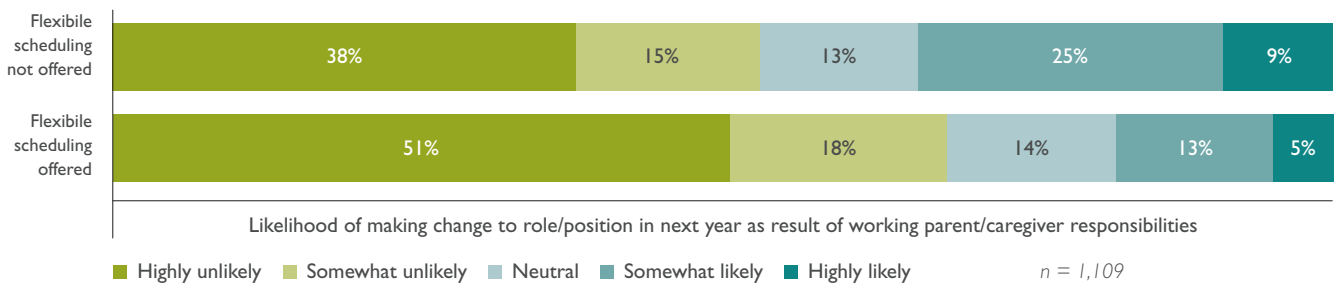
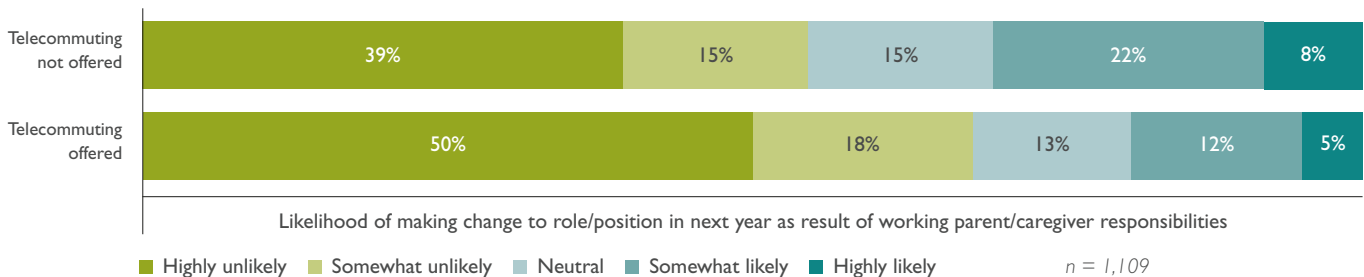


FIGURE 9
Impact of telecommuting benefits on job plans among caregivers

In the next year, how likely is it that, as a result of being a caregiver or working parent, you will consider a different role/position? Does your organization offer telecommuting (the ability to work from home) at least some of the time?



* Percentage who selected very or somewhat difficult

“It's much easier to push off personal obligations than client obligations — my children are much more understanding than my clients. I feel that my company may be great about work-life balance but if my clients have tight timelines, they aren't going to care if I have to go to my child's school festival... My husband also has a high-demand career so ultimately, I am sure that I will end up quitting my job in an effort to ensure that our children have a parent present for things like sports practices and parent-teacher conferences. I am sure I will be yet another female attorney who leaves the practice of law in an effort to be there for my kids.”

ASSISTANT/ASSOCIATE GENERAL COUNSEL, UNITED STATES



In-house lawyers who are caregivers expressed a desire for support systems for emergency and unplanned work requirements. They are often on two schedules, one for the office and one for home and both require presence. For many, the difficulty of having trusted and reliable childcare is compounded by long and often unplanned hours in the office. These parents would appreciate support in finding emergency or last-minute childcare for real work emergencies. And, because lawyers who have caregiving responsibilities are not always able to stay late or travel on short notice, many noted that the impact on their career has been negative.

For caregivers specifically, a large percentage believe it is difficult to advance their career because of their caregiving responsibilities, and this is especially true for women. Females were highly likely to say that they believe being a caregiver has had a negative impact on their opportunities for advancement, with 70 percent expressing this view (Figure 10). Approximately two-thirds of caregivers (63 percent) felt that being a caregiver has had a “somewhat” or “very negative” impact on their opportunity for career advancement while only 30 percent believe it had “no impact” (Figure 11).

