

October 27, 2020

Ashton Peery
Chair, Board of Directors
PRX, Inc.
1380 Soldiers Field Road
Boston, MA 02135

Re: Investigation of Assertions Made by Palace Shaw in Her Email to the Staff of PRX, Inc. on August 3, 2020

Dear Mr. Peery:

Palace Shaw, a Black woman and former employee of Public Radio Exchange, Inc. ("PRX"), sent an email to all staff in which she recounted what she described as the "systematic mistreatment" she experienced that prompted her to resign from her position. At the request of the Board of Directors (the "Board"), Prince Lobel Tye LLP ("Prince Lobel") investigated Ms. Shaw's assertions. The investigation did not uncover any evidence of unlawful discrimination or anything to suggest that any PRX policy was violated related to Ms. Shaw's employment. However, there was some evidence that microaggressions and unconscious bias, while not unlawful, may have adversely affected Black, Indigenous and People of Color ("BIPOC") employees, including Ms. Shaw. This is a summary of the investigation and the investigative findings.

INTRODUCTION

On July 9, 2020, Palace Shaw, the Community Manager of PRX's Podcast Garage in Boston, informally advised her manager that she was resigning from her position, and on July 31, 2020, Ms. Shaw formalized her resignation by submitting a letter to Human Resources ("HR"). On August 3, shortly before she was to leave, Ms. Shaw sent an email to all staff which read in part:

I am writing this email to share what my experience has been at PRX, and why I am leaving. I don't think it is right to leave without sharing the truth of my experience and I hope that you all understand why this is very necessary and that the organization is able to hold itself accountable and grow. See **Attachment 1**.

Among the issues Ms. Shaw presented were:

- CEO Kerri Hoffman touching her hair without consent and the "inadequate response" by HR to her subsequent complaint;

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- Another white woman touching her hair without consent that she did not report to HR;
- Ms. Hoffman relaying the idea that “women, especially women of color, are bad at negotiating, to explain why PRX was getting rid of merit-based raises”;
- That PRX “does not listen to or fairly compensate women, especially women of color” and her own “unfair” salary and negotiation issues;
- Being “put through an embarrassing 7-month process that included taking on more responsibility to prove [herself] worthy of a raise,” when she approached her manager about a “pay gap” between herself and two coworkers, while a white male co-worker was given a raise before even embarking on some of the projects his raise was intended to reflect”;
- The “work culture” at PRX that “harms everyone regardless of race”;
- The lack of an “organizational acknowledgment of George Floyd’s murder or the uprisings until over a week past his death despite [PRX] having a large office in Minneapolis”;
- Ms. Hoffman and another PRX manager announcing “a policy that would censor employees for making political statements on social media,” that Ms. Shaw characterized as “absolutely tone-deaf, infuriating, and insensitive”; and
- The “toxic” work environment that contributes to “PRX’s inability to treat Black women with dignity and respect.” *Id.*

Two of the more notable assertions in Ms. Shaw’s email were that she was one of four Black women who left PRX within the past year “without having a job lined up” in order to “preserve their own mental health” and that she could not leave PRX “without saying anything about the systemic mistreatment that exists here.” *Id.*

Ms. Shaw chose not to speak with the investigator or otherwise provide information related to her assertions. As a result, it was impossible to understand the basis for some of them or review them from her perspective. Prince Lobel nonetheless continued with the investigation.

SUMMARY OF FINDINGS

Prince Lobel did not uncover any evidence of unlawful discrimination or harassment, or a violation of any PRX policy related to Ms. Shaw and her employment at PRX. While there was evidence of mistakes, directives and policies that may not have been transmitted to Ms. Shaw as clearly as possible, miscommunications, and management practices that were less than optimal, there is nothing to suggest that Ms. Shaw was ever treated adversely *because of* her race or gender, the touchstone of a cognizable discrimination complaint based on her being a

Black woman. No singular reason emerged as to why the Black women to whom Ms. Shaw alluded left PRX. They all did so for different reasons, and none of the three cited mistreatment because they were Black women as a motivating reason for leaving PRX.

However, the investigation uncovered signs of what can be described as unconscious bias¹ and “microaggressions”² that tended to make the work experience for some BIPOC employees difficult. These factors transcended education, job status, or time on the job; negative experiences were reported by BIPOC at all levels of the organization. These types of complaints were not universal among BIPOC, and some said they had never experienced unconscious bias or microaggressions.

Management at PRX told Prince Lobel that public broadcasting, in general, is not very diverse and that the staff and leadership at many companies consist mostly of white men and women. PRX managers said that PRX has consistently articulated its support for diversity, equity and inclusion (“DEI”) as ideals to incorporate into the day to day fabric of the company, and that its commitment to DEI is reflected in the fact that 30% of its staff and 43% of its Board of Directors are BIPOC, and that it produces, distributes and supports diverse content. At the same time PRX says that there is still a long way to go.

In January 2020, PRX engaged the services of an outside consultant, Project Inkblot, to help it identify and eliminate any structural or procedural roadblocks to its diversity efforts that might exist and help create and maintain a more diverse organization by training managers about how to think about and approach DEI. That effort was put on hold after the COVID-19 pandemic began and PRX shifted its primary focus to how to manage and operate its business remotely. After George Floyd was killed in Minneapolis on May 25, 2020, PRX revived the DEI review by

¹ Unconscious bias occurs when an individual is acting with bias but does not realize it. See *Racial Microaggressions in Everyday Life* (Derald Wing Sue, Ph.D. October 5, 2010), p.2 at **Attachment 2**. According to Dr. Sue, “many well-intentioned whites consciously believe in and profess equality, but unconsciously act in a racist manner, particularly in ambiguous situations.” *Id.*

² The term microaggression was coined by Dr. Chester Pierce, the first African American psychiatrist to join the faculty of Harvard Medical School, and is defined as “the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.” *Microaggressions: More than Just Race*, p.1 (Derald Wing Sue, Ph.D. November 17, 2010) **Attachment 3**; *Microaggressions’ professor: ‘Not everything is a microaggression’* (Maria Lencki June 11, 2019) (discussing the work of Dr. Sue and the theory of microaggressions) **Attachment 3**; see also *Racial Microaggressions in Everyday Life*, *supra*, n.1 (microaggressions includes “indignities and denigrating messages sent to people of color by well-intentioned white people who are unaware of the hidden messages being communicated”); **Attachment 2**.

