

2009  
Out & Equal  
Workplace Summit

**Building Bridges – Annual Summit**  
October 8, 2009

Instructors:  
Pat Baillie, Donna Rose

2009  
Out & Equal  
Workplace Summit

**Who's here...**

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

2009  
Out & Equal  
Workplace Summit

**Importance of Equality**

2009  
Out & Equal  
Workplace Summit

**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

2009  
Out & Equal  
Workplace Summit

**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

2009  
Out & Equal  
Workplace Summit

**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)

2009  
Out & Equal  
Workplace Summit

**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

2009  
Out & Equal  
Workplace Summit

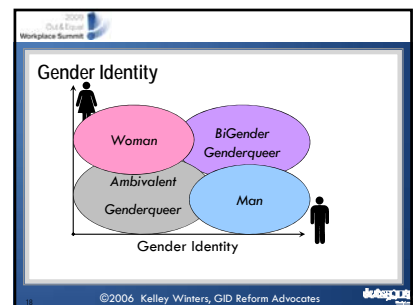
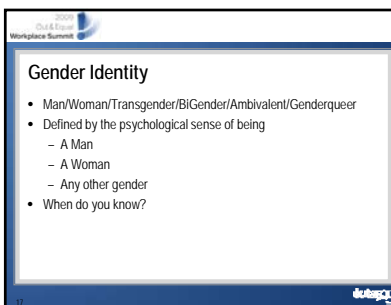
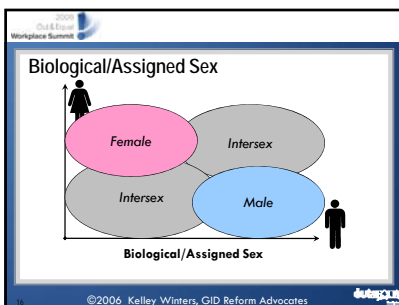
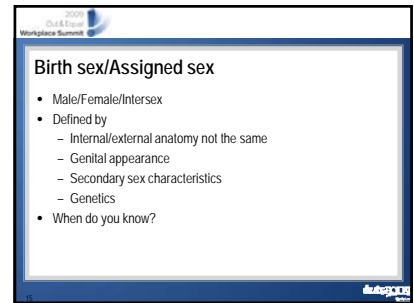
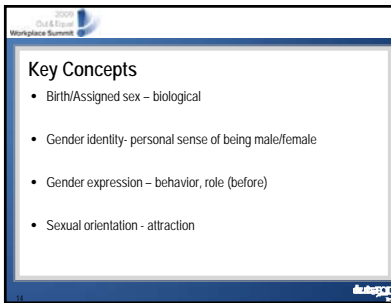
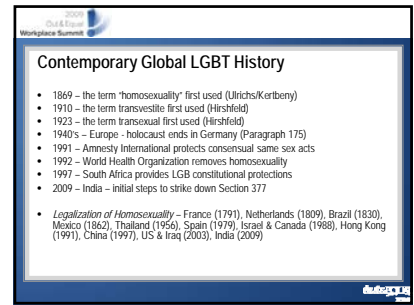
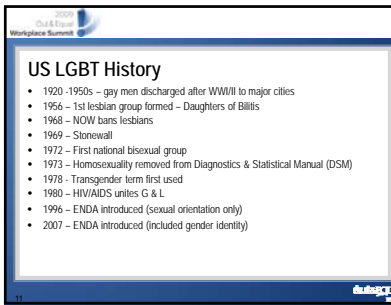
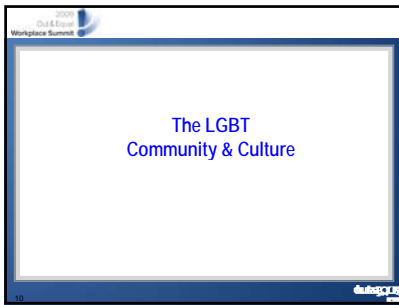
**Current Issues**

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

2009  
Out & Equal  
Workplace Summit

**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

©2006 Kelley Winters, GID Reform Advocates

### 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

©2006 Kelley Winters, GID Reform Advocates

### Concept Summary

©2006 Kelley Winters, GID Reform Advocates

### Straight Males

©2006 Kelley Winters, GID Reform Advocates

### Straight Males: Gender Expression

John Wayne

Eddie Izzard

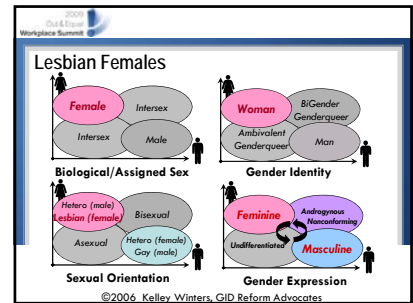
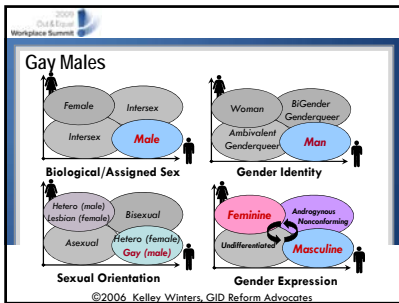
### Straight Females