“While I am very lucky (and cannot complain) about working a reduced work schedule that allows me to stay home part time and work part time, this comes at the cost of not being likely to be promoted for the foreseeable future. I consider this a small price to pay for being able to be with my two young kids most of the week and don't expect my employer to promote a non-full time employee. It is simply the price of choosing to be with my kids more than being at work.”

STAFF COUNSEL, UNITED STATES

“I have a child with special needs who requires a lot of caregiving with respect to programming, appointments, assessments, therapies etc. I am fortunate to be in a position that allows me flexibility of time only because I am independent in my role and have built up seniority and proven my value to the company. However, it limits my ability to grow further.”

ASSISTANT/ASSOCIATE COUNSEL, CANADA

“The company as a whole has fairly progressive work flex programs, however the legal department leadership is extremely conservative. ‘High performance team’ is a euphemism for a culture that is very averse to adopting any form of flexible work arrangements, including telecommuting or flex time. Individual managers may be more progressive, but it's hit or miss.”

SENIOR COUNSEL, CANADA

FIGURE 10
Negative impact of caregiving on career advancement by gender

What impact, if any, do you believe being a caregiver or working parent has had on your opportunity for career advancement? % Negative impact

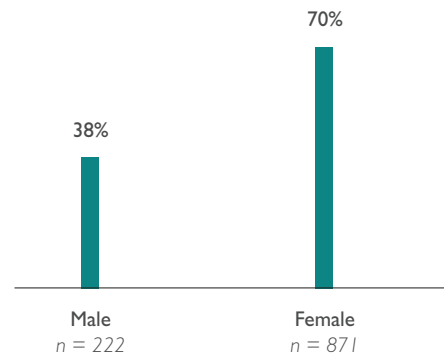


FIGURE 11
Impact of caregiving on career advancement

What impact, if any, do you believe being a caregiver or working parent has had on your opportunity for career advancement?

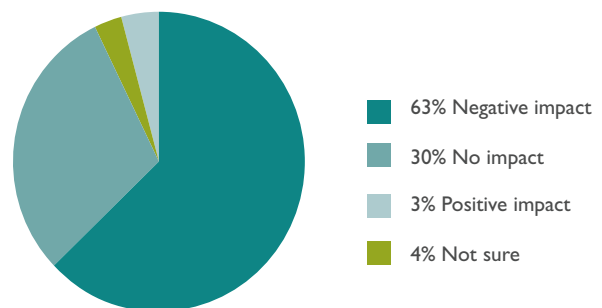


FIGURE 12
Work-life balance a factor for most when choosing an in-house counsel position

To what degree was work-life balance a factor for you in choosing an in-house position?

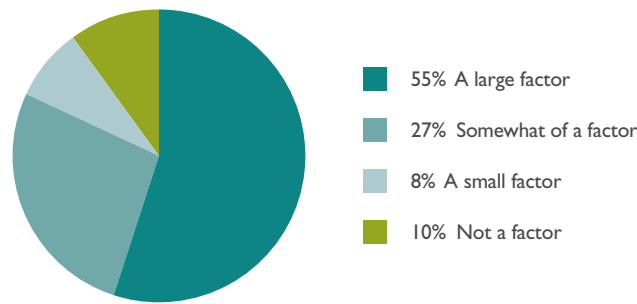


FIGURE 13
Degree to which work-life balance was a factor in choosing an in-house counsel position — by years of experience in-house

To what degree was work-life balance a factor for you in choosing an in-house position?

