Visible People and Invisible Work: Exploring the Relationship Between EDI, Cultural Taxation and Invisible Work in the Post-Floyd Era.

by

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Abstract

The 2020 murder of George Floyd sparked a wave of corporate activism particularly in the United States. Many corporations publicly condemned this inhumane act, expressed solidarity with the Black Lives Matter Movement (BLM) and pledged multimillion dollar funds to support black and minority-owned businesses. Internally, these corporations also began implementing equity, diversity, and inclusion (EDI) initiatives in their workplaces, with the aim of increasing minority representation. However, in some cases, these corporations are approaching EDI in ways that may produce negative consequences for black employees. The research reveals that since Floyd's murder, corporations are increasingly calling on their black employees to draft anti-racist statements or deliver anti-racist training, educate white colleagues about racial issues, and essentially be the expert on EDI and race-related issues. Using Critical Race Theory, as well as literature on EDI, this paper examines the ways in which post-Floyd EDI initiatives have led to the remarginalization of employees of colour in some workplaces.

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Background & Overview of the Research

The 2020 COVID-19 pandemic brought the world to a standstill. From travel bans to curfews and capacity restrictions, governments around the world were adopting quickly-changing measures to limit the spread of the virus. However, these drastic measures did not halt injustice. Asians were being blamed for the virus while black Americans were still victims of police brutality. On May 25, 2020, George Floyd, an unarmed black man was killed by a white police officer in Minneapolis, Minnesota ("George Floyd," 2020). In response, in the weeks that followed, massive Black Lives Matter (BLM) protests broke out across the US, the largest turnout for any American protest up to that point (McLaughlin, 2020). These protests also garnered international attention and citizens of other countries soon joined the march against police brutality against blacks. While these were definitely not new issues, many Americans were only just paying attention to the reality of racial injustice in America for the first time. Many corporations put out statements in support of racial justice and equity. Others made pledges to support black-owned businesses, while others launched multimillion dollar funds to support various social justice initiatives (Hessekiel, 2020).

All these measures have resulted in an increase in equity, diversity, and inclusion (EDI) initiatives over the last year, especially in the US. While these programs are long overdue, they are nevertheless welcome developments. At the same time, however, as a result of this increased awareness, many organizations are relying heavily on employees of colour to drive these initiatives, in addition to their regular duties. Often, these employees are volunteering these additional services, without any form of compensation, a concept broadly referred to as "Cultural Taxation." Consequently, employees might end up disadvantaged by initiatives originally intended to benefit them. Although the rapid corporate response to Floyd's murder is the focus of this paper, it should be noted that many other organizations and institutions (for example, universities) have long been engaged in EDI efforts.

The research topic is inspired by my practicum placement at the Manitoba Association for Rights and Liberties (MARL). MARL is committed to creating a society where "people's diversity is valued, liberties are respected, and rights are lived" (MARL Vision Statement). Among other resources, MARL offers professional development workshops on equity, diversity, and human rights principles in the workplace. However, the organization also recognizes that

there are many barriers to successfully integrating these strategies—especially inclusion—in the workplace. Having followed the wave of corporate activism post-Floyd, I initially set out to explore if, and how these corporations were fulfilling their EDI commitments and pledges, and any barriers they may encounter in the process. However, following my preliminary research, I found it necessary to expand my research to include other issues pertaining to EDI. Further, in these professional development workshops, MARL encourages participants to critically reflect on their unconscious biases and adopt strategies to address them. This last point resonates with the main point of this paper—the unintended consequences of increased EDI initiatives post-Floyd.

This paper relies upon the review of relevant literature in the area of EDI and is divided into four main sections: Part I examines the George Floyd case and the resulting increase in EDI efforts from corporations. Part II explores the issue of race and racism through the lens of Critical Race Theory (CRT). Part III discusses how the increase in EDI initiatives in the post-Floyd era has led to the concept of cultural taxation which has remarginalized employees of colour in some organizations. In addition, the relationship between EDI, invisible work, and cultural taxation is examined using the CRT propositions in part II, as well as the challenges of incorporating EDI strategies in the workplace. Finally, Part IV offers some recommendations in response to the issues raised in part III, as well as suggestions for future research.

Literature Review — Social Justice Issues During the 2020 Pandemic & Renewed calls for EDI

Police Brutality in the United States — George Floyd

On May 25, 2020, George Floyd, an unarmed black man was killed while in police custody, outside a store in Minneapolis, Minnesota. Floyd's alleged crime was presenting a counterfeit $20 bill at the store earlier. Floyd died while being detained by a white police officer, Derek Chauvin, who knelt on his neck for over 9 minutes. Though reports state that Floyd had initially resisted arrest, he appeared subdued at the time he died. Floyd had repeatedly told Chauvin and the other officers on scene that he "could not breathe" before his eventual demise minutes later ("George Floyd," 2020). This event ignited mass protests within and outside the US; in some cases, protests turned violent (Chavez, 2020). As of mid-June 2020, in the US alone, an estimated "21 million adults had attended a Black Lives Matter or police brutality protest," the largest estimated turnout "for any American protest" (McLaughlin, 2020).

While this was not the first time a black man had been a victim of police brutality, Floyd's case clearly sparked a different response, evident in the estimated turnout above. McLaughlin (2020) provides two reasons for this. First, Floyd's murder occurred during a COVID-19 lockdown. With no other places to escape to, Americans were spending more time at home and watching the news. As videos of Floyd's murder circulated, it became impossible for many Americans to deny the existence of systemic racism. Secondly, videos of Floyd's murder allowed viewers to see the events as they unfolded, from his arrest up until his death. In a way then, the video allowed viewers to experience what it was like at the scene. Although similar videos of police brutality have been made public, McLaughlin (2020) explains that "bits are often missing or extenuating circumstances allow [Americans] to explain it away." However, Floyd's case was different as the entire video was available for all to see. Chauvin was later found guilty of: second-degree murder, third-degree murder, and second-degree manslaughter and was sentenced to 22.5 years in prison, on June 25, 2021 (Sanchez & Levenson, 2021).

