

## Workplace Safety Review – Episode 11 – Fran Diehl

Mike Taylor:

Hello everyone, and welcome to the next episode of the workplace safety review podcast. I'm your host, Mike Taylor chair of the OSHA practice group at Greenberg Traurig based out of our Washington DC and Northern Virginia offices. I've been practicing OSHA law for roughly about 20 years now. If you want to find out more about me or our OSHA practice group, you can go to [www.gtlaw.com](http://www.gtlaw.com). Today I have the privilege of having Fran Diehl on our show. Fran, welcome.

Fran Diehl:

Thank you, Mike.

Mike Taylor:

I got to know you, Fran, several years ago on a case that you and I worked together, I believe it was in Florida, and I've invited you to be on our podcast today to talk about a very, very important topic in my mind, diversity in the environmental health and safety community, what needs to be done.

Mike Taylor:

I've been practicing OSHA law for almost 20 years now. Fran, you and I talked beforehand, during my private practice tenure, I've only come across maybe a handful of females that were HSE managers or directors of corporations. And very few of those people were people of color. In fact, you were the first African-American that I've worked with in the EHS level, in my 20 years of practice. How did we get here and what needs to be done about this disparity in corporate America for EHS professionals?

Fran Diehl:

Well, I've thought about this question a lot when we started to talk about just how we got here and things that we could do differently. First, I think we have to acknowledge history and we have to acknowledge some widely held perceptions as they pertain to who works where. So the history of our country is such that up until the mid 1800s, everybody knows this, I'm not going to give a full history lesson, but we depended solely on slave labor. And then we progressed to child labor that we don't talk about as much. Then there was a period between 1920 and 1950, where women entered the workplace because of the war. But prior to that, the workplace pretty much was male orientated and if we look over the past few centuries in some sectors, not much has changed.

Fran Diehl:

Although women make up 47% of the population and they participate in about 60% of the women participate in some form in the workforce. There are still some sectors within our country that women just are not prevalent in. Now we could say that some of these jobs are highly hazardous and it's by design. But I do believe that we still are at a period in our country where we believe that men should hold certain jobs and women should hold certain jobs. That really is no different with people of color as well. You could just look at some of the corporate structures and you'll be able to see that we haven't made much progress in some industries.

Fran Diehl:

I think when you look at both and you look at industries such as teaching and nursing, homemakers and caregivers, those are predominantly women roles. Anything that typically is in the front office, you generally see a woman, but when you start talking about things like manufacturing and construction and

the military, even my husband's profession, fire, you really don't... Or in police. You really don't see an over abundance of women across the board, despite the fact that some women have broken barriers [inaudible 00:04:26].

Mike Taylor:

So what can we do to get more Fran Diehls in the world? I know that you currently serve as the director of safety and compliance for Chesapeake Utilities Corporation. You've got a PhD from the University of Indiana of Pennsylvania and safety sciences. You got a masters of public health degree from the University of South Florida. You got a bachelor degree of engineering and technology from Murray State University. And you've got over 25 years of professional safety experience on a national level. What can companies or trade associations or entities like ASSP, do to get people of color and females in the EHS world?

Fran Diehl:

It's a good question. And I think everybody has a role to play. But I'll talk specifically first about our association. This year, I started applying for board positions with some of the industry groups, just because I noticed that there was not a lot of women nor were there people of color at the table. And in asking the boards... Because I believe that before you serve on a board or before serve in any capacity, just like they're interviewing you, you want to interview them. And asking the boards about their memberships and them really aggregating the data to say, "You know what? We have this number of members between these ages and this number of members who self identify." Not a lot of them keep very detailed stats that they're willing to share about their associations, who includes some of their working groups.

Fran Diehl:

And just like you see in corporate America, when you click on these pages, any company you're interested in working for, you want to know something about, their boards are really male and pale. I read an article in BLS and one of the contributors said that the safety profession was no different, it's male and pale. And so I think we have a role to play, professionals such as myself, because I was giving a talk at a high school and I recognized that not a lot of children, high school students even, have ever even heard of safety. So we do have our role and especially in our communities and our environment. But I also think companies play a pivotal role because when they are looking for promotability, when they're looking to mentor and to sponsor and speak for people in these rooms, sometimes people of color are not getting those same opportunities.