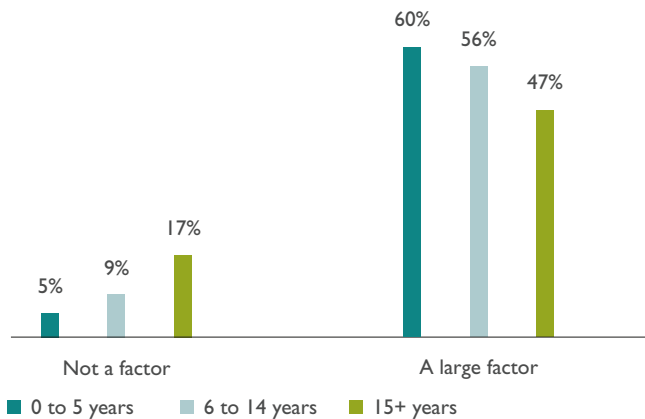
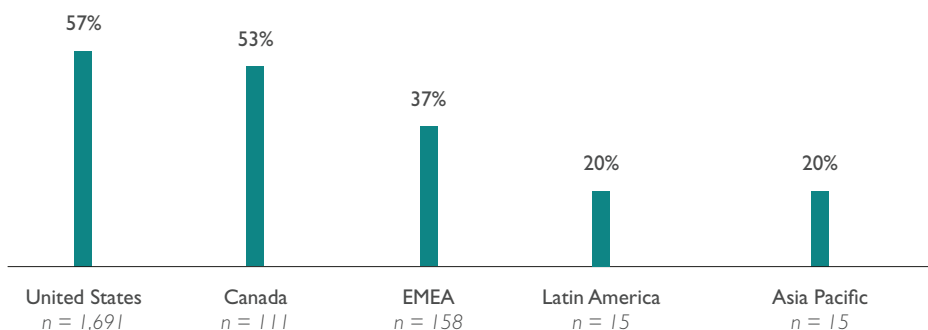


FIGURE 14
Degree to which work-life balance was a factor in choosing an in-house counsel position — by region

To what degree, if any, was work-life balance a factor for you in choosing an in-house counsel position? % Not a factor



* Results are shown for all regions with a sample size of 10 or greater.

Work-life balance a significant factor in choosing to work as in-house counsel

Fifty-five percent said work-life balance was a large factor in their decision to take an in-house position (Figure 12). However, better work-life balance is still elusive for some due to the workload and intensity of the role.

In-house counsel with less experience in the role are likely to consider work-life balance when choosing a position (Figure 13). This may be related to actual or expected caregiving responsibilities, as 60 percent of those with less than five years of experience indicated they are working parents or caring for another adult. Mid-career counsel were most likely to be caregivers (62 percent), and more than (56 percent) reported work-life balance was a large factor in their decision to choose an in-house position. For those with 15 years or more experience in the field, 17 percent said work-life balance was not a factor, compared with 5 percent of those with five years or less working in-house and 9 percent of those with between six and 14 years in the field.

In measuring the degree to which work-life balance was a factor in choosing an in-house position, the United States and Canada were clearly different from the rest of the world in that more than half of respondents from these countries said work-life balance was a “large factor” in choosing to go in-house (Figure 14). Fifty-seven percent of lawyers in the United States and 53 percent of Canadian lawyers reported that work-life balance was a large factor. This is compared with 37 percent of those in EMEA and 20 percent of those working in Latin America and Asia Pacific.*

For leaders and organizations considering expanding the diversity in their departments, work-life balance may be a key consideration for attracting diverse candidates for in-house positions. Sixteen percent of the in-house counsel who participated in this survey identified as a member of a minority or underrepresented group in their workplace — 58 percent are members of a racial minority group and 45 percent indicated they are members of an

ethnic minority in the workplace. Of those who selected “other” underrepresented group, most indicated that being female in a primarily male environment represented a minority status for them. A small percentage (2 percent) of in-house counsel who participated in this study identified as lesbian, gay, bisexual or transgender (LGBT).

Benefits offered and found most helpful

Telecommuting, flexible work schedule and paid maternity/paternity leave are the benefits that companies most frequently offer. They are also perceived as the most helpful to in-house counsel managing work-life balance in a fast-paced environment. For caregivers and non-caregivers alike, availability of childcare vouchers was one of the top benefits selected based on comfort of use (Figure 15). Ninety percent of all respondents said they are comfortable using childcare vouchers. Several respondents commented that when benefits are offered in support of emergency childcare, or support services are available onsite, they are better able to balance the demanding nature of the legal field with personal needs and commitments.

“Childcare at the company is the most important item.”

