

2009
Out & Equal
Workplace Summit

Building Bridges – Annual Summit
October 8, 2009

Instructors:
Pat Baillie, Donna Rose

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Who's here...

- Generations
- Heard negative comments about the LGBT community
- Know someone who is LGBT

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Importance of Equality

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It's just not new...

"Those _____ shouldn't be allowed to marry! Marriage is a sacred institution!"
1865 reference to African Americans

"A _____ is for me an object of disgust. I feel like vomiting when I see one."
1940 Nazi reference to Jews

"The brainwashing of our children is a fighting matter...children in public and private schools all over America are being indoctrinated and lied to."
1997 reference to racial equality taught in schools

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Evolution of Federal Protections for Employees

- 1935 – Union membership
- 1963 – Sex based wage discrimination
- 1964 – Race, color, religion, sex and national origin
- 1967 – 40+ age
- 1974 – add sexual orientation to Civil Rights Act (did not pass)
- 1981 – pregnant women
- 1990 – disabilities

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Evolution of Federal Protections: An LGBT Perspective

- 1996 – 1998 - Employment Non-Discrimination Act (ENDA) protecting sexual orientation - did not pass
- 1998 – President Clinton executive order prohibiting discrimination on sexual orientation for federal workers
- 1999 – 2006 – ENDA did not pass
- 2007 – ENDA added gender identity – did not pass
- 2009 – ENDA re-introduced (house hearing was 9/23)

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Current Issues

State the obvious
I didn't get my perfect fantasy
I realize you love yourself more than you could ever love me
So go and tell your friends that I'm obsessive and crazy
That's fine; I'll tell mine you're gay.
And by the way...
...

I hate that stupid old pickup truck You never let me drive
You're a redneck heartbreak who's really bad at lying
So watch me strike a match on all my wasted time
As far as I'm concerned you're just another picture to burn

"Picture to Burn" by Taylor Swift and Liz Rose

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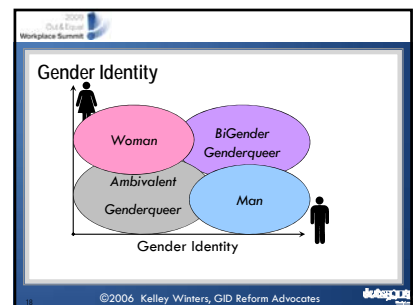
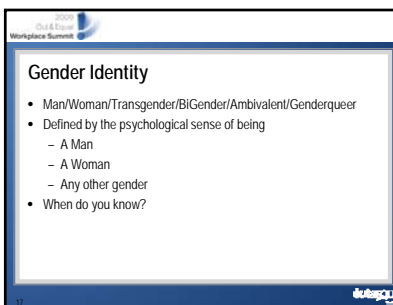
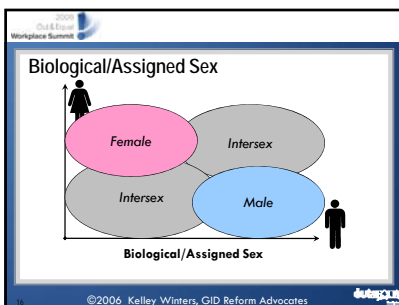
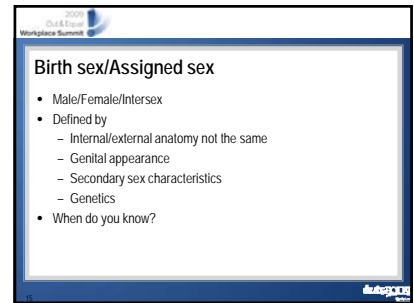
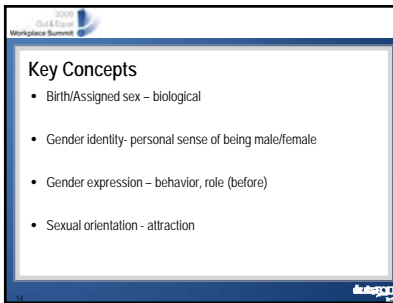
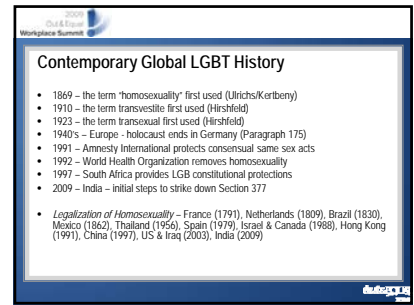
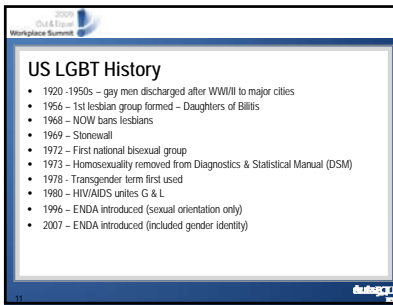
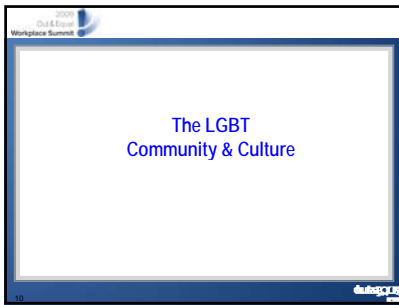
Current Issues