Fran Diehl:

So I'm going to challenge the corporate world to look at it as a value added. Why is it a value added? Because when you look at the data, not just looking at the fatality data, women make up less than 10% of all the fatalities that occur in this country. But when you look at the loss time data, women are not being injured. Women are being injured only a third of the time. When you compare over 2 million people who experienced lost time and disabling injuries, women make up a third of that. So in some of my research, to me, that's a bonus because what we're recognizing is one, that women tend to see and assess risk differently. When I was doing my dissertation, this came up as a common theme, but I'll preface it by saying that I was only looking at driving among teens and what some of the researchers were pointing to is that we really should develop separate ways of training male and female teens as it pertains to risk adversity.

Fran Diehl:

So we do recognize in the body of safety literature that women and men see risk differently, and it appears to work for us from a loss time standpoint. So you may want to invite a woman to the table to say, "How are you guys not killing yourselves and being injured even when you are reflected in some of these high hazardous areas." So I think the associations need to get honest. They need to start having hard conversations, looking at themselves from the inside out. But I think companies need to do that too. And I think companies need to bet on women and take chances on women of color. And then for those of us who are in this, we need to advocate and introduce our professions to a broader range of people.

Mike Taylor:

I fully agree. I thought about this the other day, would one of those ways be, maybe I'm bringing high school students on board for a large, let's say an oil company, for a week to learn what goes on in the EHS world. And rather than pay them, maybe offer them a scholarship for a public health degree or an engineering degree or a chemical engineering degree, to get them involved while they're young. What do you think about that?

Fran Diehl:

I do. I'm working on something similar to that. One of my passion projects, because I believe that there are times in our life that we can just throw a dollar at something. And then there are times we have to get our hands dirty. And there has been a big push for stand to get women and women of color especially, in some of these professions. But I think that we're going to have to hit it at a lot of different angles. And one of those angles is messaging because the way we message to girls about their capabilities is starkly different sometimes than the way we message to boys. And so having them come and be introduced to some of these highly hazardous industries is definitely a plus. And I think it can go the distance for them to have people that they can relate to.

Fran Diehl:

So if I'm coming in to see something and I'm a teenager, I tell a funny story of how I traveled around Europe in '19 before the pandemic. And I traveled with two coworkers. One was a white woman and one was a Latino woman, and then it was myself. So we would go into the different countries. And as soon as we got off the trains or whatever, we would all be lost. And then I would look for the one or two black people and just run up to them. And so they're like, "Oh my God, you're doing this in every country. Why do you do that?" They're like, "Do all black people just do that." I was like, "No, I know they're going to help me because they see that I'm a tourist." Because it doesn't matter where you travel, people know that you're a tourist. And she's just like, "Not one of them have ever turned you down."

Fran Diehl:

And so I said all that to say, where presentation does matter. It makes people feel comfortable to say, "You know what? This company is investing in all kinds of people. And so I could fit here." So I think it is messaging, but I also think it's for presentation, too.

Mike Taylor:

I totally agree. One of the other questions I was thinking about earlier today is, what have been some of the obstacles that you've had to overcome to get where you are today as the director of safety and

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compliance for a large utility corporation. And what kind of advice would you give to young women, particularly of color, on how to deal with those situations?

Fran Diehl:

Well, first I had to talk about the fact that where presentation matters, but you're going to have to... Whatever you're walking into, you're going to have to prepare yourself. I often talk about meritocracy a lot, because for African-Americans a lot of us, even though I'm not a monolith, but just my little circle group, so I preface with that. We talk a lot about meritocracy and how we view everything through merit. It makes sense that the NFL African-Americans love sports because it is a pure meritocracy. As much as corporate America looks at sports and they could see the value of meritocracy, when we go into these spaces sometimes, we are not given the same opportunities despite us thinking everything is based on merit.

Fran Diehl:

So some of the advice I would give is when you walk into your environment, you are the change. And sometimes we are the first and the only. And you have to right-size your expectations. I'm almost 50 now. So I don't expect corporate America to make an abrupt change. It doesn't matter that George Floyd happened, companies have been making these statements throughout my 25 years in their career. But I think what we have to tell young women and especially women of color is, you're going to have to focus on why you got into safety in the first place and what are you here to achieve? And for me, that was easy because I love safety because I grew up around frontline workers. And so my contribution is always going to be to the worker. And that is really how I measure my success in my role. Did I teach someone something today? Did someone have a light bulb moment today? Am I affecting change at the levels that are mine?

