

Cultural IQ and Indigenous Cultural Competence Resource



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About This Resource

As part of the Law Society of Alberta's commitment to advancing equity, diversity and inclusion within the legal profession, this resource contains:

- information about the lived experiences of members from equity-deserving groups;
- explanations of unconscious bias and tools for tackling it;
- what it means to cultivate cultural competency and increase your cultural IQ; and,
- suggestions on how to reduce barriers of entry and retention in the legal profession.

This resource was originally developed for recruiters and managing partners, however, the information is equally important for other decision makers. We encourage you to share this resource with the leaders at your firms and organizations and to return to this material at pivotal times in the year such as recruitment season, employee reviews and days of observance.

If you have questions, feedback or would like additional resources on a particular topic, please do not hesitate to contact us at Education@lawsociety.ab.ca or Diversity@lawsociety.ab.ca.

Cultural IQ

Generally speaking, culture is a way of life or being. It can be helpful to think of culture not as static, but rather like an ecosystem with many interconnected parts.

Some of those parts are easily visible to us such as the customs, arts, social institutions and achievements of a particular nation, people or social group. Other parts of culture such as the notions, concepts and attitudes behind the customs, social expectations and interactions are less visible. They are also often more complex and can be the driving force behind individual and group behaviour.

In the legal recruit context, we might hear terms such as “legal culture” or “professional culture” or “workplace culture.” There is a shared set of understandings and ways of being. In our profession we use the term “fit” a lot to describe whether an individual aligns with the group behaviour and values in our own workplaces. Whether it's the partner, the recruiter, the associate or the prospective summer or articling student – all of these individuals are each bringing their own cultural experiences to the recruit process.

If we're thinking about culture as an ecosystem with parts that interact with each other, that includes some of those easily visible parts mentioned above, such as customs and national identity and some of those less visible parts, such as notions and attitudes.

IQ stands for intelligence quotient and it is a measure of someone's demonstrated intelligence (usually referring to a score from a variety of tests administered). When we talk about cultural IQ, the hope is that we can each identify where we're at in terms of the cultural intelligence we bring to our various roles and how that may impact the recruitment experience of students. Cultivating more intelligence in this area, means that we are able to approach interactions with the right amount of knowledge and sensitivity that reduces exclusion and harmful experiences. Regardless of our cultural similarities or differences, our cultural IQ enables us to have positive and create positive experiences for those we meet during recruit and those we work with on a

day-to-day basis. Cultural IQ is an important part of increasing inclusion and demonstrating that we value equity and diversity in our workplaces.

How to Outsmart Your Unconscious Bias by Valerie Alexander

Watch the video [How to Outsmart Your Own Unconscious Bias](#), where Valerie Alexander explains how the human brain instinctively reacts when encountering the unexpected.

Reflections to help Decision-Makers Protect Against Institutional Bias

As a decision-maker, ask yourself:¹

- What assumptions have I made about the cultural identity, genders, and background of the individuals involved?
- What is my understanding of these individuals' unique culture and circumstances?
- How is my decision specific to the individuals involved?
- How has my past contact and involvement (or the firm's past contact and/or involvement) with these individuals or with individuals like them (i.e., this potential employee or individuals who share one or more identity with this potential employee) influenced my decision-making process and general impressions about their "fit" at our firm? Or how might it influence my decision-making process and general impressions about their "fit" at our firm?
- What evidence has supported every conclusion I have drawn, and how have I challenged unsupported assumptions?

Demonstrating Cultural IQ

The legal profession in Alberta continues to increase in diversity with people from a variety of ethnic, cultural, religious, socio-economic, linguistic, religious and spiritual groups. No group is a monolith and there is immense diversity within all groups. It is important that you remain open to learning new things and respectful in your research.

Below are just a few examples of some of the experiences that occur in our diverse workplaces. You may encounter some of these experiences, all of these experiences, or none of these experiences.

¹ These questions were modified and adapted from the [National Council of Juvenile and Family Court Judges - NCJFCJ](#) for the use of the Law Society of Alberta. Learn more about the National Council of Juvenile and Family Court Judges Bench Cards project [here](#).