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Project Inkblot.³

Later, in light of Ms. Shaw's subsequent resignation and information learned from "listening sessions" with employees who were encouraged to come forward to discuss complaints and observations, PRX managers said that the company took several tangible steps. First, it publicly underscored its intent to address problems that might exist and to expedite the institution of practices and policies to eradicate structural racism, and educate all employees about the harm that can be caused by unconscious bias and microaggressions. Second, its Board commissioned and oversaw this investigation. Third, it brought in two consultant organizations that have an expertise in addressing the problems and needs of BIPOC in the workplace and educating managers on how to create and maintain a diverse workplace.⁴ Fourth, it is currently reviewing the process and design for a Director of DEI hire. Fifth, it ended the employment of an employee who had been identified as a less than effective manager and source of microaggressions against BIPOC.

METHODOLOGY

After Ms. Shaw distributed her email to all staff on August 3, the Board met with several BIPOC employees to get their perspective on issues they considered problems at PRX. PRX and the Board decided that the Board would oversee this investigation to avoid any possibility of compromising the integrity of the investigation. One of the goals of this investigation was to determine whether the events and circumstances described by Ms. Shaw constituted or reflected a violation of Title VII of the Civil Rights Act of 1964, Massachusetts General Laws Chapter 151B, or any other state, federal or local law that makes discrimination and harassment in the workplace on the basis of race, color, gender, sexual preference or any other protected class or characteristic unlawful, or a violation of any PRX policy. A second goal was to determine whether there were conditions at PRX that worked to force Black women to leave the job. The Board did not put any limitations on Prince Lobel as to how to conduct the investigation, whom to interview, etc. and there was no time limit set within which the investigation was to be completed.

On August 20, 2020, the investigator attempted to contact Ms. Shaw by telephone and email to discuss her August 3 email, any other complaints she may have had against PRX, and any other observations or ideas she wanted to share about her experiences at PRX. See Email that is appended hereto as **Attachment 5**. On August 24, after not having received a response from Ms. Shaw, the investigator again called, but was unable to leave a voicemail. That evening, Ms. Shaw sent the following email relaying her decision not to be interviewed or otherwise participate in the investigation:

³ The goal of Project Inkblot is "to help make PRX a diverse, inclusive, and equitable workplace. One where employees are treated fairly, are valued and respected, and are comfortable being their authentic selves at work." See Introduction to Project Inkblot's Draft Progress Report and Work Plan that is appended hereto as **Attachment 4**. The entire progress report recounted DEI work that had been done from June to September and plans going forward through 2021.

⁴ A similar program is planned for all staff in the near future.

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I'm not interested in participating in this investigation. Everything I have to say regarding my observations and issues is in my resignation letter and in the email that was made public. I wrote in my resignation letter that my exit interview would be the last time I spoke on my experience at PRX to anyone at the organization (or, anyone working on their behalf). I do not feel comfortable connecting you to others to participate in this process. When I initially talked to folks about their experiences at PRX, they expressed that even talking about it and remembering that time was really painful/uncomfortable and they were still healing from the experience-with that in mind, I don't feel right sharing names or contact information. More than anything I would like to move on from this experience and would greatly appreciate it if you would not call my phone going forward and only contact me by email if/when necessary. **Attachment 5.**

There was no further contact with Ms. Shaw. To further its investigation, Prince Lobel spoke with fourteen current and former PRX employees at all levels of the organization who it believed had information relevant to the assertions in Ms. Shaw's email. With one exception, Prince Lobel interviewed or spoke with each individual at least twice. The conversations were conducted one on one and were not recorded. Two individuals reached out independently to provide information without having first been contacted by Prince Lobel. In addition to Ms. Shaw, one other individual who was contacted chose not to be interviewed and one person did not respond at all to telephone or email invitations to participate.

Several individuals initially expressed reluctance to participate in the investigation because they feared retaliation. The investigator conveyed to them PRX's public commitment to be transparent with the results of the investigation – whatever the results were – and to refrain from retaliation, as well as the legal prohibitions against retaliation. While the investigator was unable to promise absolute confidentiality because of possible legal imperatives to report certain types of conduct, he assured the individuals that to the extent possible, their names would not be associated with particular comments/incidents.

BACKGROUND

PRX launched in 2003 with a primary mission of expanding public media by creating a new system of distribution based on internet technology that allowed for the introduction of new voices and new technologies for individuals who could not get their content on traditional broadcast media. In August 2018, PRX announced a merger with Public Radio International ("PRI"), a national producer and distributor of broadcast radio content since 1983. At the time of the merger, PRX had approximately 22 employees. Since the merger, the number of employees has fluctuated between 65 and 72. Kerri Hoffman, who had been the CEO of PRX, became the CEO/President of the newly created merged organization. Ms. Hoffman heads a seven-member leadership team. As of September 1, 2020, the leadership team included two BIPOC managers. On September 1, PRX had a total of fifty-eight employees working out of offices in Boston, Minneapolis and New York, and another eleven who worked remotely. The

workforce is 70% white, 12% Asian, 10% Black, 6% Hispanic/Latinx, and 3% more than two ethnicities.⁵

According to managers, PRX had a deliberate goal of diversifying its staff, but they knew that diversifying the staff was not enough to change its overall culture. In addition, they said they deliberately set out to lower barriers to make it easier for diverse individuals to get their content distributed and create new markets for diverse programming. They also said they worked hard to increase programming to underrepresented audiences in public media.

PRX Hires Ms. Shaw

In 2016, PRX opened the Boston Podcast Garage. The purpose of the Podcast Garage is to “shap[e] the future of audio by producing and distributing content, building technology, and training talented, independent producers.”⁶ To accomplish its goals, the Podcast Garage supports “audio makers” by providing professional recording facilities, offering hands-on training, and serving as “a gathering place and event space for podcasters, radio reporters, oral historians, sound musicians, and more.”⁷

In June 2018, Ms. Shaw began working at the Podcast Garage as an intern. She was paid an hourly rate for her work. Her supervisor at the time was the Community Manager of the Podcast Garage, the person who had overall responsibility for the operation of the garage. In January 2019, the Community Manager was promoted to Senior Manager, Podcast Garages, to oversee the growth of the Boston garage and the possible expansion to another city. Ms. Shaw was offered and she accepted the job of Community Manager. She was paid a yearly salary. A copy of the Boston Community Manager Job Posting is appended hereto as **Attachment 6**. The outgoing Community Manager thought that Ms. Shaw was the ideal person to take over the job.