Despite the fact that Floyd's murder was condemned by both blacks and whites alike, research still showed significant differences in reactions between both groups. For instance, in a USA TODAY poll that was conducted following Floyd's death, 64% of black Americans described the incident as murder, compared to only 28% of white Americans. It further found

that 33% of white Americans were most likely to view Chauvin's actions as an act of "negligence," while only 16% of black Americans subscribed to this view (Page et al. 2021). Writing on police brutality in the US, Neville et al. (2016) argue that the reason for such differences is that many Americans, "mostly Whites but also a few people of color," believe that race and racism are no longer as prominent as they used to be. As such, these individuals also believe that race does not "play a role in the killing of unarmed men of color by police; instead, these incidents were either justified or an unfortunate turn of events" (p. 5). These individuals thus subscribe to the notion of "colourblindness."

Neville et al. (2016) go on to challenge three common myths promoted by proponents of colourblindness. The first myth holds that colourblindness is a positive thing (p. 8). According to the authors, this belief often stems from the decontextualization of Martin Luther King's "I Have a Dream" speech in 1963. The argument here is that because King envisioned a society where his children would no longer be "judged by the color of their skin…" he was advocating for colourblindness (King, 1963 as cited in Neville et al., 2016, p. 8). However, there is evidence to indicate that King's dream remains just that; "we did not then—nor do we now, for that matter—live in an ideal society in terms of race" (Neville et al., 2016, p. 8). The authors further argue that when racism is unacknowledged, for instance, in the workplace, people of colour may experience reduced motivation (p. 9). Race-related demotivation in the workplace is explored further in part III of the paper. The second myth maintains that race and racism have become less significant, compared to the period before the Civil Rights Movement, evident in the election of the first black US president — Barack Obama. On the contrary, Neville et al. (2016) argue that racism has not declined; instead, it persists in less obvious forms than it did when there was overt segregation, for instance. Indeed, they reveal that Obama's election had no significant impact on race relations, blacks' unemployment rate, and police brutality against blacks (p. 10). The third myth holds that discussing race further perpetuates racism (p. 10). This myth is often demonstrated in various ways; for example, when minorities draw attention to instances of covert racism, and are accused of trying to create racial division. Such tone-deaf attitudes result in missed opportunities for meaningful dialogues and changes to "practices that create inequalities, either intentionally or unintentionally" (Neville et al. 2016, p. 10).

Increased Commitment to EDI as a Response to Social Injustice

In addition to organizations like BLM, many corporations also took steps to promote racial equity and justice, after Floyd's death. These corporations issued statements of solidarity, made donations and pledged funding to black-owned businesses and social justice institutions. For instance, giant fashion brand Nike released an advertisement challenging Americans to acknowledge that racism exists in America. American chain store Target, which is headquartered in the same city where Floyd was killed, pledged $10 million to organizations committed to economic advancement of blacks and other marginalized communities. American financial technology company Paypal pledged $530 million to black and minority-owned businesses, with most of the money to "be devoted to the creation of a [*sic*] economic opportunity fund that will invest in black and under-represented minority businesses and communities" (Hessekiel, 2020).

Up until August, 2021, these corporations had collectively pledged an estimated $50 billion to address racial injustice; however, only "about $70 million went to organizations focused specifically on criminal justice reform, the cause that sent millions into the streets protesting Floyd's murder by a Minneapolis police officer" (Jan et al., 2021). As discussed in parts II and III of the paper, even well-intentioned strategies like the above, if poorly executed, could be counterproductive in the long run. Internally, many businesses also began looking to implement 'equity, diversity, and inclusion' (EDI) programs in their workplaces. Although these three terms are often used together to describe efforts to promote conversations about socioeconomic inequality and increase representation of certain, often marginalized groups, they each suggest different strategies in achieving these goals. Thus, these three concepts are defined separately below.

Equity:

The goal of equity is to ensure that all individuals have access to the same opportunities. Many individuals experience various barriers due to socioeconomic inequalities that exist in society, thus placing them at a disadvantage compared to others. Thus, equity is "a process that begins by acknowledging that unequal starting place and works to correct and address the imbalance" (Tan, 2019, p. S31).

Diversity:

Diversity refers to the gender, racial, ethnic, etc. differences that exist in various environments. A diverse workforce, for instance, would have employees with different identities. "Organizational diversity" in particular, "requires examining the makeup of a group to ensure that multiple perspectives are represented" (Tan, 2019, p. S31).

Inclusion:

Inclusion is a step beyond diversity in the sense that it aims to "ensure that diverse people with different identities are able to fully participate in all aspects of the work of an organization, including leadership positions and decision-making processes" (Tan, 2019, pp. S30-S31). Thus, the potential of a diverse workforce is limited if some identity groups are denied access to decision-making authority.