- "...you're gay..."
- Safety in invisibility

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Objectives

- Increase understanding/awareness of the diverse communities:
 - In which we live, that we serve
 - Of employees
- Increase understanding/awareness of the impact of equality for all employees on
 - Employee experience in the workplace
 - Customers
- Develop Action Plan for personal & business team growth



Gender Expression

- Feminine/Masculine/Cross dressing/BiGender/Dual Gender/Gender Queer/Drag Performer (King/Queen)
- Defined by how a person represents/expresses their gender to others through a combination of
 - Behavior
 - Dress
 - Hairstyles
 - Voice or body characteristics
- When do you know?

Gender Expression

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Sexual Orientation

- Heterosexual/Homosexual/Gay/Lesbian/ Bisexual/Omni sexual/ Asexual/ Questioning/Queer
- Defined by the internal experience of being attracted physically and emotionally attracted to others
 - Opposite Sex (Heterosexual/Straight)
 - Same Sex (Homosexual/Gay/Lesbian)
 - Either Sex (Bisexual/Omni sexual)
 - Neither Sex (Asexual)
- When do you know?

Sexual Orientation

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Concept Summary

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Straight Males

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Straight Males: Gender Expression

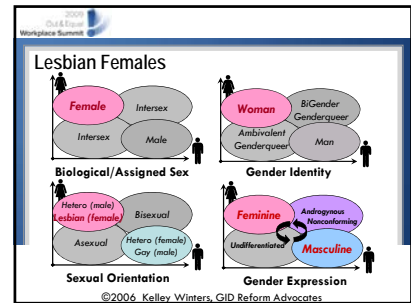
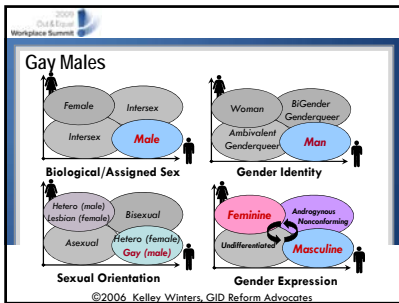
John Wayne
Eddie Izzard

Straight Females

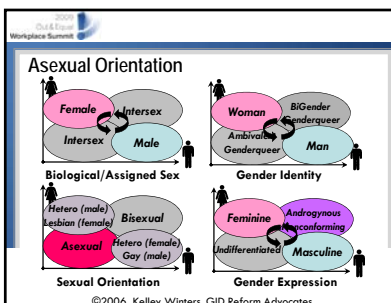
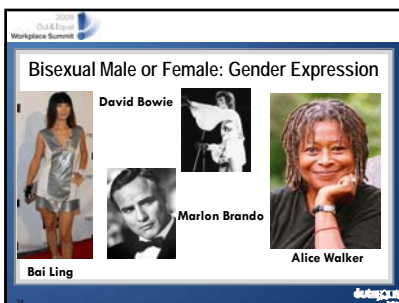
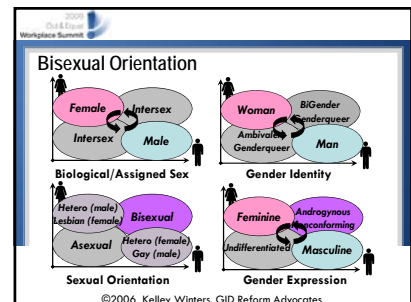
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Straight Females: Gender Expression