PRX Hires a Studio and Operations Manager

On January 14, 2019, PRX hired a white male to work as the Studio and Operations Manager (“SO Manager”) to provide technical and sound engineering support to the Podcast Garage. See Job Posting that is appended hereto as **Attachment 7**. The work had previously been done by members of PRX’s Tech team. The SO Manager was to provide additional resource and more dedicated technical support to the Podcast Garage. This individual had seven years of work experience doing similar work and he had a degree in audio engineering. The SO Manager was paid approximately 14% more than Ms. Shaw.

⁵ Percentages were rounded up or down as appropriate.

⁶ See the Podcast Garage website at <https://www.podcastgarage.org/about>.

⁷ *Id.*, n. 4.

Ms. Hoffman Touches Ms. Shaw's Hair

In late July 2019, Ms. Shaw and a friend were working after hours in the Podcast Garage. Ms. Hoffman saw the lights on and she went in. Ms. Shaw greeted Ms. Hoffman and they engaged in "small talk". At one point, Ms. Hoffman commented about Ms. Shaw's "hot pink" hair and she reached out and touched Ms. Shaw's hair. Ms. Shaw reported to her manager that Ms. Hoffman had touched her hair and that the act offended her. Ms. Shaw's manager advised her to contact HR. On July 30, 2019, Ms. Shaw reported to the HR Director that Ms. Hoffman's action made her feel uncomfortable. The HR Director, who is a BIPOC employee, reported speaking with Ms. Shaw and agreeing with her that Ms. Hoffman touching her hair was inappropriate. After discussing with Ms. Shaw how HR should proceed, the HR Director suggested to Ms. Shaw that it was important for Ms. Hoffman to hear directly from her how the act made her feel. Ms. Shaw agreed. The HR Director said that he would talk to Ms. Hoffman and get back to Ms. Shaw. Ms. Shaw told the HR Director that she felt relieved that her complaint was being taken seriously.

The HR Director said that when he spoke with Ms. Hoffman about the incident, she said that she understood the "gravity and severity" of her actions and asked if Ms. Shaw would be willing to accept an apology from her. On August 2, after an event at the garage, Ms. Hoffman said that she and Ms. Shaw went for a walk. Ms. Hoffman said that she apologized for touching Ms. Shaw's hair and making her feel uncomfortable. She also said that no matter how she herself interpreted the gesture, it was wrong because of how it made Ms. Shaw feel. According to Ms. Hoffman, Ms. Shaw "graciously" accepted the apology and said that she appreciated Ms. Hoffman coming to the garage personally to talk to her.

The HR Director followed up with Ms. Shaw to find out whether she was satisfied after her discussion with Ms. Hoffman. They scheduled a meeting for August 5. Ms. Shaw subsequently cancelled the meeting. When the HR Director contacted Ms. Shaw about the cancellation, she responded:

I don't think I'll need to meet. Talked to Kerri on Friday and felt the conversation went well. Thank you for your help in resolving this[.] **Attachment 8.**

Ms. Shaw's Manager Explores the Possibility of Raising Ms. Shaw's Salary

Ms. Shaw's manager said that in July 2019, on her own, she went to HR to advocate for Ms. Shaw to receive a salary increase of \$2,000. The increase was to be a recognition of her contributions and it would bring her salary closer (but not equal) to that of the SO Manager. She discussed the matter with the HR Director and with her own manager. At the time, Ms. Shaw had only been the Community Manager for seven months. They decided to temporarily put a hold on raising Ms. Shaw's salary because PRX was considering instituting a formal plan for salary adjustments and salary bands. Ms. Shaw had not asked for a raise and she was not aware of the discussions about her salary.

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PRX Hires a Community Manager for the Washington, D.C. Podcast Garage

In August 2019, PRX hired an African American woman to oversee the launch of a Podcast Garage in Washington, D.C. See Job Description that is appended hereto as **Attachment 9**. This woman was to be responsible for building a client base from the ground up, managing the temporary space and the work independently, and having a deep and meaningful knowledge of the local community. She had five years of relevant work experience and her starting salary was the same as that of the white male SO Manager.

PRX Revises How Raises Are Determined

In November 2019 at its annual retreat, Ms. Hoffman announced a change in the way raises would be determined from performance/negotiation based, to a flat 2.5% across the board for employees who had been employed for more than twelve months.⁸ The plan was to go into effect on January 1, 2020. According to Ms. Hoffman, because of the merger, some managers were supervising employees they did not really know and could not fairly evaluate. She also believed that the flat rate would remove a lot of the subjectivity that went into raises that were handed out after negotiation, and make the process fairer. At the same time, PRX also created a salary floor for all employees, even new hires. Ms. Shaw's salary was below that floor and would have to be increased.

Ms. Hoffman said that she may have "bungled" the presentation of the plan based on feedback she received at the time from a Black woman who thought she was saying that Black women were not good negotiators.⁹ Ms. Hoffman said that she had been trying to explain that based on numerous studies, white men consistently negotiated higher salaries than women and BIPOC.

PRX Raises the Salary of the SO Manager and Ms. Shaw

In December 2020, the SO Manager requested a raise beyond the new 2.5% standard because he was being asked to take on new responsibilities. His specialized skills were being tapped to offer advice on the technical aspects of the DC Podcast Garage and he was advising on the buildout of the new studio. That request was approved by his manager and HR and his salary was raised by approximately 4.5%.

In January 2020, PRX planned to raise Ms. Shaw's salary to match the salary floor as presented at the November retreat. Ms. Shaw's manager proposed that in addition to raising Ms. Shaw's salary to reach the floor, that PRX also give her an additional \$2,000 raise to compensate her for extra duties she performed and to narrow the gap between what she was making as

⁸ The plan included prorated salary increases for individuals who worked for PRX for three to eleven months or who had received a market adjustment in 2019.

⁹ Ms. Shaw repeated that contention in her August 3 email.

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compared to what the SO Manager and the Washington, D.C. Podcast Garage Manager earned. Ms. Shaw's manager sent her the following email on January 29, 2020, announcing an 8.33% raise:

Thank you for the dedication and masterful coordination you brought to the Podcast Garage this year. Your work in this community is truly valuable and transformative.