Despite the increased commitments to social justice post-Floyd, research reveals that in some workplaces, employers may be approaching EDI work in ways that may eventually defeat its purpose. Many employees of colour are suddenly being called upon to educate white colleagues about racism, lead EDI initiatives and offer input on race-related matters. These employees are required to be the "go-to" persons for anything EDI or race-related, and in many cases without even volunteering to do so, and without adequate compensation and supports (Nance-Nash, 2020; Miller, 2020; Pratt; 2020). This obligation to serve the cultural needs of an organization is defined as "cultural taxation", which manifests through invisible and unrewarded work. Hence, Floyd's murder, while sparking an increase in EDI initiatives, has simultaneously resulted in employees of colour being culturally taxed, often in a way that leads to their remarginalization. This remarginalization runs counter to the main objective of EDI which is the recognition and protection of human rights. This paper will apply some of the propositions of CRT in an attempt to answer the following question: **How might EDI strategies lead to invisible labour and cultural taxation, and remarginalize employees of colour in the workplace?**

Theoretical Approach — Critical Race Theory (CRT)

The origins of CRT can be traced to the mid-1970s, in the US. Soon after the Civil Rights' Movement reached its peak in the 1960s, many lawyers, activists, and legal scholars discovered that "the heady advances" of this era "had stalled and, in many respects, were being rolled back" (Delgado & Stefancic, 2001, p. 4). These advances included a multitude of legislative and organizational changes, all intended to respond to inequality between blacks and whites. For instance, the desegregation of public schools came into effect in 1954, following the landmark ruling in *Brown v. Board of Education* which struck down the "separate but equal doctrine" (Garrison-Wade & Lewis, 2004, p. 23). Similarly, in 1965, President Lyndon Johnson signed an Executive Order which required government employers to adopt affirmative action when hiring minorities (Garrison-Wade & Lewis, 2004, p. 24).

While these advances had been successful in addressing the blatant forms of racism, covert, but still problematic forms of racism persisted unnoticed. For instance, Delgado and Stefancic (2001) observed that *Brown v Board of Education* was counter-effective in the long run, and marred by several administrative challenges (p. 5). Indeed, López and Burciaga (2014) note that the lack of monitoring and enforcement following the decision, resulted in school districts finding loopholes to disobey this law, or implement the decision at a snail's pace (p. 801). For these and similar reasons, early founders of CRT such as Derrick Bell, Alan Freedman, Richard Delgado, Patricia Williams, Kimberlé Crenshaw, and others, came together to deliberate on a way forward. The first CRT workshop was held in 1989, in Wisconsin (Delgado & Stefancic, 2001 pp. 4-6).

Principles of CRT

Although there is no consensus regarding the principles of CRT, many scholars of the movement "would agree on the following propositions": ordinariness, interest convergence, social constructionism, storytelling, differential racialization, and intersectionality (Delgado & Stefancic, 2001, pp. 7-9). The last two propositions are the most relevant to this research.

Differential Racialization

Delgado & Stefancic (2001) define differential racialization as the "process by which racial and ethnic groups are viewed and treated differently by mainstream society" (p. 145). They

explain how, historically, whites have adjusted their attitudes towards minorities, often in response to the changing needs of the labour market. Thus, at one time, blacks, Asians or Latinos may have been viewed as unsuitable candidates for certain occupations, and at another time, they would be hired in those same occupations as a result of labour shortages. Ferrara (2018) reveals that higher casualty rates among white workers after WWII led to labour shortages in the US, consequently resulting in many blacks being hired in industries from which they were previously prohibited (p. 2). This was despite the fact that segregation did not officially end until several years after the war, when milestone decisions like *Brown v. Board of Education* and the Civil Rights Act were passed. Essentially, the US prioritized the needs of the labour market before equity for blacks.

Similar instances of differential racialization also played out in the Canadian labour market in the late 1800s. For example, during the construction of the Canadian Pacific Railway in British Columbia between 1881 and 1885, a labour shortage resulted in thousands of Chinese workers being hired to work on the railway. This decision was met with resistance from white residents of the province, but Andrew Onderdonk, the contractor responsible for the railway's construction, explained that he had only hired the Chinese out of necessity, and that he in fact preferred white workers. Because Chinese workers worked for lower wages, and remained longer on the job compared to their white counterparts, they were accused of taking jobs away from the latter (Johnson, 1936, pp. 132-137). In 1883, the government of BC called upon the federal government to introduce legislation to curb Chinese immigration due to the increase of Chinese immigrants in the province. However, it was not until the railway was completed in 1885 and Chinese labour was no longer needed that the federal government took action (Li, 2008, p. 128).

The federal government passed the Chinese Immigration Act in 1885, a law which levied a $50 head tax on almost all Chinese people entering Canada (James, 2004, p. 889). This law was intended to discourage Chinese immigrants from coming into the country. However, with the law having minimal effects on Chinese immigration, the federal government intensified its efforts by increasing the tax to $100 in 1900, and subsequently to $500 in 1903. Similar policies which resulted in the disfranchisement of Chinese were passed in the years following the Chinese Immigration Act (pp. 889-890). Based on the differential racialization proposition,

Chinese were tolerated in Canada as long as they offered specific economic benefits, and when these benefits expired, their time in the country also expired. In their 1943 pamphlet on Canada's anti-Asian policies, MacInnis & MacInnis sum up this last point succinctly:

> The root cause of anti-Oriental feeling has always been economic. Back in 1858, when a gold strike in the Fraser River brought the first Chinese miners to British Columbia, they were welcomed. When the boom collapsed a few years later and they went into road-building…prejudice mounted against them…Always the story has been the same. In good times the anti-Oriental feeling abates; in depressions it becomes acute. Its curve has very little to do with the color of the skin or the slant of the eyes; it is mainly economic (pp. 7-8).

As discussed in the next section, differential racialization in the workplace can sometimes occur when minorities are consulted on certain strategies or projects, but excluded from others, even though they deal with marginalization in both instances.

