



Cornell University  
ILR School

Cornell University ILR School  
**DigitalCommons@ILR**

---

Working Papers

ILR Collection

---

2011

# Thinking About LGBT Diversity in the Workplace

Susan E. Woods

*Cornell University*, [sew13@cornell.edu](mailto:sew13@cornell.edu)

Follow this and additional works at: <http://digitalcommons.ilr.cornell.edu/workingpapers>

---

This Article is brought to you for free and open access by the ILR Collection at DigitalCommons@ILR. It has been accepted for inclusion in Working Papers by an authorized administrator of DigitalCommons@ILR. For more information, please contact [hlmdigital@cornell.edu](mailto:hlmdigital@cornell.edu).

---

# Thinking About LGBT Diversity in the Workplace

## **Abstract**

[Excerpt] Today, according to a May 13, 2011 report by the PEW Research Center, “a majority of Americans, 58%, now say that homosexuality should be accepted, rather than discouraged by society.” There are many reasons for this more inclusive shift in attitudes. Inclusion of sexual orientation, and increasingly gender identity, in workplace inclusion initiatives and diversity awareness dialogue is likely one. The workplace, driven by the pragmatic need for improved productivity, talent recruitment, and retention of a motivated workforce, has become a powerful environment for social change and learning.

## **Keywords**

LGBT, workplace, diversity, homosexuality, sexual orientation

## **Comments**

### **Suggested Citation**

Woods, S. (2011). *Thinking about LGBT diversity in the workplace* [Electronic version]. Buffalo, NY: Henderson Woods, LLC.

### **Required Publisher Statement**

© Susan Woods/Henderson Woods, LLC. Reprinted with permission. All rights reserved.



**Henderson Woods, LLC**

**Building Working Relationships/Improving Outcomes**

## THINKING ABOUT **LGBT Diversity in the Workplace**

### **Susan Woods**

Managing Partner, Henderson Woods, LLC

This year, 2011, will mark continued progress in the recognition of those of us who identify as lesbian, gay, bisexual and transgender as authentic persons with whole lives. According to the latest Human Rights Campaign Corporate Equity Index, 85% of Fortune 500 companies' non-discrimination policies include "sexual orientation" and 43% include "gender identity." Partner benefits are offered by a majority, 57%, of Fortune 500's, and 41% offer at least one transgender-inclusive health-related benefit.<sup>1</sup>

We see similar progress toward LGBT recognition and inclusion beyond the workplace, as well. In headline grabbing ways—this year, the State of New York joins Connecticut, Iowa, Massachusetts, New Hampshire and Vermont, as well as Washington, DC, to legalize same-sex marriage. Now gay, lesbian and transgender people can choose to legally marry in civil society using a new marriage license form that simply reads: Bride/Groom/Spouse—one marriage statute for opposite-sex and same-sex couples; no "separate but equal" provisions.<sup>2</sup> In September of this year, the uncomfortable and impractical compromise, "Don't Ask, Don't Tell," will come to an end as policy for the US military.

We see the progress in more subtle procedural shifts as well—the National Compensation Survey from the US Department of Labor now includes information on domestic partner benefits offered by public and private sector employers. The US Department of Health and Human Services will utilize transgender inclusive survey questions in a critical national health survey. When the FBI releases its report on hate crime statistics for 2010, it will include, for the first time, data based on "perceived gender and gender identity" bias—an important step toward recognizing this type of violence as wrong.

### **The Workplace as an Environment for Social Change and Learning**

Today, according to a May 13, 2011 report by the PEW Research Center, "a majority of Americans, 58%, now say that homosexuality should be accepted, rather than discouraged by society."<sup>3</sup> There are many reasons for this more inclusive shift in attitudes. Inclusion of sexual orientation, and increasingly gender identity, in workplace inclusion initiatives and diversity awareness dialogue is likely one. The workplace, driven by the pragmatic need for improved productivity, talent recruitment, and

retention of a motivated workforce, has become a powerful environment for social change and learning.