For this reason, we are adjusting your salary by approximately 8.33% . . . effective January 1, 2020. Note: this is in place of the standard 2.5% company-wide salary adjustment that goes into effect on January 31, 2020. **Attachment 10.**

Ms. Shaw responded:

Thank you! This is wonderful news. It means so much to know that I work somewhere where my work is recognized and appreciated. Your thoughtfulness and leadership always encourage me to try my best at the Podcast Garage each day. *Id.*

Ms. Shaw Learns that She Is Not Paid the Same As the SO Manager and D.C. Community Manager

In March, Ms. Shaw became very upset when she learned that the salaries of the SO Manager and the D.C. Community Manager were higher than hers and she complained about it to her manager. Ms. Shaw's manager said that she told Ms. Shaw, "we want you to feel valued – let's fix it." By email dated March 2, 2020, Ms. Shaw wrote the following to the HR Director:

I am seeking more clarity on PRX's approach to pay bands and salary adjustments, would you have time to meet with me today or tomorrow? If you are able to share, I am interested in learning how pay bands are determined and what the salary ranges are. I have been made aware of salary gaps within our team at the Podcast Garage and would like help understanding how PRX is approaching this. **Attachment 11.**

Ms. Shaw's manager and the HR Director say that they met and worked with Ms. Shaw to respond to questions she raised about her salary, the belief that she should receive more compensation for supervising an intern¹⁰, creating a better home/work balance for herself by, for example, allowing for flexibility of the workday, her view that she did more work than the SO Manager, her difficulties commuting to the office, and some expenses for which she had not been reimbursed.¹¹ The HR Director explained to Ms. Shaw that salaries are determined by

¹⁰ The intern issue became moot when the COVID-19 pandemic hit and the internship program was suspended.

¹¹ Ms. Shaw seems to have had an issue because she did not know that she could obtain reimbursements for certain out of pocket expenditures or how to seek reimbursement. That apparently became a non-issue when Ms. Shaw spoke with her manager about submitting claims for reimbursement. To the extent Ms. Shaw did not understand because of a lack of communication or training, that problem should not recur because PRX is planning to overhaul its onboarding/training processes.

the number of years of experience, the type of job and the budget for a given position or team.

Ms. Shaw's manager, who also supervised the SO Manager and the D.C. Community Manager, said she thought there should be a difference in the salaries among the three employees because they were hired to perform different jobs and they had different experience levels, but that she did not think there should be as much of a difference as existed between Ms. Shaw's salary and the other two. The HR Director agreed that Ms. Shaw's salary should be increased, but he believed that to do so, her job description had to be updated. Ms. Shaw was asked to help revise her job description and propose what she thought was a fair salary.

The HR Director proposed engaging in a process to resolve all of Ms. Shaw's concerns. During the month of March, Ms. Shaw met with her manager and the HR Director to develop an action plan to address her concerns. See detailed meeting notes that are appended hereto as **Attachment 12**.

On March 16, 2020, the Podcast Garage ceased operation because of the COVID-19 pandemic. On March 25, Ms. Shaw's manager informed the HR Director that:

Palace and I talked yesterday and she expressed a desire to pause our conversation on next steps until we have a clear plan to be back in the space. I suggested we focus for now on things uninterrupted by the virus – her reimbursements and the salary/compensation conversation. So we'll be working on those now and return to conversations about flexible hours, vacation time, professional development, etc hopefully within a few weeks. Palace can you confirm that sounds right to you? **Attachment 13**.

From March through July, Ms. Shaw's manager asked her on several occasions to resume the salary discussions and provide a proposed salary as suggested. Ms. Shaw never presented a proposed salary and the salary discussions were not resumed.

George Floyd Is Killed In Minneapolis

George Floyd's death at the hands of Minneapolis police officers on May 25, 2020, spurred civil unrest and protests throughout the United States. Many employees, including Ms. Shaw, were angry and disappointed with PRX because they did not believe that the company had taken a strong enough stand against the killing, particularly since there was a PRX office in Minneapolis.

On June 1, 2020, Ms. Hoffman emailed a message to the staff in which she stated that "the murder of George Floyd, a black man, at the hands of law enforcement, watched by fellow officers without action or intervention, is despicable, unacceptable, and too common."

Attachment 14. Ms. Hoffman wrote that she worried about PRX employees over the weekend and that "PRX is absolutely an organization that intends to keep its black employees and people

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of color safe from racism and discrimination at work.” *Id.* As to PRX’s DEI efforts, Ms. Hoffman noted that PRX was “**committed to internal anti-racism education and DEI work that will make our organization even stronger.**” *Id.* (emphasis added).

On June 2, PRX issued a public statement on the George Floyd killing that read in part: “The death of George Floyd must be called out for what it is — outrageous and unacceptable. PRX stands with those who fight for a more just and inclusive society.” The statement added:

Public media is essential. Fair and balanced coverage, accessible to all, is a cornerstone of our democracy. We must ensure the media remains unbiased, and we have to actively and urgently work to expand our reach into underserved communities. **Public media mostly serves — and serves well — an audience that is primarily white, well-off, and educated. The events over these past weeks are a painful reminder that millions of Americans have been pushed to the margins.** Attachment 15 (emphasis added).

Also on June 2, Ms. Hoffman led an all staff meeting that was designed to provide a “safe” space for staff to talk about their feelings surrounding the George Floyd killing. Some employees were deeply dissatisfied with the meeting because (1) the first few comments did not mention George Floyd, but focused on the protests and riots in Minneapolis and (2) in response to questions about whether PRX had a policy about protesting, employees were told that everyone had to be careful how they engaged in protests and remain neutral, both on social media and at actual live protests, to protect journalistic integrity because PRX produced *The World*.¹²

In addition to employees who were still upset that it took the company so long to issue a public statement, others became upset at the meeting because they felt they were being silenced and not allowed to protest or express how they felt about the killing.¹³ Several Black women, including Ms. Shaw, spoke very passionately about the pain they felt because of the killing of Black men in America by police officers, the death of Mr. Floyd, and the reality of men and boys in their own lives who were at risk of being killed by police officers.

The next day, Ms. Hoffman sent an email to staff in which she advised them of the statement PRX had issued related to George Floyd, a clarification of the company policy on political activity and advocacy, and its DEI efforts. She summed up the advocacy and protest guidelines by telling staff to use “good judgment” and “common sense” when exercising First Amendment rights, including posting to social media. She also notified staff that Project Inkblot would begin its work on June 10. **Attachment 16.**

¹² *The World* is a radio news program with an emphasis on international news and global journalism.

¹³ The problem seemed to arise because before the merger, PRI had a policy related to protests while PRX did not and the PRX employees did not think there should be any restrictions on what they could say.