Intersectionality

The term "intersectionality" was first used in 1989 by Kimberlé Crenshaw, one of CRT's founding figures to describe how race intersects with gender to shape black women's experiences in the workplace (Crenshaw, 1989; Crenshaw, 1991, p. 1244). More broadly, intersectionality is based on the notion that all individuals have multiple and overlapping identities which shape their experiences in different settings (Delgado & Stefancic, 2001, pp. 9, 51). These identities must be viewed collectively and not separately to fully grasp the depth of these experiences. Thus, no two individuals may encounter oppression in the same way. This phenomenon holds true, even among individuals who share similar disadvantaging characteristics. As Delgado and Stefancic point out, "even within groups that are seemingly homogeneous, one finds attitudinal differences" (2001, p. 55) For instance, while two women in a workplace may encounter discrimination on the basis of sex, this discrimination could be more severe for the one who is Latina, for instance. On the other hand, suppose a Latino man is discriminated against on the basis of race. Though he shares a similar disadvantaging characteristic with the Latina woman, still, his experience as a man would be different from hers. A further addition of other identities such as ability, socioeconomic status, social location, etc., could either worsen or alleviate this oppression for both of these individuals. Hence, the greater the number of disadvantaged categories one falls into, the greater their experience with oppression and vice versa. As Delgado and Stefancic argue, the complexity of intersectionality

can sometimes make it difficult for certain groups to prove discrimination in the workplace (2001, p. 53).

Criticisms of CRT

CRT has mostly been criticized by conservative scholars and supporters of the Republican party ideology. Following the killing of George Floyd and the ensuing racial tensions, CRT has regained prominence, especially in the US (Fortin, 2021). In particular, some scholars have questioned its relevance and effectiveness in academia. As Sawchuk (2021) notes, these critics argue that "efforts to change grading practices or make the curriculum less Eurocentric will ultimately harm Black students, or hold them to a less high standard." Dan Subotnik, who has long been a vocal critic of CRT and diversity initiatives (Subotnik, 1998, 2005, 2008, 2016, etc.), echoes similar sentiments. In his lengthy critical essay, Subotnik raises many issues with CRT's propositions, as well as with diversity efforts like affirmative action (1998, p. 717). This section aims to test the soundness of two of Subotnik's many criticisms.

Criticism 1: CRT scholars seek to monopolize racial discourse and marginalize white voices

Here, Subotnik attacks CRT's subjective use of Storytelling, one of the movement's propositions. The author argues that proponents of CRT are not open to "compromise and collaboration" and therefore, their views on race and racism are one-sided (p. 685). For this reason, argues Subotnik, whites have been victimized, excluded from race conversations, and thus prevented from defending or redeeming themselves against black storytelling narratives. Subotnik further argues that CRT scholars have deliberately adopted methods like storytelling, as a way of marginalizing white voices and shielding the movement from potential critics (pp. 686-687). Subotnik's argument here is worthy of close examination because it has become a recurrent criticism in race discourse. Indeed, Delgado and Stefancic (2001) also draw attention to this criticism and respond to it. The authors note that CRT recognizes that both whites and minorities may often hold conflicting views on race and racism for two main reasons: differences in experiences with racism, and a lack of empathy for minorities (p. 41). Thus, according to the authors, what CRT seeks to do is not an erasure of white voices, but a reconceptualization of the perspectives from which dominant narratives have stemmed, historically. In essence, CRT seeks to "challenge, displace, or mock these pernicious narratives and beliefs" through storytelling and counter-storytelling (Delgado & Stefancic 2001, p. 43).

While CRT scholars do argue that there are certain issues about which minorities can provide better insights given their personal experiences with racism—a point which CRT critics also debate—they nevertheless believe that "…white scholars should not be excluded from writing about such subjects…" (Delgado & Stefancic, 2001, p. 92). Moreover, as previously mentioned, the CRT movement does not claim to be homogenous. Therefore, although a number of scholars of the movement may share similar goals, they could well adopt divergent strategies in achieving those goals. Simply put, individual CRT scholars may choose to approach racial dialogues in different ways, some less liberal than others. However, this is not enough reason to disparage the work of the entire movement. In addition, Subotnik himself, in his critique, fails to seize the opportunity to present an alternative perspective on the race discourse; that is, how conversations centred on race and racism can become more inclusive. He simply poses a series of hypothetical scenarios which, while they may be true, lack substantial evidence.

Criticism 2: CRT's criticism of America's mainstream culture is unjustified

Subotnik attempts to refute CRT's argument that people of colour continue to be judged by the majority's standards in education, immigration, etc., which contributes to their cultural erasure (pp. 707, 713). He argues instead that universal standards, for example, mastery of the English language, are necessary for determining social standing, particularly in complex societies like the US (709). Subotnik then goes on to imply that people of colour have achieved seeming economic progress as a result of their conformity to these mainstream standards, which would prove that conformity is not necessarily a bad thing. Thus, for Subotnik, it is the end which justifies the means. For instance, citing Hochschild (1996), Subotnik writes that "20 percent of employed blacks worked as managers in 1990, up from 5 percent in 1950…This extraordinary transformation cannot have taken place without some assimilation" (p. 715). Subotnik also argues that these statistics are similar for blacks working in other occupations as well. However, there are two main issues worth pointing out in Subotnik's argument.

The first issue with Subotnik's thesis is his quantification of progress; a 15% increase in black employment rate over a 40-year period can hardly be termed an "extraordinary transformation." Given that black college enrollment rapidly increased after the 1960s (Ferrara, 2018, p. 7), one would expect that overall black employment rate would have been higher during this period, but this is not the case. This disparity therefore implies that despite increased

educational attainment, blacks still faced barriers to employment, especially in skilled occupations. Subotnik agrees with this last point when he concedes that blacks would have recorded far higher employment rates in the absence of racism (p. 715). However, he seems to disagree that the solution lies with minorities withdrawing from mass culture, therefore indirectly, reiterating his position on assimilation.