Princess Diana
Demi Moore in Gl Jan



- ### What's said about bisexuals....
- Just a transitional phase on the way to being gay or lesbian.
 - Bisexuals are promiscuous.
 - Bisexuality doesn't exist.
 - Bisexuals will never be happy with just one person.
 - Women just say they are bisexual because it is trendy
 - Men just say they are bisexual because they don't want to admit they are gay



Changing Gender Identity

Legal Documents

- Birth Certificate (Assigned Sex)
- Legal Name
- Drivers License and Passport
- Social Security Card

Life Issues

- Marriage, Parenthood/Custody
- Health Insurance/Medicare
- Employment Records/Education Records (Degree)
- IRS/Tax Records and Credit Bureau
- Contracts/documents

Transgender Females

Biological/Assigned Sex: Female (pink), Intersex (grey), Male (blue)

Gender Identity: Woman (pink), BiGender Genderqueer (purple), Ambivalent Genderqueer (grey), Man (blue)

Sexual Orientation: Hetero (male) (pink), Lesbian (female) (pink), Bisexual (purple), Asexual (grey), Hetero (female) (pink), Gay (male) (blue)

Gender Expression: Feminine (pink), Androgynous Nonconforming (purple), Undifferentiated (grey), Masculine (blue)

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Transgender Females: Gender Expression

Christine Jorgenson **Renee Richards** **Candis Cayne**

Transgender Male

Biological/Assigned Sex: Female (pink), Intersex (grey), Male (blue)

Gender Identity: Woman (pink), BiGender Genderqueer (purple), Ambivalent Genderqueer (grey), Man (blue)

Sexual Orientation: Hetero (male) (pink), Lesbian (female) (pink), Bisexual (purple), Asexual (grey), Hetero (female) (pink), Gay (male) (blue)

Gender Expression: Feminine (pink), Androgynous Nonconforming (purple), Undifferentiated (grey), Masculine (blue)

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Transgender Males: Gender Expression

Brandon Teena **Billy Tipton** **Jamison Green**

Another look at being transgender and determining sexual orientation...

- ! What is their current gender identity?
- ! The gender identity of the person of their affection?

! Sexual Orientation: To Men ← - - - - -> To Women

Summary

Biological: Female (pink), Intersex (grey), Male (blue)

Gender Identity: Woman (pink), BiGender Genderqueer (purple), Ambivalent Genderqueer (grey), Man (blue)

Sexual Orientation: Hetero (male) (pink), Lesbian (female) (pink), Bisexual (purple), Asexual (grey), Hetero (female) (pink), Gay (male) (blue)

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Myths & Stereotypes

A myth is a false belief or a set of ideas and stories surrounding a particular phenomenon, concept, or group

A stereotype is a simplified and/or standardized conception or image with specific meaning, often held in common by people about another group

I Don't Tell People I'm Straight..

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Questions & Answers

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LGBT Employees in the Workplace

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LGBT Employees in the Workplace

- LGBT Statistics
- Being LGBT in the Workplace
- Closer to home: This workplace and community
- The Business Case for LGBT Equality

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Who is LGBT?

- LGB in every county/state (estimated 10 million - no data on T)
- Racially & ethnically diverse (20%-24% are non-white)
- Participate in the US economy (78% employed - more in private sector)
- 20% are raising children
- 10% are veterans
- 28% have a partner who is disabled
- 7% have one partner over 65

FACT: 94% of 590 CEI reporting companies offer Domestic Partner benefits - 2008 CEI Report

Based on US 2000 Census data

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Can LGBT employees be fired?