On June 12, PRX revised its Employee Handbook, most notably by including sections related to the “Prohibition of Discrimination, Harassment and Bullying,” “Political and Advocacy Activities,” and “Social Media.” **Attachment 17** (Relevant pages of Employee Handbook).

Ms. Shaw Resigns from Her Position

At the July 8 all staff meeting (stand up), the D.C. Community Manager spoke about a panel discussion she had organized that was scheduled for the next day, entitled Black Voices Matter. She said that she had been told that someone at The World had posted on social media that it was hypocritical for PRX to present the program because of its “toxic management”. The D.C. Community Manager understood that the toxic management label had been assigned to a PRX manager who had purportedly yelled at a BIPOC reporter during a zoom call about one month earlier, after being asked why there were no reporters of color covering the unrest following the George Floyd killing.¹⁴ She was concerned that the social media posting would undermine her event. Ms. Shaw spoke up in support of the D.C. Community Manager. After the stand up, the D.C. Community Manager said that she had back to back meetings about damage control should this issue come up in her Black Voices Matter panel discussion and what to do if she was asked about the incident with the PRX manager and the BIPOC reporter. She said there was no discussion about holding the manager accountable for actions that upset the reporter.

That same day, Ms. Shaw met with her manager for their weekly one on one status update. The manager suggested that they get back to the salary discussion. Ms. Shaw said that she had not expected to say it that day, but she had decided to resign. She told her manager that the instructions to not say anything about George Floyd’s death and the way the D.C. Community Manager had been treated that day were the “last straws.” On July 31, 2020, Ms. Shaw forwarded a resignation letter to the HR Director and on August 3, she circulated her email to all staff explaining why she was resigning. **Attachment 1.**

On August 10, Ms. Hoffman posted the following:

Dear all,

I hear you. I apologize and take full responsibility. I am sorry my leadership has not matched your expectations of me. I pledge to do better.

I have spent many days reflecting deeply on everything that happened last week, the moment we are now in, and how we move forward. **I take very seriously the criticisms and accusations of racism and inequity laid out in a former employee’s letter. More broadly, I have thought about how our ambition to be equitable measures up with the reality of all I see and hear. Attachment 18** (emphasis added).

¹⁴The manager acknowledges speaking sharply and inappropriately to the reporter, warranting a self-report to HR. The manager apologized to the reporter the next day and was subsequently relieved of day to day contact with the staff.

My conclusion - and my commitment - is that we take a hard look at ourselves and acknowledge the patterns contributing to several women of color leaving PRX. I recognize and share the disappointment and sadness when talented people of color leave the organization. We have to address structural racism in our culture, policies and practices. We have deep work to do — it is hard and uncomfortable, but essential. *Id.* (emphasis added).

Doing the work and setting an example starts with me. I am committed to learning more and becoming anti-racist, and believe this is critical for us individually and collectively. *Id.*

Ms. Hoffman stated that “Creating an inclusive, equitable organization is the most important work for PRX because so many have faith in us and depend on us to do good work in the world.” She then listed steps PRX had taken to that point, including:

- Prioritizing over the past two years “diversity and representation across staff, including adding new management and leadership roles and increasing the diversity of our seven-person leadership team” over the past two years;
- Adding diversity to the Board of Directors;
- Amending PRX’s policies about participating in “Black Lives Matter protests, rallies, and on social media”;
- Expanding PRX’s workplace bullying and harassment policy;
- Reshaping the content portfolio by “choosing shows that serve diverse audiences”; and
- Requiring senior managers to complete DEI training. *Id.*

By way of explaining current and future actions, Ms. Hoffman wrote:

We have engaged a third-party investigator who will look into the concerns that have been raised.

We have brought in Project Inkblot to assess our culture and advise us on changes. . . They have a track record of helping companies identify and resolve blind spots around cultural and racial biases. . . As the discovery phase with staff of color continues over the next four weeks we have authorized them to conduct any interviews or request any materials they might want and need to ensure a thorough process.

Based on Project Inkblot's recommendations, coordinated listening sessions with staff and other input, we will create a DEI work plan with clear goals and a timeline that we will review with all staff.

While we have begun to outline a training program for managers, this has not been fortified with enough commitment, urgency or feedback mechanisms. We are making this a top priority over the next three months.

Starting in September, we are developing and launching internal educational programs designed to provide us with the tools and resources to be a more inclusive organization, including how to be a better ally in the workplace. The first of these will be a workshop facilitated by a firm that specializes in ally training. They will teach us the skills, language, and approach needed to be anti-racists, ensuring that we have a shared perspective and goals and avoiding unproductive adversarial approaches that are not helpful to underrepresented segments of our team, including people of color.

We will create a Director of Diversity and Inclusion role before the end of the year to ensure sustained long term impact of our efforts.

We will provide formal training for managers so they have the tools to lead diverse teams and ensure that they are effective, empathetic leaders who support the professional development of all staff.

To address questions raised about pay equity, we will complete a compensation analysis and then act to address existing inequalities, and prevent future issues with improved, data-informed policies and practices for clear pay ranges, job descriptions, hiring, compensation adjustments, and promotion practices. *Id.*

On August 14, a letter authored by two BIPOC employees and signed by other employees took issue with Ms. Hoffman's letter and expressed an intent to "hold our leadership accountable and ensure that PRX can live up to the values that drew us to work here in the first place."

Attachment 19. Of particular relevance here was the contention that Ms. Hoffman's response to Ms. Shaw's letter "fails to adequately address the issues raised by Palace and lacks important context." *Id.*, p. 1. In particular, the letter points to a purported failure of Ms. Hoffman to offer Ms. Shaw a personal apology for touching her hair; pay Ms. Shaw the same as her peers; and effectively address why Black women and BIPOC have left PRX after experiencing mistreatment.¹⁵ *Id.*, p. 3. The authors noted that PRX amending its policy around "Black Lives Matter Protests" and speeding up its DEI efforts came after staff members, including Ms. Shaw, raised concerns about those issues at all-staff meetings. *Id.*

¹⁵ At the time this letter was written, the authors did not have the benefit of all of the information Prince Lobel gathered during this investigation about these matters.