As diversity practitioners and change leaders, we know diversity is about differences and similarities and more-than-one-way. LGBT diversity challenges us to understand that what may be right for one person, may not be right for another. We have learned that prejudice and bias are weakened as people work together and learn through positive experience of respectful interaction. In an inclusive workplace, the environment is guided by expectations that advance relationship building and learning:

- **Work-relatedness**
- **Expectation of fairness and consistency**
- **Respectful interactions**

These criteria are useful when navigating the approach to LGBT inclusion.

Sexual orientation and gender identity diversity are sometimes labeled as one of the “tough,” “emotional,” and “uncomfortable” issues in workplace diversity. Consider the situation of co-workers where one is gay and the other holds deeply religious beliefs that condemn homosexuality. One has a picture of his partner and their two children at the beach displayed on his desk. Both men are standing close, leaning against one another; one has his arm around the other, the children are kneeling behind a giant sand castle. His co-worker initially complains that the picture makes her uncomfortable and she would prefer not to interact with him.

Apply the criteria. Her job requires her to interact with him. His sexual orientation is irrelevant to his ability to do his job as is hers, to her ability. It would be unfair and inconsistent to allow her to display pictures of her family in her workspace while denying him the same benefit. In this situation, respect may mean mutual recognition that they disagree.

Being “uncomfortable” is a common reaction when confronted with what is unfamiliar and recognized as unsafe, risky, or breaking stereotypical social norms. LGBT workers are a minority for whom sexual orientation, gender expression and/or gender identity are everyday considerations. For gender conforming employees, these aspects of personal identity are often deeply assumed, never questioned. Consider, for example, being able to dance with one’s partner at a company event, being referred to with the appropriate pronoun or being able to share stories about your family life and children without fear of rejection, ridicule or physical violence.

“Uncomfortable” can be thought of as the flipside of “unfamiliar.” A white person may feel “uncomfortable” when asked for the first time to explain if he or she prefers to be called Caucasian or white, and with a little or capital W. If a heterosexual person is “uncomfortable” when asked about their sexual orientation, it may be because they’ve never really thought about it as dimension of their own diversity.

The same diversity skills that facilitate relationship building across other dimensions of diversity—open-mindedness, the ability to see things from more-than-one-way, anticipating ambiguity, flexibility, criteria-guided thinking, and a strong sense of one’s own self-worth—apply to sexual orientation and gender identity. LGBT diversity challenges us all to recognize that what’s right for one person’s identity does not necessarily imply anything about another’s.

Most of us grew up thinking about sex/gender as two distinct, all inclusive dimensions: male or female, man or woman, simple as that. Nature is more complex. The Center for Gender Sanity diagramed the complexity in a way that helps sort through the confusion.<sup>4</sup> How we understand ourselves is a combination of: 1) our biological sex determined by anatomy, chromosomes and

**WORK  
RELATEDNESS**

**FAIRNESS &  
CONSISTENCY**

**RESPECT**

hormones, 2) our gender or psychological sense of self, 3) the way we express gender as masculine, feminine or androgynous, and finally 4) our sexual orientation defined by attraction to the opposite sex, same sex, both or neither. A person who has transitioned from female to male, for example, may or may not be gay. A man whose style and expression seem feminine may be straight.

The LGBT community is highly diverse within itself. Identity is a combination of our biology, psychological sense of self and how we choose to express ourselves. None of us is without a sexual orientation or gender identity. In the workplace, LGBT diversity is about recognizing these dimensions of identity; it is not about sexual activity. Providing a means to understand this complexity reduces fear and lays the groundwork for open-mindedness, empathy and acceptance.