Fran Diehl:

And so it can be discouraging because we're all trying to look for our ladder. We're all trying to find a way to climb. But I always say, "Know why you got into safety in the first place. Be good about the things that you do every day, the tangibles. And if promotion comes, great. You may have to move around if that is your deal, because you're only going to get three things out of a job anyway. Pay, location, and job satisfaction. Advocate for yourself to get your pay, knowing that you're going to get two of the three. And then, right-size your expectations about what you're looking for.

Fran Diehl:

It has been rough. I have worked in areas that were predominantly male. And I'm not going to tell you that everybody could see the greatness or the goodness in Fran, but I have had sponsors along the way and mentors who have steered me. I would tell people of color like myself, be open to that. Some people really will see your value, some won't, but remember why you got into safety in the first place.

Mike Taylor:

Another question I had in, and you actually went to a school with a client of mine whose an EHS professional, and she's actually a female, Murray State. She also got an engineering and technology degree from Murray State University. Do our universities need to do better in outreach and education for women and people of color to get degrees in these areas to be able to go on and do the kinds of things that you're doing?

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Fran Diehl:

Well, I did my PhD at the Academy was pale and male. And sometimes that did lead to heated discussions about the way that I would see a concept because our experiences shape our beliefs, right? And the way that they would see it. And so academia definitely needs to diversify. There are themes about work experiences. When I did my MPH, I had to write a thesis and I wrote it on foreign born workers in Aberry because at the time I worked for a company that had an Aberry division, and it was comprised of a lot of foreign born workers, and some of them were sponsored. So we knew that they were not complete citizens because this particular industry was so... It's so detailed and is so dangerous that it takes the skillset. And so I was able to survey just some of the thoughts and just the ideas about how a foreign born worker perceived of just our rules, our rigs and safety.

Fran Diehl:

And so the university as much as they think they're laying the blueprint for people to teach things, they need to come back into the workplace, which has acclimated, and it has become more black and brown. And I think that, that will alter the way that they teach some risk-based concepts, because a lot of what the universities are teaching, and I'm only speaking for my recent education. Some of it has a little bit of anequation to it, and industry is not looking like this anymore.

Fran Diehl:

And so, yes, the academies need to be more diverse. There need to be more women, but also the academies need to have a trek for visiting professors or visiting instructors from industry and recruit more diverse voices. We are missing opportunities to educate and to definitely personify the role of the worker to really make it personal and humanize it.

Mike Taylor:

A followup to that is based on my own experience of doing a lot of oil and gas well, OSHA related type of work, what I've seen has been, predominantly a lot of Hispanic people that can barely speak English when they're out on an oil well, for example, and there's this white EHS manager that can't speak Spanish and trying to communicate what they need to do in terms of safety wise, I saw was a challenge. Do you sometimes see that as an issue, a language barrier?

Fran Diehl:

Well, I've seen it in industries that I have been in. I think I tell funny stories all the time, because I actually, it's not even just language barriers, it's cultural barriers too. My research in 2004 and five, reveal that the way they perceive injuries, the way they view it, there are cultural differences as it pertains to who should be in control.

Fran Diehl:

I tell a funny story about when I worked in DC and there was a segment of bus drivers where they were from the Middle East and I would go in to talk and I would notice a lot of the workers who were from the Middle East, they would just ignore me and we were having problems. And so what I had to do again, because I got into safety to help make the world a safer place is I said, "You know what? I'm going to get a guy from my team to come and talk to them." Because one of the guys there told me, "Fran, as nice as you are, they're never going to listen to you because culturally women just don't hold these types of roles of authority." I was like, "Great, thank you for telling me that." And I brought somebody there who could message.

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Fran Diehl:

And I think in corporate America, when we're looking at just the demographics in our country, sometimes it's not even just cultural, it's relatability. You may tell me something and I may hear one thing because we don't have that relationship and we're not relating. And then another person from my culture tells me something and it sticks. And so I think when we're messaging and I stay on message, how we message, how we sell safety, all of that stuff is important. Culture is important. Even once we get past the language barrier, there are cultural barriers to safety as well.

Mike Taylor:

I totally agree. One question I also had is if you were in a board room with a major corporation and the CEO looks at you and says, "Hey, Fran. Tell me why we should have a diverse EHS department." What would you say?

Fran Diehl:

The census tells you, you need to. In the next nine years, based on kids who are already over the age of five, the frontline workforce is going to be 60% black and brown. That is going to be maintained for some time. So it's either, you're going to diversify because right now it's the right thing to do to make your business sustainable, or you're going to be left behind. Because that is who you're going to have to pick from for the workforce. And so it's a matter of numbers. The numbers are not going to change because we wish them away. That is just what the census data is telling us that we should do. Right now, you have time to diversify and make it a pointed effort to do it, but in the future, associations like ASSP and BCSP, and all these member-based organizations where people pay for certification and for memberships, who are you going to get this money from in the future, if you are not recruiting and doing the groundwork now?