State Nondiscrimination Laws in the U.S.

FACT: 61% heterosexual & 29% LGBT not aware that there are no federal protections protecting LGBT employment - 2008 Out & Equal Workplace Survey

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LESBIAN AND GAY RIGHTS IN THE WORLD

USA, the International Lesbian, Gay, Bisexual, Trans and Intersex Association

ilga

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In the US, besides being fired...

- Impact on same sex couples:
 - May not have access to health care benefits for partner/partners' children
 - No COBRA health care coverage for partner
 - No Social Security, pension, 401k benefits
 - No surviving spouse, parent, child benefits
 - Federal programs are not available

FACT: 79% heterosexual adults agree how you do job is standard, not sexual orientation - 2008 Out & Equal Workplace Survey

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Domestic Partnership

- Domestic Partnership Laws and Policies
 - Committed relationships
 - Provides access to some rights and benefits
- Domestic Partner benefits may include:
 - Health insurance, family leave, pension plans
- Who should get employee benefits - same sex/opposite sex?
- Need for DP benefits globally?

FACT: 268 of the Fortune 500 companies noted in the CEI; 123 had 100% ratings 2008 CEI Report findings

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Fiscal Impact - Is Equal Really Equal?

	Steve (Married)	Jim (DP)
Earned	\$32,000	\$32,000
Employee Health Payment (before taxes)	\$1069	\$0
Taxable Income	\$30,931	\$32,000
Taxes	\$3155	\$4710
Employee Health Payment (after taxes - best case)	\$0	\$1069
Added costs for Health Care for Partner (more if you have kids)	\$1069	\$2624 (-\$1555)

The Williams Institute - Dec 2007

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Is equal really equal?

- Family Leave (FMLA) - 12 weeks of unpaid, protected job leave
- Sick or Bereavement Leave to take care of partner or partner's children (informal)
- Time off for Adoption/Child Birth
- Domestic partner program "residency" requirements
- Relocation support for partner

FACE: 75%
Heterosexual adults feel same sex partners should receive leave when they lose a partner
2009 Out & Equal Workplace Survey

Health Impact

Is equal really equal?

- Benefits for Transgender Employees
 - Basic health Insurance
 - Transition
 - First step - hormone therapy, required psychotherapy, voice training, electrolysis etc.
 - Second step - sex reassignment surgery, leave
- Cost to insurer pool for coverage?
 - Coverage in San Francisco after 4 years shows no additional costs to insurers

FACE: Only 8% of companies reporting on the CEI have surgical coverage for transgender employees
2009 CEI Report

San Francisco City Council Report

Key Federal LGBT Bills

- Domestic Partnership Benefits & Obligations Act (DPBO), HR 2517 – benefit equality
- Uniting American Families Act of 2009, S 424/HR 1024 – amending immigration and nationality act
- Employment Non-Discrimination Act (ENDA), S 1584/HR 2017 – employment protections for sexual orientation and gender identity
- Federal Local Law Enforcement Hate Crimes Prevention Act of 2009 (Matthew Shepard Bill), HR 1913 – adds federal protections for sexual orientation, gender expression or identity and disability

NOLTF & Equality Federations Information

2009 Key Events

- United States:
 - Hawaii passes civil union bill in house
 - New Hampshire passes same sex marriage bill
 - Vermont & Iowa legalize same sex marriage
 - Colorado, Nevada & Wisconsin domestic partnership becomes effective
 - District of Columbia recognizes same sex marriages
 - California upholds Prop 8
- Global:
 - Johanna Sigurdardottir become prime minister of Iceland, first openly gay head of government
 - Delhi High Court legalizes gay sex between consenting adults in India
 - Same sex marriage begins in Norway & Sweden
 - Hungary approves registered partnership bill
 - Argentina, Uruguay & Philippines end ban on gays in military
 - Serbia bans discrimination based on sexual orientation and gender
- Upcoming:
 - Washington: all but marriage law ballot measure (Nov)
 - Maine marriage equality ballot measure