Business attire

A variety of factors may impact someone's clothing choices in the workplace:

- Cultural background
- Finances
- Lack of experience
- Experience in more formal settings

Remain aware of this and when you observe differences, approach this as a learning opportunity for both of you rather than a metric of suitability.

Different writing and speaking styles

Consider that depending on the individual's previous experiences (i.e. international educational or work experience) they may use more or less formal language than you might see from folks whose education and work experience are limited to Canadian institutions. There is a vast array of cultural nuances around respect and deference that may arise in your communications. It can sometimes be more helpful to focus on the substance of the content rather than the initial presentation.

Hair

In many cultures hairstyles are an important form of personal and cultural expression. For example, within many Black communities, there are a variety of styles such as afros, afro puffs, twists, twist outs, braids, locs, bantu knots, weaves, wigs, relaxed, fades, waves, flat tops, etc. that can be worn and changed as frequently as the individual desires. Changes in colour, length, volume, texture and hair accessories are also common. While you may admire this variety of hair expression, it is important to remember that this experience is likely more unique for you than it is for that individual. You should take care to refrain from asking to touch their hair, touching their hair, or constantly pointing out the differences between their hair and the hair types of others.

Religious and cultural dress

Some folks wear cultural religious symbols, dress or adornments on a daily basis such as symbolic jewelry, kippahs, turbans, hijabs, niqabs, etc. Others may wear religious symbols, clothing or adornments at different times of year or for different life events such as a wedding or a death. These can include items such as head coverings, handmade non-metal jewelry, henna on skin, etc. When attending social events, some folks may choose to wear traditional cultural dress. Others may wear cultural pieces daily or they may wear business attire made from cultural prints and fabric. All of these expressions can create opportunities for learning more about a person's heritage or faith. Questions should be asked respectfully and not in a way or in a setting that puts the individual(s) on the spot. It is important to be mindful of your relationship with that person and whether or not you have developed a rapport where they might share personal information with you and vice versa.

“Non-traditional” sounding names

Individuals enter the legal profession in Alberta from all over the world. Some may have names reflective of their family's heritage from another country, while others may be new to Canada.

Their names may be pronounced differently in their language or dialect and some may find them difficult to pronounce. It is important to respectfully ask for the correct pronunciation. Where possible, request phonetic spelling and or name recordings (i.e. using tools like [NameDrop](#) that are free and allow users to input their name and a recording). Never shorten, lengthen or otherwise change someone's name without their inviting you to do so.

Prior career experience

For some folks from equity-deserving groups this may be their second or third career. This can be the result of a variety of life experiences, including but not limited to, migration, forced displacement, refugee status, limited opportunities. For others, they be the first in their family to be pursuing tertiary education and they may not have been afforded many opportunities to work in legal settings. This is a great opportunity to think about transferable skills and the unique perspective their experiences can contribute to your team.

Interests and hobbies

Each of us has a variety of interests and hobbies that we pursue outside of our day-to-day work. Often these are influenced by several factors:

- Upbringing and lived experiences
- Opportunities in early life
- Finances
- Accessibility

Taking a genuine interest in the extracurricular activities of others without assuming that their hobbies will be similar to yours and casting judgment about differences is key to cultivating inclusive work relationships. Inviting them to try one of your activities and volunteering to try one of theirs can go a long way to building strong bonds between colleagues.

Reminders & Tips for Interviewing and Networking

Reminders:

- Being intentionally inclusive means creating spaces where everyone, regardless of their personal identities feel welcome. Inclusion goes beyond diversity to create a sense of community and belonging that does not require those who belong to deny their authentic selves.
- The language you use is important. While you might not always be able to control the impact of the language you use, you have complete control over what you say.
- Every individual has several identities that make them the complex human that they are. Each identity encompasses a part of their own lived experiences.

Tips:

- Listen to the language that is being used around you and take the opportunity to learn from the impact of those words.
- Make an extra effort with names that you find difficult to pronounce (i.e., ask the individual respectfully, Google how to pronounce their name) and always call someone the name they asked you to call them.

- Remember that questions around race, culture and ethnicity should only be asked when absolutely necessary (these are unlikely to have any bearing on someone's suitability for the role) and always respectful. Be open to the complexity in someone's answer and in their reaction to being asked. Use descriptors they use for themselves.
- Practice engaging with others in ways that allow you to do more listening than talking.