Secondly, Subotnik fails to explain who defines mainstream standards, what this assimilation involves, and why it is blacks or minorities in general who have to assimilate to advance economically. Absent these answers, CRT's argument that assimilationist practices can be equated to self-erasure seems logical. For instance, in more recent times, assimilation by racial minorities can occur in the form of "code-switching", which involves, but is not limited to: "adjusting one's style of speech, appearance, behavior, and expression in ways that will optimize the comfort of others in exchange for fair treatment, quality service, and employment opportunities" (McCluney et al., 2019). Code-switching and other similar forms of assimilation are complex phenomena because even though the code-switcher does so voluntarily, they risk losing out on the above benefits if they fail to do so. This poses a dilemma for the individual. In fact, McCluney et al., (2019) argue that "code-switching is one of the key dilemmas that black employees face around race at work."

A common example of code-switching is when job applicants with "ethnic-sounding" names use their English names on job applications, in order to increase their chances of being invited for interviews (Asare, 2020). While code-switching may indeed result in socioeconomic or professional advancement for minorities as Subotnik suggests above, McCluney et al. (2019) nonetheless argue that it often results in psychological effects for the code-switcher. In summary, workplace policies or other unspoken rules that prevent minorities from being their authentic selves, out of fear of losing out on economic or other career opportunities, is a reflection of broader issues that must not be overlooked.

Following the wave of social activism post-Floyd, many organizations have either committed to, or reaffirmed their commitment to addressing social injustice by adopting various EDI strategies. The following section explores how these well-intentioned EDI strategies in the workplace may spark an increase in invisible work and further result in a concept known as "Cultural Taxation," further amplifying inequities for employees of colour.

Cultural Taxation — How EDI strategies in the Workplace may Remarginalize Employees of Colour:

In this section, the history of Cultural Taxation is first traced to academia. Next, the concept is contextualized based on the focus of the research. Subsequently, three ways in which employees of colour have experienced the effects of cultural taxation in the post-Floyd era are discussed. From this discussion, the relevance of two propositions of CRT discussed in the previous section—differential racialization and intersectionality—will become apparent.

Origins of Cultural Taxation

The term "Cultural Taxation" was coined by Amado Padilla in 1994 to describe the increased burden on ethnic minority faculty members to address race-related issues at their universities, often without recognition, based on the assumption that they are experts on such issues. Since then, other scholars have expanded the term to include other identities like gender, renaming it broadly as "Identity Taxation" (Hirshfield & Joseph, 2012; Rideau, 2021). To quote Padilla directly, cultural taxation is:

> …the obligation to show good citizenship toward the institution by serving its needs for ethnic representation on committees, or to demonstrate knowledge and commitment to a cultural group, which may even bring accolades to the institution but which is not usually rewarded by the institution on whose behalf the service was performed (1994, p. 26).

Cultural taxation usually occurs in institutions or organizations that hire minority employees, who are often underrepresented in these institutions. As Padilla further explains, cultural taxation is so called because the individual is relied upon for no other reason than their membership in a cultural group. They are hardly invited to contribute to initiatives on other topics. Thus, the individual pays a cultural tax by being involved in these race-related and diversity initiatives (1994, p. 26). Cultural taxation consequently imposes a dilemma on the faculty member whose input is sought. For one, these race-related issues stem from the administration itself; yet, faculty of colour are the ones called upon to propose solutions, often without the input of white faculty members (Padilla, 1994, p. 26). Therefore, the minority individual occupies a dual role, first as problem-bearer, then as problem-solver. As Padilla (1994) notes, these race-related obligations, rather than increase opportunities for faculty of colour, further marginalizes them because "service on behalf of cultural diversity is not usually in the

equation for promotion within academia" (p. 26). Even for white faculty who participate in diversity-related initiatives, and who also report feeling overburdened due to this type of work, Joseph and Hirshfield (2011) argue that they experience these feelings to a lesser extent than faculty of colour (p. 128). For instance, the Social Sciences Feminist Network Research Interest Group notes that in addition to these diversity-related obligations, faculty of colour are "expected to teach the same course load and have the same research obligations as their white peers" (2017, p. 232).

Hence, a key element of Padilla's concept of cultural taxation is the invisible work undertaken by ethnic minority faculty members. In their research on time use across five departments at the University of Oregon, the Social Sciences Feminist Network Research Interest Group also draws attention to this idea of invisible work. Their analysis showed that non-marginalized faculty spent a substantial amount of their "awake time on activities that count toward tenure and promotion" (visible work), compared to marginalized faculty who spent most of this time on invisible work (2017, p. 240). However, it is important to highlight that the study was based on a small sample size. For clarity, the authors operationalize invisible work in terms of: teaching, some types of service work like sitting on review committees, and advising graduate and undergraduate students on their theses. On the other hand, visible work is characterized as research, including all research-related tasks (pp. 236-239). Although the literature on tenure eligibility officially lists research, teaching, and service work as the criteria for evaluating tenure, it also reveals that research carries the most weight, with service work being the least valued (Harley et al., 2010, p. 7; Schimanski & Alperin, 2018, p. 3). For that reason, Joseph and Hirshfield (2011) argue that the more time faculty of colour spend on diversity-related tasks, the less time they have for research, ultimately affecting their eligibility for tenure (p. 127). Padilla (1994) adds that this participation in invisible work produces "the feeling of being used by the system" (p. 26) because this work goes unrewarded and unrecognized.