http://en.wikipedia.org/wiki/2009_in_LGBT_rights

Non-Discrimination Policies

- United States
 - Constitution prohibits federal and state discrimination
 - Private sector not directly constrained
 - Covers recruiting, hiring, job evaluations, promotion policies, training, compensation, disciplinary action
 - State laws extend protection to additional categories or employers
- Global policies vary around the world
 - Discriminatory laws or absences of laws that protect
 - Societal or cultural discrimination
 - Acceptance of harassment or violence
 - Advocacy from international organizations such as Amnesty International

What do LGBT people hear?

Prevalence of LGBT and negative comments LGBT people hear at work

Degrees of Equality Report, 2009

When you hear...

HOW MANY COMPANIES HAVE...
...LGBT EQUALITY POLICIES IN PLACE
...LGBT EQUALITY POLICIES IN PLACE

Degrees of Equality Report, 2009

The Business Case for LGBT Equality

So What?

LGBT Equality in your workplace matters for:

- Recruiting
- Retention & Performance
- Diversity of Ideas & Talents/Product Development
- Marketing and Sales
- Advocacy/Sector Leadership/Corporate Responsibility

Recruiting

Recruiting

- Recruiting the best: Includes LGBT employees
- Domestic Partner benefits are a workplace benchmark for many non-LGBT candidates

FACT: 123 Fortune 500 companies received 100%, remaining average score was 86% - 2010 HRC CEI Report

Retention & Performance

- Successful Performers:
 - Are in the right job - right skills, talents & interests
 - Understand the organization's mission/values
 - Are valued their unique contributions and are part of the team
 - Bring their whole selves to work every day
 - Are focused on their job, not workplace distractions
- Goal is 100% engaged at work

FACT: 68% of gays and lesbians have faced discrimination at work - 2008 Out & Equal Workplace Survey

Dyad Exercise

When you can't just tell the story

Pronouns:
He/She
Him/Her
His/Hers

Why not come "out"?

Degrees of Equality Report, 2009

When you can't be "out"

Degrees of Equality Report, 2009

Diversity of Ideas & Talents/Product Development

- The most successful organizations are:
 - Diverse
 - Inclusive
 - Team Oriented
- More new Ideas for products and services and solutions
- LGBT consumer concerns or issues - know market better
- LGBT employees add to that diversity

FACT: 37% of companies on the CEI have LGBT engagement survey questions 2010 CEI Report

Marketing & Sales

- LGBT Consumers considered a target market
 - Looking for visible presence in ads/online
 - Potential higher per-capita disposable Income
 - Evaluate vendors prior to purchasing
 - Sensitive to customer service response

LGBT Customers...

- Are an invisible minority
- Are aware of other's biases
- Are concerned about other's judgment
- Often hide who they are due to fear

FACT: 91% of gays and lesbians remain "closeted" at work - Degree of Equality Report

Common Misperception...

"I can leave my bias at the door"

Willing, Salvador & Kano (2006)

Competing in Diverse Markets

- 15 million LGBT (estimated 6% of US adults over 18)
 - Variation based on data source – census data (couples only)
 - Willingness to reveal sexual orientation/gender identity
- Minority Buying Power/Discretionary Income

	Population Estimate	Buying Power
African-American	36 Million	\$688 Billion
Hispanic	41 Million	\$653 Billion
LGBT	15 Million	\$660 Billion
Asian-American	12 Million	\$344 Billion

Sources: Waack-Combs Market Research/Harris Interactive, Selig Center for Economic Growth

Brand Loyalty USA Data Only

- The U.S. LGBT community is very loyal to companies who are gay friendly
 - 50% of LGBT consumers will research before they buy products
 - 70% of LGBT consumers are more likely to purchase from a company that advertises directly to the LGBT community or is known to have LGBT friendly practices.
 - LGBT consumers will also avoid companies that aren't supportive of their LGBT employees or the community.