PRX Continues with its DEI Efforts

On August 14, Ms. Hoffman released a message in which she advised the staff that:

We have committed to a rigorous process with staff addressing improvements to our culture, specifically through an equity lens. We are also committed to doing this work as transparently as possible, sharing with staff what we are doing and when. **Attachment 20.**

She also provided an update on the status of ongoing activities and plans, including:

- This investigation that is managed by the Board of Directors;
- Utilizing an outside facilitator to work with the Training Department, where Ms. Shaw worked, and placing the team leader for the department on administrative leave;
- Bringing in Common Ground Consulting to facilitate a series of internal discussions with staff to be attended by all senior staff members; and
- Project Inkblot's completion of one-on-one and group discussions with staff of color and its next steps. *Id.*

On August 24, 2020, Ms. Hoffman posted "It's Past Time; We have to Change" in which she apologized again to Ms. Shaw when she wrote:

What seemed to work before, our structures and norms, aren't working anymore, and it's clear that for many, they never worked. For the past two weeks, I have been deeply thinking about Palace Shaw's resignation letter and the issues raised in the email circulated by her colleagues. **They're right to be disappointed. I didn't speak directly to their pain or Palace's. I sincerely apologize to Palace, our staff, our partners, and the wider community.** **Attachment 21** (emphasis added).

She noted that the PRX "work culture, led by me, a white woman, is white-dominant, and this has stifled BIPOC employees' call for change." She asked, rhetorically, what she would see or hear differently if she could "move away from [her] fear, defenses, and [her] responsibility for PRX and recenter on the well-being and needs" of BIPOC employees. *Id.* Ms. Hoffman referred to the work that had been underway since June with Project Inkblot when she wrote:

We are deep in our engagement with a team of experts dedicated to creating equitable, diverse and inclusive workplaces. That team has already done discovery work centered on the staff of color and is in the second phase of their process, a facilitated workshop with all PRX managers. Our internal work is through the lens of 'targeted universalism,' an approach that considers the inherent disparities within groups as we design the path toward a common goal, a more equitable organization. *Id.*

Ms. Hoffman acknowledged that “Racism is in our structures, systems, and institutions” and that PRX’s “business model has to support productions by, for, and with diverse voices.” *Id.* She again revisited the complaint Ms. Shaw had about her hair being touched without consent when she wrote:

one thing I can address personally is touching Palace’s hair a year ago. It was completely unacceptable and I take full responsibility. At the time, my apology didn’t adequately address the significant impact of my behavior. I recently sent her an apology, this time acknowledging the violation and its effect. *Id.* (emphasis added).

That same day, the Board of Directors issued the following message that it said was designed to ensure the staff that complaints had been heard and action to address them had been undertaken:

The board of Directors apologizes to the Black, Indigenous, and people of color on our staff. You have bravely reached out to share your outrage about issues of systemic racism in our organization. We hear you. In speaking up, you have helped us to clearly see inequities. These concerns have our full attention.

We recognize that PRX has a lot of work to do to create an inclusive workplace where you can thrive as individuals and each have a sense of belonging. **Attachment 22.**

The Board announced this investigation and concluded with:

These actions are only first steps. To fix things, we must understand not just the manifestations of the problem, but the root causes. We are committed to working together to make PRX a more equitable and inclusive place. *Id.*

Complaints of Unconscious Bias, Structural Racism and Microaggressions¹⁶

Several of the Black women who were interviewed had stories of their own that they could relate to unconscious bias, structural racism or microaggression. One of the Black women who was interviewed said that she wanted to take Ms. Shaw’s email and say “me too” because she believes that unconscious bias affects her wellbeing at PRX. By way of example, she said that she worked really hard on a project but was met with negative feedback by her manager. Later, when her hard work was seen, appreciated, and “validated” by individuals from outside PRX, her manager suddenly “recognized” the value of her work. The employee said that it was very demoralizing.

¹⁶ Instances in which the interviewee would not ascribe offensive behavior to race are not included. Other instances, in which individuals could not say with certainty that race was or was not a factor *are* included.

Other women complained of being criticized because of mistakes made by others or not being told when plans changed. Similar stories arose about employees being told to do one thing but getting chastised for not doing something else (being gaslighted).¹⁷ Several of the women said that they felt undervalued at PRX and two said that they believed if they were not Black women, they would not have to work so hard.

Several Black women said that they appreciated “white allies” but that some allies could be “exhausting” at times because they tended to jump into the fight and take over so that BIPOC who have the problem end up not having a say in the discussion. It was also described as demoralizing watching white allies yell at managers and say things on behalf of BIPOC employees that the BIPOC feel they could never get away with.

One of the things that emerged from meetings with staff members at PRX was the perception that one PRX manager had a harsh, brusque, demeaning manner with BIPOC employees that was, apparently, not present with (most) white employees. Several employees were tentative about ascribing race-related motivations to this manager. For instance, one former employee described the feeling of “not being heard” when speaking with this manager, but could not say definitively that it was on account of race. Another employee recounted a white male who left PRX because of negative interactions with this manager.

Other individuals who were interviewed were adamant that this manager harbored a bias against people because of their race and color. The contention had never been presented to PRX management or HR. Several employees believed that the manager micromanaged them, blurred lines between personal and professional interactions, gossiped, had favorites, and had a hostile demeanor and attitude when working with BIPOC. This manager was reported to have referred to Black women as “fussy,” and “difficult,” words that some interviewees considered “code words” designed to ascribe negative qualities to the women based on their race.

Some white employees also had problems with this manager and thought it was just a poor management style. One of the Black women told a story about a white man who left PRX after 9 months because this manager did not like him and always gave him a hard time. Another Black woman said that a different white male told her that he did not have a problem with this manager because he would just tell the manager “no” if the manager wanted him to do something he did not want to do. The Black woman never thought saying “no” was an option for her.

¹⁷ “Gaslighting at work is when a person—typically a colleague or manager—invalidates what you know to be true, forcing you to question the facts and, ultimately, yourself and your ability to do your job. In other words, they’re twisting (either accidentally or intentionally) information, words and behavior to make you feel confused, trivialize feelings and block you from success.” Gaslighting at Work: 10 Signs Your Coworkers or Boss are Messing with You (Rachel Bowie 8/27/2020)(citing Vicki Salemi, career expert and coach for [Monster.com](https://www.monster.com)), pp. 2-3. **Attachment 23.** An example of gaslighting is when the boss presents expectations for a project, but when the employee meets them, says that the standards have changed. *Id.*, p.3. Gaslighting can also be used to minimize racial or racist behavior. *Id.*, p.4.

Black women as well as white employees pointed to structural problems with the way PRX does or not do things as adversely impacting BIPOC on the job. Several pointed to a lack of a good onboarding process and a lack of training as being detrimental because they were just “thrown in” without knowing what to do or how to do it, yet being held accountable if the jobs or the projects they were supposed to be doing failed.