SENIOR COUNSEL, LATIN AMERICA

Compared with caregivers, non-caregivers do not perceive the same benefits as particularly helpful in managing their work-life balance. When looking at the difference between what is offered and what is helpful, the two groups are farthest apart on flexible work schedule, paid maternity leave and telecommuting, all of which are more helpful to caregivers than to non-caregivers when offered (Figure 16). Note that globally there is variation in how benefits are distributed. In the United States for example, employers historically offer health benefits to their employees; while in Europe, governments often provide healthcare. However, flexibility remains a critical component of work-life balance, regardless of geography.

Work-life balance and retention

Perceptions of work-life balance correlate with retention and career decisions. As demonstrated in comparative studies, lawyers in the United States and Canada were significantly less likely than in-house counsel in other regions to report difficulty in managing work-life balance.⁶ Those practicing in EMEA were among those most likely to say they find it very difficult to manage the balance between work and personal commitments. Lawyers working in offices outside the United States or Canada were also significantly more likely to say they “always” work more hours than they planned as compared to those working in Canada and the United States (Figure 17). Globally, less than 1 percent report “never” working additional hours.

“To work from home on occasion would allow for better communication with associates across the world in different time zones — it is challenging to work a full day, then spend hours on the phone at night with colleagues in Asia whose work day has just begun.”

ASSOCIATE GENERAL COUNSEL, UNITED STATES

“Expectation that I be responsive to email in evening and night time hours. That time in theory is when you should be attentive to children, but it is hard to be attentive when one feels pressure to respond to email in evening and at night.”

SENIOR COUNSEL, CANADA

“Taking reduced work hours/part time/flex time, while sometimes available, drastically reduces (or even eliminates) professional advancement opportunities. This also reduces professional credibility.”

ASSISTANT/ASSOCIATE GENERAL COUNSEL, ASIA PACIFIC

“Legal counsel is considered an essential role, and work-life balance options for other employees are not made available to the legal staff.”

DEPUTY GENERAL COUNSEL, UNITED STATES

FIGURE 15

Most commonly offered benefits by percentage who find them very helpful and percentage who are/would be totally comfortable using these benefits

Does your organization offer any of the following programs, policies or benefits? How helpful or unhelpful are the following programs, policies or benefits? Given your current role and level of responsibility, how comfortable or uncomfortable would you be using the following programs, policies or benefits?

*Respondents who selected "not applicable" removed from analysis	All respondents			Caregivers			Non-caregivers		
	Percent offered benefit	Percent indicate benefit very helpful	Percent totally comfortable using benefit	Percent offered benefit	Percent indicate benefit very helpful	Percent totally comfortable using benefit	Percent offered benefit	Percent indicate benefit very helpful	Percent totally comfortable using benefit
Telecommuting (the ability to work from home) at least some of the time	66%	78%	67%	66%	80%	70%	67%	74%	64%
Flexible work schedule	63%	78%	65%	63%	82%	68%	63%	72%	63%
Paid maternity or paternity leave	60%	75%	83%	60%	78%	88%	61%	72%	77%
Childcare vouchers (pay for care with pre-tax dollars)	33%	59%	90%	39%	63%	92%	25%	50%	85%

FIGURE 16

Gap between benefit availability and helpfulness — by caregiver status

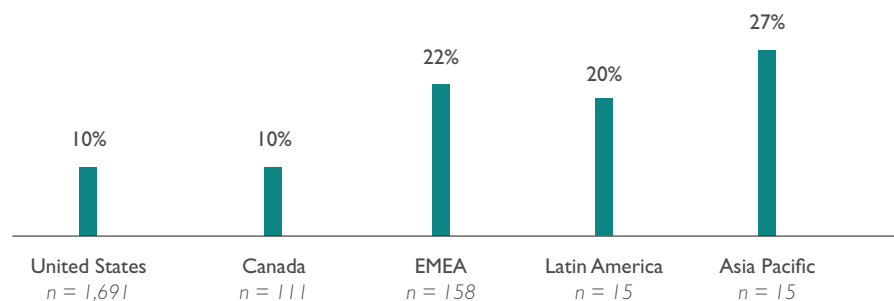
Does your organization offer any of the following programs, policies or benefits? How helpful or unhelpful are the following programs, policies or benefits? Given your current role and level of responsibility, how comfortable or uncomfortable would you be using the following programs, policies or benefits?