### **Progress is Far from Complete**

Several recent national studies of the experience of LGBT people at work document the persistence of discrimination in hiring/firing, promotion, performance evaluation, pay and benefits as well as verbal harassment, bullying and physical violence.<sup>5</sup> LGBT people report lying about their personal lives, feeling depressed, avoiding people and social events, and feeling distracted at work and exhausted. To diversity practitioners and change leaders, the effects on talent recruitment, retention, productivity, and employee health and well-being are recognized. How LGBT workers are treated sends signals to others who question what would happen to them should they challenge perceived norms.

The effects on people and on the workplace are serious and similar to acknowledged dynamics with other types of bias, with perhaps one exception. LGBT identity is not necessarily visible. Gay, lesbian and transgender workers must contend with the issue of “being out” and fear of “being

outed.” Diversity practitioners have long recognized the cost of “having to check your identity at the door.” Closeted workers suffer increased sense of isolation, anxiety, stress, and distraction from work.

Openness is a complex issue, deeply personal and private while at the same time having strategic implications for career and the quality of day-to-day engagement with others on the job. *The Power of Out*, a new study by the Center for Work-Life Policy, found that LGBT employees who are out at work are less likely to feel stalled in their careers, more likely to feel satisfied with their rates of promotion and advancement and more likely to trust their employers.<sup>6</sup>

According to research by the Human Right Campaign, most employees who are not open to anyone at work say they do so because it’s nobody’s business. Others fear making people uncomfortable, being stereotyped, losing relationships, hurting chances for promotion, being perceived as unprofessional, or being fired, attacked or humiliated.<sup>7</sup>

Perceptions about workplace climate greatly influence this decision. GLBT employees are alert to subtle and not-so-subtle messages of exclusion, everything from the absence of inclusive terms like “partner” in policy language to managers who appear visibly uncomfortable or tolerate anti-gay jokes to co-workers who leave the room, don’t speak, express stereotypes, use derogatory labels or spread rumors. As with other types of diversity, seeing openly LGBT people successfully advance careers makes a difference.

### **Framework for Creating LGBT Inclusion**

Inclusive LGBT policy goes beyond specifying sexual orientation and gender identity in non-discrimination language and domestic partner health benefits. Policy makers should consider how domestic

**SAFETY****ACCEPTANCE****EQUALITY**

partners' family, parents and children, are included in various family benefit policies such as adoption assistance, bereavement leave, COBRA benefits contribution, employee discounts, employer provided life insurance, family leave, parental leave, relocation assistance, retiree medical coverage and supplemental life insurance.<sup>8</sup> For transgender employees, it's especially important that health insurance plans not contain clauses exempting transgender employees from needed medical coverage like counseling by a mental health professional and hormone therapy.<sup>9</sup> Employee resource groups focused on LGBT issues provide valuable information and insight.

As diversity change practitioners, we know that policy on the books is the starting point; it becomes real when put into practice. Ed Mickens, writing in the mid-1990's, outlined three areas of concern for LGBT inclusion: safety, acceptance and equality.<sup>10</sup> These concerns continue today to provide a useful framework for thinking through inclusive policy, awareness and skill-building, and workplace culture change.

LGBT inclusion can be explored by asking what needs to be in place to promote:

- **Safety** from ridicule, harassment, bullying and violence

- **Acceptance** to foster understanding, goodwill and relationship building
- **Equality** to ensure non-discrimination, recognition of full lives and respect for the integrity of relationships and families

As with other aspects of inclusive policy, it's important to think through how policy becomes practice, how inclusion will be communicated, implemented and supported.

Diversity and inclusion often pushes us beyond our comfort zones. We are asked to dismantle backlash, to recognize stereotypes, and to keep an open-mind for learning from the experience of diverse others. We are challenged to reexamine our own identities, to surface deeply rooted assumptions, and to learn new ways to understand the complexity of human reality, including our own. When working with employee and manager groups, the same skills and approaches that are useful with other dimensions of diversity are useful here. A workplace environment guided by expectations for work relatedness, fairness and respect is well suited for advancing recognition and inclusion of LGBT people.