PRX is Described as a Tough Environment for Everyone

Ms. Shaw wrote in her email “I strongly feel that the work culture here harms everyone regardless of race.” **Attachment 1.** Another Black woman said that she could not say for sure that PRX was hostile to Black women, but she opined that “it is hostile and may suck for everyone.” According to her, PRX is a tense, demanding environment and there are times when there are so many things to do that she was unable to do the job for which she was hired.

ANALYSIS/CONCLUSIONS

Interviews and the objective evidence show that PRX did not violate the anti-discrimination provisions of Title VII or Chapter 151B in its dealings with Ms. Shaw. It also did not violate any of its own policies. While there was no evidence that four Black women left PRX *because of* mistreatment or maltreatment as Ms. Shaw suggests, the investigation shows that some BIPOC were, at times, subject to microaggressions and unconscious bias that made their jobs more difficult.

Ms. Shaw Was Not Paid Less Than Others Because She Was A Black Woman

Whether PRX unlawfully paid Ms. Shaw less than it paid the SO Manager and the D.C. Community Manager is different from Ms. Shaw’s contention that the salary structure was not fair. The law prohibits employers from paying employees who are similarly situated in all relevant respects different salaries based on their protected class or protected status. The law also prevents an employer from paying different salaries if employees are doing work that is substantially similar and performed under similar working conditions. The employer may pay different salaries if the employees are not similarly situated in all respects or to reflect differences in factors such as education, training, geography and travel requirements.

When her internship is taken into account, Ms. Shaw was a PRX employee longer than the SO Manager and the D.C. Community Manager, but that, alone, was not what determined how much salary an employee is paid. The HR Director explained to Ms. Shaw that PRX relied on the number of years of experience, the type of job and the budget for a given position or team to determine what salary to pay employees. In this case, the SO Manager was hired to perform a different job than Ms. Shaw and he had 7 years of relevant experience and a degree in audio engineering. The D.C. Community Manager had the same title as Ms. Shaw, but their job descriptions and actual job duties were different. The D.C. Community Manager had

appreciably more professional experience than Ms. Shaw, she was responsible for launching the Washington, D.C. Podcast Garage from the ground up, and she ran it by herself, while Ms. Shaw inherited a Podcast Garage that was already up and running.

It is also evident that race and gender were not factors in how much Ms. Shaw was paid because the D.C. Community Manager, another Black woman, was paid the same starting salary as the SO Manager, where both had a significant amount of experience coming into their jobs. PRX did not unlawfully fail to pay Ms. Shaw the same as her co-workers, but it was willing to work with her to increase her salary.

PRX Has Addressed an Apparent Deficiency in How Salaries Were Determined

PRX's system for allowing employees to negotiate for starting salaries and raises prior to January 1, 2020, was one of the structural impediments to employees understanding the basis for their salaries and how raises were calculated. Eliminating the negotiation process removed much of the subjectivity that can lead to employees being paid disparate salaries for illegitimate reasons. In addition, while PRX managers believe that there is pay equity throughout the organization, the company is nonetheless instituting a compensation analysis to ensure equitable salaries.

There is No Evidence That the Black Women Ms. Shaw Referenced Were Mistreated at PRX

Ms. Shaw listed a number of complaints in her August 3, email, but she told her manager that she had decided to resign when she did because (1) she did not like the way the D.C. Community Manager was treated the very day she quit, and (2) she did not like PRX's initial silence after George Floyd's death. With the exception of her hair being touched, Ms. Shaw did not cite any specific examples of mistreatment because she was a Black woman as reasons for leaving PRX, although she suggested that there might have been other unarticulated irritants.¹⁸

Similarly, there is no evidence that the other Black women to whom she alluded left PRX *because of* any mistreatment, although there is evidence that at least one of them may have experienced microaggressions and unconscious bias.

One of the Black women who left PRX after working a short time in 2019, resigned for "personal reasons". There was nothing to indicate that she experienced any adverse treatment at PRX.

Another one of the women left in 2019 after working at PRX for close to one year. She said that there were a lot of changes in her personal life, that she wanted to move to New York, and that

¹⁸ Though the incident with Ms. Hoffman touching her hair resurfaced in Ms. Shaw's email and the incident still bothered her, the act had occurred over one year earlier, and it seemed like the incident was settled at the time.

her family had moved to another state. In her exit interview, this woman had good things to say about PRX, although she said it was tough to acclimate to the fast-paced environment when she first started working there. She said that she became accustomed to the job, but that she did not always have clarity on how to prioritize between two competing goals and she was always unclear on how she should be spending her time. She felt as if she had been micromanaged and not empowered to make decisions and she felt anxious around the smallest decisions. She also thought that PRX was not investing in her. Without elaboration, she said that unconscious bias should be discussed because “We all have it.” This woman worked for the manager that other employees complained about during facilitated DEI discussions, but during her exit interview, she did not tie any problems she may have had with this manager to her race or gender.

A third Black woman was terminated from her position. While this former employee and PRX do not agree on the facts underlying joint expectations of what the job entailed, the employee’s job performance, or the rationale for ending the employment relationship, what was important for purposes of this investigation were her observations on structural problems she saw at PRX. This woman cited as problems, the lack of a system for onboarding new employees, training, and, a means of ensuring that employees (like herself) are given clear direction on the jobs they are hired to perform.¹⁹ PRX has committed to reviewing and addressing the onboarding and training of new employees.

Miscellaneous Complaints

The additional assertions made by Ms. Shaw are addressed as follows:

1. CEO Kerri Hoffman touching her hair without consent, her subsequent complaint to HR, and an inadequate response by HR.

The touching of a Black woman’s hair without her consent is, perhaps, one of the more classic microaggressions because it can symbolize a disregard for that woman’s personal space and an unwarranted entitlement.²⁰ In this case, Ms. Hoffman said that she understood that her action was inappropriate and that she thought the matter was settled after her apology in August 2019. Ms. Shaw’s email about the conversation that “went well” with Ms. Hoffman and her thanking the HR Director for his help in “resolving” the matter seem to confirm that understanding. **Attachment 8.** Ms. Hoffman nonetheless apologized to Ms. Shaw again publicly.

¹⁹ There is no agreement as to whether these issues actually impacted the employment of this particular employee, but current employees confirmed that PRX should more formally implement and improve these processes.