Respondents who selected "not applicable" removed from analysis	Caregivers			Non-caregivers			Percentage point differential between caregivers and Non-caregivers
	Percent offered benefit	Percent indicate benefit very helpful	Percentage point difference between offered and helpful	Percent offered benefit	Percent indicate benefit very helpful	Percentage point difference between offered and helpful	
Flexible work schedule	63%	82%	-19	63%	72%	-10	-9
Paid maternity or paternity leave	60%	78%	-18	61%	72%	-10	-8
Telecommuting (the ability to work from home) at least some of the time	66%	80%	-15	67%	74%	-7	-8

FIGURE 17

Working additional hours beyond planned — by region

How often do you work additional hours beyond what you had expected or planned to work? % Always



“Legal work can be done 24/7, and if you can't, they will find someone who will. This model causes working mothers stress and to leave the field. Other professions seem to be more family friendly. In-house is no better than law firms for flex and family.”

IN-HOUSE COUNSEL, UNITED STATES

“If I wanted to lateral to another company so I could have further advancement (I'm the only lawyer in my subsidiary now), I'd be worried the work-life balance would tilt to the work side of the scale.”

DIVISION COUNSEL, UNITED STATES

“I have too many responsibilities and goals with a small team to achieve them.”

GENERAL COUNSEL/CHIEF LEGAL OFFICER, LATIN AMERICA

“The workload [is the biggest barrier to work-life balance].”

ASSISTANT/ASSOCIATE GENERAL COUNSEL, ASIA PACIFIC

Within various professions around the world, the long term impact of strains on work-life balance are likely to manifest in turnover, increased health costs, absence, potentially lower productivity and overall disengagement. Turnover is expensive and does not account for the loss of knowledge and pressure on the team.

Respondents' comments highlighted the struggle for balance and the stress associated with that struggle. A shift in mindset through education may be a first step toward creating better retention of talent, corporate knowledge and understanding of the positive impact of work-life benefits on performance for in-house lawyers. Benchmarks for understanding and tracking perceptions of work-life balance are essential to understanding if progress is being made and if programs are effective.

Summary and recommendations

Managers and leaders may not encourage flexible work arrangements, such as telecommuting, part time work and alternate work schedules, even though research links these programs to greater productivity, employee engagement and retention. Barriers to support likely stem from the heavy workload and responsibility in-house counsel shoulder as part of their role. However, there is a growing global trend toward legislating work-life balance, which complements a strong desire from the work force to be supported in their pursuit of balance. Metrics demonstrate the positive impact better work-life balance has on key business metrics. Combined, all of the aforementioned highlights the tremendous opportunity for leaders in the in-house community to consider policies that will improve their legal departments' retention, productivity, and engagement.

The following are recommendations for acting on the need and desire for work-life balance based on current best practices and on input from 1,300 in-house counsel who made suggestions as part of this study. These recommendations are particularly important for organizations hoping to retain the next generation of in-house counsel who are increasingly willing to sacrifice money for personal balance and for caregivers who are balancing their career mobility with responsibility for children, aging parents and others.

1. Adopt a policy to value caregiving employees based on job performance rather the amount of time they spend in the office.
2. Offer individualized workplace flexibility that provides alternate work arrangements or combinations of arrangements: flextime, compressed workweeks, alternate work schedules, part time work or working fewer hours for part of the year and telecommuting.
3. Make work-life balance support a performance metric for managers. Provide education and training to supervisors and managers on having caregivers on the job and on retaining great performers. Create metrics for managers to measure their success implementing the organizational goals related to work-life balance, retention and business outcomes/client satisfaction, and make managers accountable for meeting goals.

4. Offer childcare/eldercare support, resources and referral services to employees with caregiving responsibilities. The benefits to employers are worker retention, improved productivity, less stress and improved moral and physical health among workers. Confidential counselors can provide advice about securing and financing long term care assistance.

5. Implement recruitment, retention and succession planning practices for caregivers to manage the workload when needed, for example when caregivers must temporarily reduce their hours or take a leave of absence. Target counsel who are ready to reenter legal practice after caregiving.

NOTES

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“I always have to work extra hours to meet my work goals and objectives, which severely affects my personal and family life.”

LEGAL COUNSEL, EMEA

2014 ACC GLOBAL WORK-LIFE
BALANCE REPORT

Published by ACC, the world's largest global community of in-house counsel.



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