©2006 Kelley Winters, GID Reform Advocates

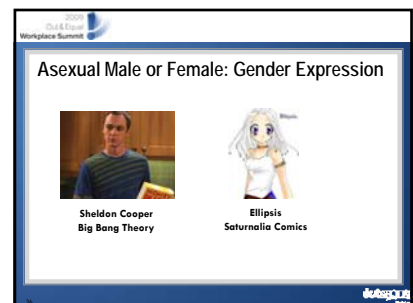
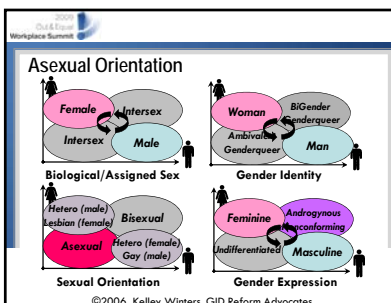
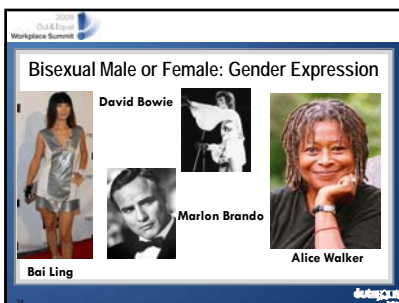
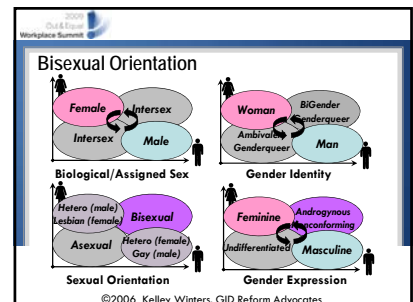
### Straight Females: Gender Expression

Princess Diana

Demi Moore in GI Jane



- ### 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) (purple), Bisexual (purple), Asexual (grey), Hetero (female) (pink), Gay (male) (blue)

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

©2006 Kelley Winters, GID Reform Advocates

### 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) (purple), Bisexual (purple), Asexual (grey), Hetero (female) (pink), Gay (male) (blue)

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

©2006 Kelley Winters, GID Reform Advocates

### 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) (purple), Bisexual (purple), Asexual (grey), Hetero (female) (pink), Gay (male) (blue)

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

©2006 Kelley Winters, GID Reform Advocates

### 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..

2009 Out & Equal Workplace Summit

## Questions & Answers

2009 Out & Equal Workplace Summit

2009 Out & Equal Workplace Summit

## LGBT Employees in the Workplace

2009 Out & Equal Workplace Summit

2009 Out & Equal Workplace Summit

### 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

2009 Out & Equal Workplace Summit

2009 Out & Equal Workplace Summit

### 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

2009 Out & Equal Workplace Summit

2009 Out & Equal Workplace Summit

### 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**

2009 Out & Equal Workplace Summit

2009 Out & Equal Workplace Summit

### LESBIAN AND GAY RIGHTS IN THE WORLD

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

May 2009

2009 Out & Equal Workplace Summit

2009 Out & Equal Workplace Summit

### 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**

2009 Out & Equal Workplace Summit

2009 Out & Equal Workplace Summit

### 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**

2009 Out & Equal Workplace Summit

2009 Out & Equal Workplace Summit

### 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

2009 Out & Equal Workplace Summit

**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](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
<b>LGBT</b>	<b>15 Million</b>	<b>\$660 Billion</b>
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!

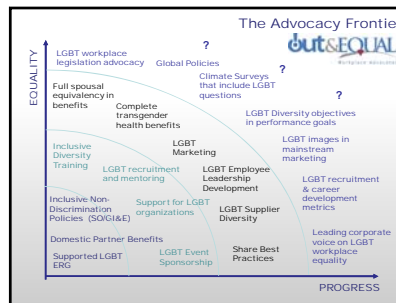
### What could it look like...

- 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

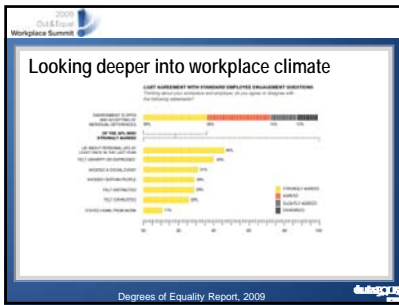
Out & Equal 20 steps – 5 key areas:

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



### What factors make a difference?

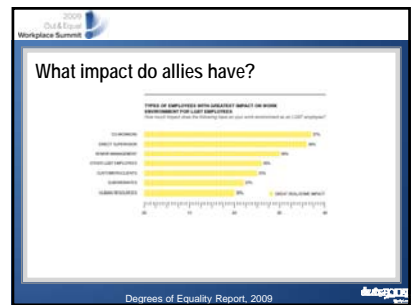
Degrees of Equality Report, 2009



- ### 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
- Degrees of Equality Report, 2009



- ### 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](http://www.hrc.org/about_us/13523.htm)
  - Degrees of Equality Report - workplace climate findings - [http://www.hrc.org/about\\_us/13575.htm](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](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](http://wileckcombs.com/research_insights/harris_interactive.html)
- Degrees of Equality Report, 2009

- ### 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
- Degrees of Equality Report, 2009

Questions & Answers

Degrees of Equality Report, 2009