While universities and other educational institutions tend to have documented processes and criteria regarding promotion and tenure, thus giving faculty some freedom regarding taking on this invisible work, the literature on EDI in the post-Floyd climate suggests that this may not be the case for all workplaces. Hence, in the following section, I expand on Padilla's initial focus

to include workplaces other than universities. However, the research ultimately relies on the work of Padilla and other scholars who have done similar work on cultural taxation to fill any gaps encountered. In addition, I broaden Padilla's definition above to include a time factor. By this, I mean that the cultural taxation which has taken place post-Floyd, and which is the focus of this paper, is one that has occurred suddenly. This type of cultural taxation stems from an increased demand for action that addresses an injustice or wrong against a marginalized group who, up until that point, may have scarcely been engaged with on such initiatives. In other words, the occurrence of an injustice (Floyd's murder) suddenly sparks a demand for immediate action (EDI initiatives) which could result in cultural taxation and lead to other negative, often unintended consequences. This inclusion of a time factor helps to further narrow down the context of the research by considering the potential for the negative aspects of EDI initiatives to be magnified when they are spurred by sudden and shocking events, which can lead to pressure to act quickly. Like Padilla, and primarily because Floyd is the starting point for this research, this section focuses on how demand for EDI initiatives post-Floyd has contributed to the cultural taxation of employees of colour specifically, in many cases resulting in their remarginalization due to the increase in invisible work in the workplace. Padilla (1994) lists six "identifiable" and interrelated forms of cultural taxation faced by ethnic scholars (p. 26). Some of these forms of cultural taxation in relation to post-Floyd EDI initiatives are described below.

Cultural Taxation Post-Floyd and Other Unintended Consequences:

Though the recent increase in EDI initiatives is a welcome development, the responsibility of implementing them is "unduly falling on employees of colour" (Nance-Nash (2020). Consequently, many employees of colour have been inundated with requests from their employers regarding contributing to EDI-related efforts. This has resulted in these employees suddenly being thrust into the spotlight, in certain cases, unprepared. While there are organizations who have made participation in such initiatives voluntary, Nance-Nash (2020) writes that some employees of colour have been volunteered "without their consent." Some of the obligations which employees of colour have been required to fulfil include: writing anti-racism statements, reviewing and approving EDI strategies, being the 'expert' on any EDI-related questions and educating white colleagues about racism (Nance-Nash, 2020). Performing these tasks is akin to performing the service tasks described previously, since they may not necessarily be part of the employee's job description. In addition, some employees of colour are

asked to perform these duties even though they may not be knowledgeable about, or comfortable speaking on, these issues (Padilla, 1994, p. 26). Moreover, employees of colour are often required to juggle these new tasks with their regular duties (Nance-Nash, 2020).

While these companies are aware that they can contract EDI experts to carry out these tasks, Nance-Nash (2020) notes that they prefer to go with the less expensive and convenient option by relying internally on employees of colour. The reliance on these employees to lead EDI initiatives incorrectly equates lived experience with being an expert. Joseph and Hirshfield (2011) refer to this assumption as the "voice of diversity" stereotype (p. 126). This stereotype falsely assumes that all people of colour are best positioned to address racial issues, specifically because "they 'live' race on a daily basis" (p. 126). To clarify this last point, especially because a similar issue is alluded to in the criticisms of CRT, lived experience does matter, but does not necessarily make one an expert on EDI initiatives. One's lived experience can, however, point an expert—one with EDI training who is well equipped to shoulder the emotional weight of the work—toward those areas where the problem lies (Miller, 2020). This expert may not always be a person of colour. The voice of diversity stereotype, while seeking the employee's views on EDI-related matters, inadvertently marginalizes them in other unrelated but equally important areas because the employee is not consulted beyond these topics. As Joseph and Hirshfield (2011) write, the voice of diversity stereotype "belittles" the employee's other contributions "since often, if they say something unrelated to race, it is given little consideration" (p. 126).

This recent spotlight on employees of colour also demonstrates CRT's proposition of differential racialization proposition described earlier. While the concerns of many employees of colour had been ignored in the past, in the wake of Floyd's murder, these employees are suddenly being pressured to make EDI-related contributions (Daniels, 2020, as cited in Nance-Nash, 2020). Padilla (1994) also writes that many of these supposedly "new" initiatives only result in the "rehashing of many of the same recommendations that we have seen in the past with little real structural change ever taking place" (p. 26). This raises concerns about the longevity and potential success of such EDI programs. As shown by the differential racialization proposition, these time-bound initiatives often result in temporary progress. In addition, the differential racialization of black and Chinese workers discussed previously demonstrates that racialized groups can experience seeming progress while simultaneously being disadvantaged.

Heilig et al. (2019) refer to this phenomenon as "the illusion of inclusion" (2012, p. 403). Further, when EDI is approached in a way that culturally taxes employees of colour, it could negatively impact their mental health and performance. Chow (2020) draws attention to the fact that doing EDI work can be emotionally demanding for employees of colour: "It amounts to asking a person to relive his or her trauma, time and time again," and without "ensuring the continued psychological safety of the employees…" (as cited in Nance-Nash, 2020). Ultimately, employees of colour who are constantly asked to lead EDI initiatives may experience burnout which can result in increased stress and poor performance, especially in organizations with only one employee of colour. This is in addition to the increased stress brought on by the pandemic and BLM protests in the US. According to the US census bureau, in the week following the video broadcast of Floyd's death, anxiety and depression rates for black and Asian Americans spiked by 4% and 6% respectively, while it "remained relatively flat among white Americans and decreased among Latin Americans" (Fowers & Wan, 2020). While the perspectives of employees of colour and other marginalized groups are indeed imperative for implementing EDI initiatives in the workplace, employers must also consider the mental stress involved in doing this kind of work and have counselling and other mental supports in place to alleviate this burden.