²⁰ See 13 Microaggressions Black People Deal With All the Time (Kelsey Borresen June 22, 2020)(# 6, describing why it is a microaggression and racism when hair is touched without permission because of the violation of personal space and the hair toucher’s feeling of entitlement). **Attachment 24.**

2. Another white woman touching her hair without consent that she did not report to HR because "HR is more interested in the comfort of white people and senior leadership than addressing any serious harm caused"

PRX did not let the hair-touching incident with its CEO go unaddressed and there is no reason to believe that it would not have taken appropriate steps to address the second incident. At any rate, PRX could not address an incident of which it was not aware.

3. Kerri Hoffman transmitting the idea that "women, especially women of color, are bad at negotiating, to explain why PRX was getting rid of merit-based raises

This appears to have been a miscommunication. Ms. Hoffman said that she did not intend to convey the message that women of color are inherently bad at negotiating. As detailed above, she was relying on well-known data that white men get the best salaries when negotiating and women and people of color get the worst. However, the fact that another Black woman also believed that Ms. Hoffman was saying that Black women were not good negotiators supports Ms. Hoffman's admission that she "bungled" the presentation on how and why the salary structure would be changed. In the end, the new policy was designed to remove as much subjectivity as possible from the compensation process and make it more equitable.

4. When Ms. Shaw approached her manager about the "pay gap" between herself and her co-workers, she was "put through an embarrassing 7-month process that included taking on more responsibility to prove [herself] worthy of a raise, while a white male co-worker was given a raise before even embarking on some of the projects his raise was intended to reflect"

The impetus for the initial salary and raise the SO Manager received after one year on the job is described above, as is the reason why Ms. Shaw received the amount that was allotted to her as a starting salary, as an adjustment to bring her up to the new salary "floor", and her one-year raise. When she asked about the salary differential with her co-workers, Ms. Shaw's manager and the HR Director invited Ms. Shaw to work with them to develop another job description as a precursor to increasing her salary. The process was sidetracked by the pandemic and the killing of George Floyd. It is not clear what Ms. Shaw means when she says that she was expected to "prove herself worthy of a raise."

Ms. Shaw's manager and the HR Director believe they were clear with Ms. Shaw about what they were trying to do as they discussed her compensation issues with her. To the extent there was any misunderstanding or miscommunication, perhaps a more formal approach might have helped avoid any confusion. On her own, Ms. Shaw stopped participating in the process to try to come up with another salary and she cannot hold PRX accountable when she abandoned the process.

5. That PRX "does not listen to or fairly compensate women, especially women of color" and her own "unfair" salary and negotiation issues;

PRX compensated Ms. Shaw within the range it had for her position and consistent with her experience. Comparing herself with individuals who had many years more experience than she did is not an accurate way to determine a reasonable salary. Further, PRX was more than willing to work with Ms. Shaw to come up with a mutually agreeable salary. She abandoned the process.

PRX managers contend that its salary structure is fair and equitable to all employees and Prince Lobel's review of salaries did not uncover any obvious irregularities. As noted above, PRX has nonetheless committed to performing a compensation review to ensure that all employees receive fair and equitable salaries.

6. The "work culture" at PRX that "harms everyone regardless of race";

Several employees said that PRX is a difficult, fast-paced, stressful environment within which to work, which would suggest that the environment is tough on everyone. There is research to suggest that such environments can be more damaging to BIPOC because they also have to deal with unconscious bias, microaggressions, etc. A goal of the listening sessions, training, and other DEI processes PRX put into place was to identify and eradicate any such factors.²¹

7. The lack of an "organizational acknowledgment of George Floyd's murder or the uprisings until over a week past his death despite [PRX] having a large office in Minneapolis";

Some employees were extremely upset that PRX did not issue a statement about the death of George Floyd until one week after he died, and they complained that the company had not taken a strong enough stance. Ms. Hoffman concedes that PRX's response could have been quicker and more forceful, even though it felt the need to carefully and thoughtfully balance its obligations as a journalistic outlet with its editorial opinion. She notes that the statement PRX issued is evidence that the company listens to and heeds the well-founded suggestions of its employees.

8. Kerri Hoffman and another manager announcing "a policy that would censor employees for making political statements on social media," that Ms. Shaw characterized as "absolutely tone-deaf, infuriating, and insensitive".

Managers announced the policy that was in place for PRI prior to the merger because of its focus on news, but it was not a PRX policy. The presentation of the policy at a meeting of former PRI employees, who knew about and understood the policy, and PRX employees who did not, was a mistake that fueled an avoidable controversy. Within 24 hours, however, PRX revised its presentation of the policy and advised employees to exercise good judgment and common sense when posting to social media, protesting, or responding to questions about the protests. PRX issued a new policy for all employees on June 12.

²¹ That is not to say that all BIPOC employees feel the same pressure. A couple of BIPOC employees said that they did not experience any abnormal pressure, microaggressions or implicit bias.

9. The “toxic” work environment that contributes to “PRX’s inability to treat Black women with dignity and respect.” *Id.*

There is no way to know what Ms. Shaw’s definition of a “toxic” work environment is or to what she is referring other than the microaggressions and unconscious bias that are discussed above.

RECOMMENDATIONS

It is undisputable that there were irritants to Black women, including Ms. Shaw, that were not apparent to PRX leadership until it received direct feedback from its DEI consultants and began reviewing the results of the listening sessions. It found out, for example, that there was a manager who was a source of microaggressions and unwarranted additional stress and anxiety for BIPOC. Once the problem was uncovered, however, PRX moved quickly to address it. PRX has also moved decisively and quickly to uncover any additional problems that may exist, consider the best means of eliminating them, and try to ensure that the problems do not recur.

PRX has announced, publicly and internally, its goal of creating and maintaining a work environment that is safe, secure and welcoming to BIPOC and to all employees. To date, it seems to have made every effort to follow through with the commitment to DEI that began in January 2020 when it retained Project Inkblot, long before the George Floyd killing or Ms. Shaw’s resignation. PRX should continue to seek out and rely on competent “experts” in the field of DEI as it navigates its way toward a diverse, thriving workplace. The company would also do well to look to its employees and encourage them to identify efforts that are working and potential trouble spots, and make suggestions on possible improvements, as it moves toward the safe, inclusive environment it says it wants to create.

For now, PRX is doing what it should be doing, and so long as it is diligent about its DEI efforts and stays on its current path, improvements will not come overnight, but they will come. See, e.g., **Attachment 18 and 20**.

Please let me know if you have any questions.

Sincerely,



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