Advocacy/Sector Leadership/ Corporate Social Responsibility

- Visibility or Presence in the local/state/federal LGBT community efforts
- Developing metrics regarding LGBT employees
- Establishing global LGBT policies

FACT: 83% of CEI reporting companies have some form of external engagement with LGBT community
2010 CEI Report

The Power of Equality

- Increased effectiveness in use of internal resources
 - Larger pool of new employees to draw from
 - Reduce urge to look for another job
 - Move closer to 100% engaged
 - Improved product design and best use of resources
- Increased customer base
 - Greater market outreach/sales
 - Repeat sales
 - Improved customer service

Right here, Right now!

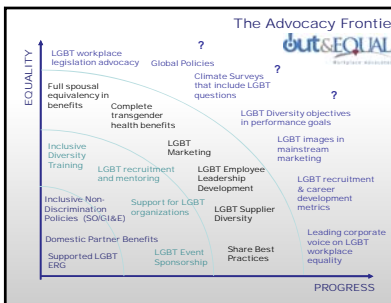
What could it look like...

- Having peer networks for LGBT employees
- Celebrating the contributions of LGBT employees
- Providing continuing education to all employees
- Promoting social justice on behalf of LGBT people
- Supporting research with an emphasis on LGBT cultural competency

Checking the Workplace

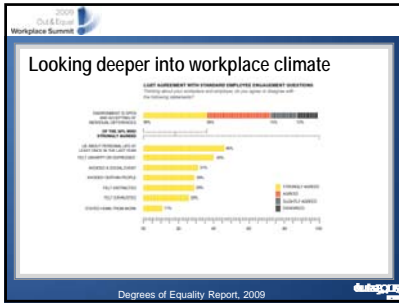
Out & Equal 20 steps – 5 key areas:

- Equal Policies & Benefits
- Talent Management & Professional Development
- Workplace Climate
- Community Commitment
- Advocacy & Corporate Responsibility



What factors make a difference?

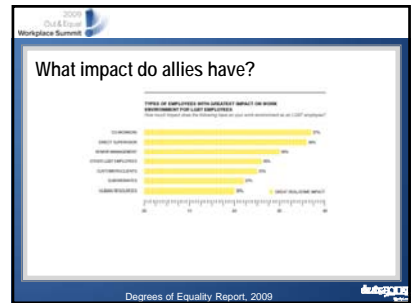
Degrees of Equality Report, 2009



- ### Equality and Diversity: Right here, right now...
- Your Current Climate (general discussion)
 - What's working here?
 - What are some opportunities we can address?
 - Action Plan (use handout sheet to create action plans)
 - What can I do, personally, to address the opportunities?
 - What can my workgroup/company do, to address these opportunities?
 - Reporting Out
- Discuss for 15 minutes!



- ### What does an ally do...
- Be a friend
 - Be a listener
 - Be open minded
 - Have your own opinions
 - Be willing to talk
 - Maintain a commitment to personal growth
 - Recognize your own prejudices
 - Join with others with a common purpose
- FACT: 78% of CEI reporting companies have Employee Resource Groups that include LGBT issues - 2009 CEI Report



- ### Resources
- Where are our LGBT Employees? Voluntary LGBT Self ID Best Practices - <http://outandequal.org/documents/LGBTSelfIdentificationReport.pdf>
 - 2010 Corporate Equality Index - company ratings - http://www.hrc.org/about_us/13523.htm
 - Degrees of Equality Report - workplace climate findings - http://www.hrc.org/about_us/13575.htm
 - Williams Institute - research on LGBT issues - <http://www.law.ucla.edu/williamsinstitute/home.html>
 - Transgender Equality and the Federal Government - http://www.nctequality.org/Resources/NCTE_Federal_Government_web.pdf
 - Wileck-Combs Communication/Harris Interactive - market and LGBT research - http://wileckcombs.com/research_insights/harris_interactive.html

- ### Closing
- Cultural Perspective of LGBT Employees
 - Business Case for Engaged Employees
 - How is it where you work
 - Action plans to make changes
 - Becoming an ally

Questions & Answers