Cultural taxation ignores the differences that exist among employees of colour, relying instead on one individual to be the unofficial spokesperson for all minorities in the workplace (Pratt, 2020). This point also reveals another problem with asking employees of colour to fill this role without training—the lack of attention to intersectionality. Recall CRT's contention in the previous section that even individuals who share similar identities or characteristics may experience oppression differently. It could be difficult, therefore, for an employee with no training on the role of intersectionality to represent the interests of their colleagues equally. Thus, it must also be understood that not every employee of colour may experience cultural taxation in the same way. For instance, in the study conducted by the Social Sciences Feminist Network Research Interest Group mentioned above, it was observed that even though some men did engage in more invisible work compared to women, women were still far less likely to achieve tenure. The researchers thus note that in addressing invisible work, "it is also necessary to ask which men and which women are burdened…" (2017, p. 242). In certain situations, then, cultural taxation is a complex experience requiring holistic solutions, which an untrained employee may be unable to provide.

Another issue that arises from calling on unprepared employees of colour to serve the racial needs of the workplace is that they may be blamed by colleagues if these initiatives prove unsuccessful. Nance-Nash (2020) notes that employees of colour may wonder if their colleagues will "blame them if leadership doesn't follow through." It is important to highlight here that the employee can decline to take on these roles; however, from the literature on cultural taxation, it is clear that there is an unspoken pressure on the employee of colour to do otherwise. Some of these employees may feel that if they fail to take on this work, nobody else will do so (Tiku, 2020). Indeed, Padilla (1994) points out that employees of colour often experience a "deep sense of "cultural obligation"" (p. 26). Joseph and Hirshfield (2011) make a similar point, arguing that "because issues of racism and diversity affect faculty of colour more…addressing such issues with colleagues is a burden that many respondents of colour feel they must bear" (p. 129). In addition to feeling culturally obligated, some employees of colour fear facing reprisals from "declining requests for service work" (Social Sciences Feminist Network Research Interest Group, 2017, p. 232). Notwithstanding these dilemmas, some employees of colour can and do find this work rewarding. The key point here is that these employees understand, and are prepared for any conflicts or disadvantages that may arise within the role. This means that expectations must be clearly stated and understood before taking on the role (Miller, 2020).

Perhaps the most glaring example of cultural taxation is that many employees of colour are performing these additional tasks free of charge (Pratt, 2020). However, this form of cultural taxation is not defined strictly from a monetary perspective. Some employees of colour are serving in unofficial capacities, that is, without any authority accompanying these increased obligations. Padilla (1994) also raises a similar concern when she points out that ethnic scholars are frequently asked to do diversity work "even though…we are not given any authority or recognition to go along with the responsibility" (p. 26). Duretti Hirpa, an engineer who co-started and ran Earth Tones, "Slack's employee group for people of color," resigned from the role after being told by her manager that this was considered "extracurricular" work (as cited in Tiku, 2020). The reason why the EDI efforts of some employees of colour have gone unrecognized or unrewarded may be due to how work has been traditionally defined. This last point relates to the distinction between visible and invisible work described previously. Nevertheless, this distinction is not always simple. For instance, according to Crain et al. (2016), the following are characteristics of visible labour:

> work that is readily identifiable and overt…located in a physical "workplace" and is self-recognized as work by management, employees, and consumers. It is typically paid, occurs in the public sphere, is directly profit generating, and has historically been full-time, long-term, and state regulated (p. 3).

However, from the above definition, invisible work is not the exact opposite of visible work. Indeed, comparing EDI work against the above characteristics reveals that this type of work does not clearly fall into either visible or invisible work. First, all aspects of EDI work may not be identifiable or obvious. For instance, one may walk into an organization and immediately notice the multiracial backgrounds of the staff, but this only represents diversity, not equity and inclusion. Secondly, though employees of colour may perform their regular duties (work that is actually part of their job description) in a physical workplace, EDI demands doing background work, for instance research, which may not always be completed in the workplace. Thus, because this groundwork is unseen, EDI is often not taken seriously and therefore goes uncompensated in these situations. Miller (2020) points out that "for years, diversity, equity and inclusion issues have often been treated as a side-line or add-on in corporate America."

Further, the point about visible work being directly profit generating adds another layer to the already complex relationship between visible and invisible work. While some aspects of EDI work may be invisible, the outcomes of such work, like profit increase, can be visible. For instance, if employees take on EDI tasks that eventually lead to enhanced performance and lower attrition rates for employees of colour, this could generate profit for the organization. In Padilla's definition of cultural taxation above, he draws attention to the fact that race-related tasks can produce benefits for the institution, but the ethnic scholars who perform these tasks do not share in these benefits (p. 26). The Social Sciences Feminist Network Research Interest Group also makes a similar point, noting that teaching and advising, which is part of invisible work in a university, "are central to student recruitment and retention" thus making these tasks "monetarily valuable" (2017, p. 241). Lastly, EDI-related tasks may not satisfy the time commitment requirement stated in the definition of visible labour. Since the post-Floyd cultural taxation has been sudden, requiring immediate solutions, many of the EDI programs may not be full-time or long-term. Employers may therefore not view this as work that needs to be paid or compensated

in some other way. Not only does this demotivate employees of colour who take on this work, but it sustains pay inequities which further marginalizes these employees.

The unintentional consequences of EDI discussed in this section demonstrate the need for rigorous planning of EDI initiatives, which could pose challenges for businesses seeking to incorporate these initiatives in their workplaces.

Challenges to Incorporating EDI Strategies in the Workplace

At this point, it should be clear that EDI work is a double-edged sword; if done right, it can be rewarding, but if approached in the wrong way, it can remarginalize the very voices it seeks to amplify. However, realistically speaking, doing this work in a good way comes with a price tag. To put it simply, implementing EDI initiatives in the workplace can be very expensive for businesses, especially during a time when many businesses continue to grapple with the devastating effects of the pandemic. This work requires, time, effort, brainstorming, as well as other resources to guarantee its success. For instance, some organizations may need to start rethinking how work is defined and compensated. Others may need to look into anti-racism training, hiring external EDI experts or opening up roles for employees of colour and other employees who are interested in taking on EDI-related tasks, etc.