Mike Taylor:

Absolutely. I totally agree. Because at the end of the day, it's a business case when you're talking about the census data and who your workers are really going to be five to 10 years down the road from now. I notice that you've done some work with high school students on safety, advocacy type stuff. Can you tell our listeners a little bit about that and what you're doing with it now?

Fran Diehl:

So this past year, I really, when I was... Well, the past two years, when I was doing my dissertation research, I specifically chose teens. I worked at SeaWorld And that was a really dynamic workforce for me. I had never worked around so many young people and being around young people, energizes you when you get to a certain age. And so what I realized is, we spent so much money and time at SeaWorld on messaging. How we message. You would hear the teens say, "Don't send me all these long messages. Get to the point. You're going to burn my battery up, Ms. Fran. I only want to know what you need to tell me." And we would put out something called a splash every day and they wouldn't take it because it was paper-based. They're like, "You need to text me that. I don't want to pick that up."

Fran Diehl:

And so what I found when I was doing planning out my own research, I really wanted to know what teens preferred in the areas of messaging. But more than that, what I recognized when I started to go into the schools, that there is a gap. We message elementary students, stop drop and roll. Don't talk to strangers. When I was coming up, they called us yuck mouth, cause I don't brush. We talk to kids about

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dental caries. We talk to kids about even active shooter now with the Alice program. And so we message elementary kids, but there is a gaping hole when a kid reaches middle school where the messaging dies down. They focus more on health and fitness. You saw that with the Obama's and how they took all the junk food, but there is a gaping hole of messaging.

Fran Diehl:

And so what I wanted to do was to say that we should create a continuum of messaging from elementary all the way through high school, before a student gets their first job. For many students after elementary, they only hear about safety and health when they get their first job and they go through their state's orientation. And since unintentional death is the number one cause of death for people under the age of 18, we're missing a huge opportunity, not just to recruit them to our side, but to message them about keeping their life safe, not dying through accidents.

Fran Diehl:

Also, another big thing about middle school is, that is really when risk adversity is being framed. You see middle school kids skateboard, you see them hover boarding, you see them doing tricks on their bikes. About that age of 11, you start to see the people who are not afraid and you start to see the people who are pretty cautious. And so we have an opportunity to start with middle schoolers and really advocate for their future health and wellbeing. And so that's really what my focus is, is to advocate at the middle school level, because that's really when the messaging permits.

Mike Taylor:

Absolutely. And getting women and people of color into college, seeking health degrees, engineering degrees, whether it's mechanical or chemical is really crucial. So I think it's not only for middle schools to try to help steer these kids in the right direction, but high schools and universities as well.

Fran Diehl:

Absolutely. By the time they get their first job and they're in high school and they're driving and they're doing all these things, their perception of risk is not that malleable. Some of it is inherited. If you have a parent who bungee jumps you're probably going to be somewhat risk averse, but we have a unique opportunity when they're forming parts of their brain, the frontal lobe, the cortex, and being able to push messaging in that space that can alter what they believe to be true. I think we're missing that opportunity before they come to their first job and they are injured.

Mike Taylor:

Absolutely. And although I'm a [inaudible 00:27:44] in this field, it is a very interesting, rewarding, and fun field to be in, as well as lucrative. Whether you're a lawyer practicing OSHA or environmental law, or you're an EHS manager at a large corporation, it really is interesting and meaningful.

Mike Taylor:

So hopefully in the next few years we can start to see more Fran's coming up the ranks.

Fran Diehl:

I hope so too, but we got a lot of pipeline. [crosstalk 00:28:16].

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Mike Taylor:

We've got a lot of work to do.

Fran Diehl:

Lot of work. Looking at the pipeline numbers, today women make up 22% of the safety profession. The pipeline numbers say that for the next 10 years we're at about 30%. So we do have a lot of work to do and we need to really explore the possibilities and how women can be well-suited for EHS.

Mike Taylor:

Absolutely. Fran, it has been an honor and pleasure to have you on our podcast today, on a very important and timely topic. Thank you so much. Listeners out there, please stay tuned for the next episode of the workplace safety review podcast. And again, Fran, thank you so much.

Fran Diehl:

Thank you.