What individuals can do

- Keep thinking about what your unconscious biases might be.
- Challenge yourself to learn more and look at things differently.
- Find ways to expand your personal and professional networks to foster diversity.
- Avoid being defensive or using generalizations, even if what you're learning about yourself/others makes you uncomfortable. It is ok to sit with discomfort sometimes.
- Keep finding ways to expose yourself to positive, unfamiliar stimuli.
- Listen and learn from those around you and continue to embrace opportunities to be intentionally inclusive.

What organizations can do

- Figure out what implicit biases may be impacting your organization as an employer.
- Set & regularly review diversity and inclusion goals.
- Bring equity, diversity and inclusion into hiring, training, retention and promotion decisions.
- Continue ongoing training for all staff.
- Adopt specific strategies to help decision-makers reduce bias.

Indigenous Culture

Indigenous culture is not monolithic. Indigenous People are very diverse, therefore please use your cultural humility lens in order to recruit an Indigenous person effectively. This means accepting that you are not an expert on Indigenous Peoples and remembering that you can learn from your Indigenous employees.

Be open to learning new things, doing your own research and where possible and appropriate, engaging in thoughtful, respectful, and authentic dialogue. You may encounter some of these issues, all of these issues, or none of these issues.

Reviewing resumes

Here are some things that you might observe when reviewing resumes of Indigenous candidates and some suggestions on how to think about these observations. Not all (or any) of these may appear in the resumes you are reviewing – what is important is to be aware of them and keep an open mind during the reviewing resume phase.

Different writing styles

Consider that Indigenous candidates may use a more wholistic and collaborative style of writing than you are used to seeing in a resume.

Varying levels of detail

You may need to get creative with your open-ended questions to understand what the candidate is trying to tell you. Humbleness is an important virtue in many Indigenous cultures and so their resume may be structured differently or less descriptive than you might expect.

Typos or formatting differences

Indigenous students may not have anyone close to them or any family members who are available to or have the skillset to review their resume. Many Indigenous students are the first in their family to be university educated and may not have any contacts in prestigious, professional or corporate circles to provide them help in developing their resume.

Rural job experience

Many Indigenous students will come from small Indigenous communities called reserves. Having rural jobs should not be viewed as negative or subpar experience. If you are unfamiliar with rural jobs this is a great opportunity to research what they entail and think about the transferability of those skills.

Non-Indigenous sounding last names

The sixties scoop saw many Indigenous children adopted to non-Indigenous families where they took their adopted family's name. Indigenous Peoples such as the Métis often come from mixed families and may have English names. Refrain from making assumptions based on last names.

Prior career experience

This may be the Indigenous interviewee's second or third career in life and they could be bringing a wealth of knowledge and experience to this new role in the legal profession. This is another great opportunity to think about transferable skills.

Academic performance

Indigenous learning patterns are different, and many Indigenous communities have a more wholistic style of teaching. Many are oral and visual learners and thrive in experiential learning settings.

Being university educated is a concept that comes from a non-Indigenous perspective and learning the law, as it is taught in many law schools, also derives from a non-Indigenous perspective. Therefore, Indigenous Peoples must often ignore their inner selves and their Indigenous identity to understand the university subject matter that is before them. This may be reflected in an Indigenous candidate not having consistently achieved the best grades possible throughout their academic career.

There is most likely a story behind why they did not receive the expected grade. They may have experienced multiple profound losses, had to take on a new responsibility, or shoulder a burden that many of us will never experience. Use those creative open-ended questions to understand why their grades are not at the threshold your organization expects.

First impressions

Here are observations that you may make during an interview (or in other conversations) with an Indigenous interviewee and some considerations to keep in mind.

It is important to remember that Indigenous people are unique individuals that can bring diverse lived experiences to each interaction.

As each student is unique, they may not display all or any of these particular traits.

Attire

Students may have several barriers to wearing business clothing including financial ones. They may have different cultural ideas of what constitutes formal or fancy on everything from tone to attire. Be aware that garments like Ribbon skirts and Ribbon Shirts are seen as formal attire within some Indigenous cultures.