All of these shifts will likely require financial commitments from businesses that intend to do this work. This financial commitment may be the reason why many businesses fail to prioritize EDI issues until they have grown to a certain size; however, "by that point, racism and discrimination can already be baked in" Miller (2020). Ultimately, then, businesses will have to decide whether they adopt the business or moral case for EDI. The business case for EDI approaches EDI in a way that generates profit. That is, this strategy is primarily profit-driven. For example, a company may set out to hire diverse staff to expand their consumer population and thus increase their profit, not necessarily because they believe hiring diverse staff is the right thing to do. On the other hand, the moral case for EDI focuses on "promoting real conversations about race, revamping diversity and inclusion programs, and better managing career development at every stage" (Roberts & Mayo, 2019). In essence, the moral case approaches EDI in an ethical way. When compared to the moral case, the business case for EDI falls short in some important ways. For one, it could "legitimate exploitative actions," for instance, how slavery of black people was justified because of the economic benefits it produced (Roberts &

Mayo, 2019). Regardless, Roberts and Mayo argue that combining both the business and moral case for EDI can lead to even more positive benefits. Research is needed on how leaders can best carry out this blended approach to EDI.

Limitations of the Research:

Most of the data used to support the research are based on US literature. Though George Floyd's killing ignited both national and international outrage, it was hypothesized that the resulting cultural taxation will be greatest locally. Nevertheless, the points raised can serve as a springboard for discussion on how cultural taxation affects employees of colour and other minorities in other multicultural societies, Canada for instance.

Executing EDI Initiatives—Policy Implications & Suggestions for Future Research

The following are some recommendations that may be helpful for businesses and other organizations seeking to incorporate EDI strategies in their workplaces. These recommendations are broken down into two parts, for organizations and employees.

Organizations:

- Ensure that employees have a choice regarding whether or not to participate in EDI-related work. Do not volunteer employees without their consent.
- Inform employees that they can comfortably decline to take on these EDI tasks without facing reprisal.
- Hire an EDI expert or train in-house to enable employees to gain this expertise and support the organization.
- For those who agree to take on these additional tasks, specifics regarding workload, compensation, mental health, and other supports and rewards must be discussed at the outset. Treat this step like the process of obtaining "informed consent" from research participants (Klykken, 2021, p. 1). Understand that the purpose of EDI work is defeated if the target group is remarginalized in the process.
- Do not only consult employees of colour or other racialized employees when the subject is race. Invite them to contribute to other topics such as, "business, higher education, politics–anything that doesn't have to do with diversity and inclusion" (Pratt, 2020).
- Understand that the conversation on how to make the workplace equitable, diverse, and inclusive must not be left to racialized employees alone, but must include employees from all racial backgrounds. This approach ensures that minorities are not being disproportionately overburdened by this work.
- Adopt an intersectional approach to EDI. This approach takes into account the overlapping oppression racial minorities experience in their everyday lives.
- Avoid having only one person speak for everyone. Spread out the work (Pratt, 2020).

Employees:

- Only agree to take on EDI-related responsibilities if you are comfortable doing so.
- If you agree to take on these responsibilities, clarify how much time you are required to commit, what benefits or rewards you will receive, and how other colleagues will benefit from your participation (Miller, 2020)**.** In addition, clarify whether this work will be considered during performance reviews, promotions, etc.
- Take time to understand the tasks involved and determine whether you possess the strength to carry on with them.

Suggestions for Future Research

Future research could explore how cultural taxation affects Indigenous employees in the workplace and beyond. It was also noted in the research that cultural and identity taxation may affect individuals in multiple, overlapping ways, pointing to the need to examine the relationship between intersectionality and cultural or identity taxation. Finally, research is needed to determine how businesses can incorporate the blended (business case and moral case) approach to EDI.

Conclusion

This paper explored the relationship between EDI, cultural taxation and invisible labour in the post-Floyd era, from a critical race theory viewpoint. While the murder of George Floyd resulted in an increased demand for EDI initiatives in the workplace, the research showed that some organizations may be approaching EDI in a way that taxes employees of colour, further marginalizing them in the workplace. In certain instances, organizations are relying heavily on employees of colour to lead EDI initiatives, draft anti-racist statements, and perform other race-related tasks. These workers are assigned these tasks based on the assumption that lived experience makes people of colour experts on race as it relates to EDI initiatives. While these initiatives may bring benefits to the organization, the employees of colour who perform them are hardly compensated. It was suggested that this lack of compensation for race-related work in the workplace might stem from the way in which visible work has been traditionally understood. Though EDI tasks do not satisfy all the characteristics of visible labour, they nevertheless can generate profit for the organization by enhancing performance, reducing attrition and increasing retention among workers of colour. Thus, because these employees are not rewarded, EDI efforts may eventually be counter-effective. Moreover, it was argued that overburdening these workers without proper psychological supports in place could result in increased mental and emotional stress. To address these issues, several recommendations were provided for both organizations and employees of colour seeking to take on EDI work. For instance, it was recommended that EDI work be made visible and adequately compensated. Two ways in which organizations could incorporate EDI initiatives, the business case and the moral case, were also discussed. However, the cost implication of taking such steps was also recognized as a potential barrier to incorporating these initiatives. Nevertheless, since EDI is a strategy geared toward the recognition and protection of human rights, organizations must be held to a higher standard in their EDI efforts.

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