**References & Resources**

1. Human Rights Campaign, *Corporate Equality Index 2011: Rating American Workplaces on Lesbian, Gay, Bisexual and Transgender Equality* (2011) <http://www.hrc.org/documents/HRC-CEI-2011-Final.pdf>
2. In NY, marriage equity legislation includes language that "no government treatment or legal status, effect, right, benefit, privilege, protection or responsibility relating to marriage, whether deriving from statute, administrative or court rule, public policy, common law or any other source of law, shall differ based on the parties to the marriage being or having been of the same-sex rather than a different sex." This is significant because it extends to same-sex couples the host of rights and responsibilities that have been extended to opposite sex married couples. It means that in NY, for example, the state tax code will be amended to exempt employer-provided domestic partner benefits to equalize the state tax treatment of benefits for all spouses. In the federal sector, the Defense of Marriage Act, DOMA, requires employers to impute the fair market value of partner benefits so those benefits can be treated as taxable income.  
[http://www.nyhealth.gov/vital\\_records/marriage\\_equality\\_frequently\\_asked\\_questions.htm](http://www.nyhealth.gov/vital_records/marriage_equality_frequently_asked_questions.htm)  
[http://www.tax.ny.gov/pdf/memos/multitax/m11\\_8c\\_8i\\_7m\\_1mctmt\\_1r\\_12s.pdf](http://www.tax.ny.gov/pdf/memos/multitax/m11_8c_8i_7m_1mctmt_1r_12s.pdf)

3. PEW Research Center for the People and the Press, "Most Say Homosexuality Should Be Accepted By Society" (May 13, 2011) <http://people-press.org/2011/05/13/most-say-homosexuality-should-be-accepted-by-society/>
4. "Diagram of Sex and Gender," Center for Gender Sanity <http://www.gendersanity.com/diagram.html>
5. See: Human Rights Campaign Foundation, *Degree of Equality: A National Study Examining Workplace Climate for LGBT Employees* (2009) [www.degreesofequality.org](http://www.degreesofequality.org)  
  
Sears, Brad and Christy Mallory, *Documented Evidence of Employment Discrimination & Its Effects on LGBT People*, The Williams Institute UCLA School of Law (July 2011) <http://services.law.ucla.edu/williamsinstitute/pdf/DiscriminationStudy-July2011.pdf>  
  
Grant, Jaime M., Lisa A Mottet, Justin Tanis, et. al., *Injustice at Every Turn: A Report on the National Transgender Discrimination Survey*, National Center for Transgender Equality and National Gay and Lesbian Task Force (2011) [http://www.thetaskforce.org/downloads/reports/reports/ntds\\_full.pdf](http://www.thetaskforce.org/downloads/reports/reports/ntds_full.pdf)
6. Hewlett, Sylvia Ann and Karen Stumberg, *The Power of Out*, Center for Work-Life Policy (2011) <http://www.worklifepolicy.org/documents/CWLP%20-%20LGBT%20-%20Final%206.21.11.pdf>
7. Human Rights Campaign Foundation, *supra* note 5
8. For a discussion from a union perspective, see Empire State Pride Agenda, *Pride in Our Union: A Labor Movement Handbook* (2009) <http://www.prideagenda.org/Our-Programs/Pride-in-Our-Union/Publications.aspx>
9. Human Rights Campaign Foundation, *supra* note 5 Also see: Mollet, Lisa and Justin Tanis, *Opening the Door to the Inclusion of Transgender People*, National Center for Transgender Equality and National Gay and Lesbian Taskforce (2008) [http://www.thetaskforce.org/reports\\_and\\_research/opening\\_the\\_door](http://www.thetaskforce.org/reports_and_research/opening_the_door)
10. Ed Mickens, "Including Sexual Orientation in Diversity Programs and Policies," *Employment Relations Today*, Autumn 1994, Vol. 23, No. 3