Hair

In many Indigenous cultures, it is considered highly spiritual for men to wear their hair long, often in a braid.

In many Indigenous cultures, after one loses someone close to them to death, they will cut their hair. The closer the person was, the shorter the hair.

Gentle handshake

The firm handshake is the norm in western culture and a gentle handshake is often seen as weak. In many Indigenous cultures, it is seen as aggressive to give a firm handshake. Let them lead the handshake and if they give you a gentle handshake, give one in return – do not force a firm handshake.

Eye contact

Some students may not make or hold direct eye contact with you. Among many Indigenous Peoples, averting eyes is a sign of respect.

Nervousness and shyness

Indigenous interviewees might be extremely nervous and shy. It might be helpful to walk them through the stages of the interview and how it will unfold before you begin. You may want to use other effective icebreakers to put them at ease and allow for a comfortable flow of conversation.

Humbleness

It is important to understand that some Indigenous interviewees may find it very difficult to talk about themselves in an interview. Many Indigenous people are taught from a young age to be humble and not to brag or what you have will be taken away. Displaying humbleness is not necessarily akin to a lack of confidence.

Non-linear thinking and communication styles

Indigenous interviewees may speak very differently than what you are used to. Try to refrain from telling an Indigenous applicant that they are very well spoken.

They may tell parts of a story in a different order than you would expect, or not arrive at what you might consider a clear conclusion. This may be because Indigenous Peoples are traditionally intuitive and wholistic thinkers and talkers. They may think that you know what the conclusion will be, or that the conclusion is up to you, and they do not have to direct you to that conclusion. They may also interject something that appears to be off topic to you, but in their wholistic world view, is related to the discussion.

It may be helpful when asking more complex or multi-part questions to also include a summary of what you are looking for in an answer. For example, “I’d like you to tell me about a time where you had to problem-solve at work under a tight timeline. What I’m looking for here is to hear how you thought about the problem and how you applied creativity to come up with a solution.”

Humour and laughter

In many Indigenous cultures, humour is an important and well-meaning characteristic. It is not that the person using humour is not taking things seriously.

Many Indigenous Peoples love to laugh. This may just be their way of expressing themselves and, in some instances, coping.

Speaking directly

Some Indigenous applicants may present with a more casual or informal demeanour than what you are used to in a corporate setting. Some interviewees may speak “bluntly” or appear to get right to the point when they talk. It may be due to past trauma and their background. It does not mean they cannot think abstractly or express thoughts and ideas more subtly if needed.

It is also important to understand that Indigenous Peoples are still navigating multi- generational impacts of colonization. They may not have had exposure to instances where they would observe people speaking in traditional western ways that you might have come to expect in the workplace.

Silence

An Indigenous interviewee may appear happy and/or comfortable with silence or longer lulls in a conversation. Many Indigenous Peoples share cultural norms where people tend not to talk if they don’t have to. Even if this silence feels awkward or uncomfortable, avoid interpreting that as intentional.

Other cultural differences

Here are other observations you may make during the hiring process when working with Indigenous candidates. Many of these behaviours are rooted in Indigenous cultural norms and understandings.

Experiencing cultural differences that you are not used to while working with Indigenous students and colleagues can lead to great opportunities for learning and respectful cultural exchange.

Collaborative

Many Indigenous students may be collaborative by nature and enjoy working in teams, especially when those teams create/contribute to respectful and transparent work environments.

Visual thinkers

Within Indigenous cultures, learning is often experiential and includes oral traditions such as storytelling with visual imagery.

Many Indigenous students may not be afraid to try things and gain practical experience, even if that means making mistakes. Some Indigenous people may view learning solely from reading/lecturing as a disingenuous way of learning.

Non-hierarchical

Even Indigenous Elders, who hold positions of esteem within the community, are respectful to others and they are respectful towards them.

Indigenous students may have additional challenges in navigating hierarchical workplaces. For example, they may think it is strange if someone is rude to them simply because they are junior to that person within the department or the organization. They may view rude behaviour as demeaning to them.

Some Indigenous students may be more open with leaders, but this does not mean that they do not respect authority.

Active listening

Indigenous Peoples are often active listeners and may not talk a lot after someone is done talking. They may be thinking deeply about what that person has just said and what resonates within themselves.

Indigenous Peoples may appear to communicate more slowly because they are actively listening and thinking about what is being said. They may be processing what is going on and translating it into their own worldview and then back into the Western worldview before expressing their full thoughts.

Working with Indigenous Colleagues

Here are some suggestions for working and interacting with Indigenous colleagues. These suggestions may not be applicable to every scenario that arises in the workplace and are meant to be things you might keep in mind, rather than a to-do list.

- Ask questions that are open-ended and explain what specifically you are looking for with the question.
- Where possible, give open-ended directions and communicate those directions with respect. Check back in to see how they are doing and be mindful that they may need to collaborate.
- Don't ask them to generally educate you or others in the organization about Indigenous culture.
- Do your own research on reconciliation. Participate or host learning events with Indigenous partners like blanket exercises or tipi teachings.
- Do your own learning about the Indigenous Nations in your area, what Treaty territory or Metis Settlement you live and work on – and practice how to properly pronounce their names.
- Do your own research on current Indigenous events and attend them as much as possible. [Aboriginal Peoples Television Network](#) is a good resource for news and events. Local First Nation websites also offer a lot of information on upcoming events open to the public.
- Get comfortable with being uncomfortable while learning about Indigenous culture, heritage, history and current issues - you are not expected to be an expert.
- If you do hire them, ensure there is adequate/appropriate mentorship and regular check-ins.

Reconciliation Resources for Recruiters & Firms

The following are a list of useful resources to reference through the recruiting process.²

- [The Truth and Reconciliation Toolkit for firms](#) – CBA created this toolkit as another way to assist with increasing cultural awareness. The toolkit consists of 4 sections that are relevant to both student and supervisor.
- [Truth and Reconciliation – Law Society of Alberta](#) – These resources support Alberta lawyers in understanding the historical and current impacts that Canadian law has on Indigenous Peoples (First Nations, Inuit and Métis) in Canada and participating in reconciliation.
- [Home – Hope for Wellness Helpline](#) – Culturally competent counsellors available 24/7 to all Indigenous people across Canada. 1-855-242-3310. Should your student be exposed to situations that may be potentially triggering, please ensure they are aware of relevant resource that they may access.
- [Indigenous Bar Association](#) – Includes information on UNDRIP, issues that impact Indigenous peoples in Canada, and networking opportunities as well as an annual conference.
- [First Nations 101](#) – 2nd Edition (2022) Lynda Gray's (Ts'msyen Nation) accessible primer on Indigenous peoples' past and present is geared towards both non-Indigenous and Indigenous readers. First Nations 101 provides an overview of the day-to-day lives of Indigenous people, traditional Indigenous communities, colonial interventions used in an attempt to assimilate Indigenous people into mainstream society, the impacts those interventions had on Indigenous families and communities, and how Indigenous people are working towards holistic health and wellness today.
- [How to Become a Great Ally](#) – Lynda Gray
- [Delivering on Truth and Reconciliation](#) – The Government of Canada's progress in responding to the Truth and Reconciliation Commission 94 Calls to Action
- [Treaty 7 Indigenous Ally Toolkit](#) – Learn what Nations surround Calgary, greetings, and information on protocols and traditional practices.
- [Myrna McCallum](#) – The trauma-informed lawyer. Includes podcast, courses, and additional resources to help you become more trauma-informed.
- [Indigenous Canada | Coursera](#) – Free 12-lesson Massive Open Online Course (MOOC) from the Faculty of Native Studies that explores the different histories and contemporary perspectives of Indigenous peoples living in Canada.
- [Land Acknowledgments – Law Society of Alberta](#)
- [Calls for Justice](#) – Missing and Murdered Indigenous Women, Girls, and 2Spirit (MMIWG2S+) calls for justice.
- [National Centre for Truth and Reconciliation](#) – History, reports and research

² These third-party resources are provided for information only. The Law Society is not responsible for the accuracy, content or information contained in these sites. Views expressed in any third-party resource are the views of the authors individually and do not necessarily reflect the view of the Law Society.