Thomas Köllen *Editor*

Sexual Orientation and Transgender Issues in Organizations

Global Perspectives on LGBT Workforce Diversity

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Preface

Over the past decade, workforce diversity has attracted much scientific attention. Given the shortage of literature on issues related to homosexual, bisexual, and transgender employees, compared with other facets of workforce diversity, this book opens up several new perspectives on this issue. The book places special emphasis on the equal consideration of gay, lesbian, bisexual, and transgender issues, covering the unique experiences of L, G, B, and T employees (or issues that are related to them) in different contexts. In management practice, many organizations use the term LGBT (or GLBT) to designate the target group of organizational practices (e.g., diversity management), although, in reality, these usually only target lesbian and gay employees. Thus, the book itself is a critique of the usage of the term LGBT, inasmuch as the term is frequently used as a category that lumps together more or less unrelated phenomena. As one's gender identity is not directly related to one's sexual orientation, subsuming transgenderism into this umbrella term, together with different sexual orientations, marginalizes the unique stressors transgender employees have to face. Unique experiences of transgender employees, for example, can appear before, within, and after transitioning. In this context, it is especially satisfying that ten chapters focus exclusively on workplace-related trans-issues, and several more have included these issues into their analyses, thereby giving a voice to transgender employees within the (diversity) management discourse. Furthermore, many other chapters enrich the discourse on lesbian, gay, and bisexual issues in the workplace by important national perspectives that were, until now, more or less invisible, by analyses being based on innovative methodological approaches, and by applying to this field of research new and hitherto unapplied theoretical frameworks.

This book broadens the understanding of both issues related to employees' sexual orientation (such as being bisexual, lesbian, gay, and also being heterosexual), and issues that are specifically related to employees' gender identity (such as having a trans- or a cisgender identity). The book provides delineations and evaluations of organizational initiatives and practices aiming at a higher degree of inclusion for transgender, gay, lesbian, and bisexual employees and aiming at reducing the harmful effects of homophobia and transphobia by reducing heteronormativity and cisnormativity in the workplace. Additionally, this book opens up numerous new insights upon which organizational practices can build and several new starting points for future research.

I want to thank the authors for their thoughtful contributions and for their limitless support during the review and feedback process of this book; it has been a pleasure and a privilege to work together with them on this project. I would also like to thank Alex Scott Fairley. Besides being very important to me as a person, and being very supportive and encouraging during the whole process of finishing this compilation, his immeasurable help in again and again checking and proof-reading documents has been absolutely essential for the successful outcome of the project. I would also like to thank Irene Barrios-Kežić and Rocio Torregrosa from Springer for their support and their guidance during the whole process of finalizing this book.

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1 Introduction[1]

By using the term *LGBTI* many organizations purport to explicitly consider intersexuality and trans-identities as part of their diversity management activities. *LGBTI*, then, is often defined as the name of the target group for organizational initiatives that focus on the dimensions of "sexual orientation/identity" and "gender identity": lesbian, gay, bisexual, transgender, and intersex persons. However, a closer examination of the concrete actions that are implemented on this issue by most organizations reveals that the target group in most cases is reduced to lesbian, gay, and (partially) bisexual employees. Only very rarely do organizations implement actions that explicitly address transgender employees, and intersexuality remains totally excluded from consideration when it comes to concrete organizational practices and initiatives. This shows that the usage of the term *LGBTI* in the context of organizational diversity management practices is predominantly motivated by being somehow "politically correct" and trying, at least on the level of semantics and language, to be all-inclusive. Because of this, how far the single elements of this term share any commonalities, and how this would potentially legitimize grouping them together (or not), has rarely, if ever been called into question.

In this context, this chapter provides a closer examination of those categories included in the term *LGBTI* that are infrequently, if at all, considered in the

[1] A shorter German version of this chapter, entitled "Intersexualität und Transidentität im Diversity Management", appears in: Genkova, P, Ringeisen T. (Eds.). 2016. *Handbuch Diversity Kompetenz: Gegenstandsbereiche*. Heidelberg: Springer.

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discourse on diversity and diversity management: Intersexuality and transgenderism. The different theoretical approaches to both phenomena will be outlined, along with a discussion of what both phenomena have in common with each other, and where they fundamentally differ from each other. As a result it will be shown that intersexuality and transgenderism are gender/biological sex categories that are, indeed, by definition related to different sexual orientations, as they are defined by the gender/sex of the desired and the desiring subjects. However, there are substantial ways in which both phenomena do not have anything in common with different sexual orientations, and actually, within the discourse of diversity and diversity management, they should be integrated into a more holistic concept of the category of gender. This, then, creates an opportunity to redefine and to rethink the present approach to "gender" as one dimension of diversity, and to question whether it is justifiable at all to separately treat gender and sexual orientation as two distinct categories. It will be argued, rather, that gender/biological sex, gender identity, and sexual orientation should be seen as one related dimension or category. This carries with it several implications for developing and modifying adequate diversity management approaches and initiatives that include transgenderism and intersexuality.

2 Sexuality, Sex, and Gender

Distinguishing between *sex* and *gender* has become a widespread standard in social sciences. It differentiates sex, as the biological bodily aspect, from gender, the socially constructed, cultural aspect (Oakley 1972; Gatens 1983) of being a man or a woman, or of being masculine and feminine respectively. In English, these two terms cover perforce the whole spectrum of possibility in naming the sex and/or gender of an individual; in everyday speech, as well as in many scientific disciplines, "sex" and "gender" are often used interchangeably when referring to the categories of being a man or a woman, e.g. when labeling this category in a passport, or on a form listing personal information. Some other languages, especially Romance languages, have borrowed the concept of gender by using an equivalent for the Latin word "*genus*" in their language (such as "*genere*" in Italian or "*genre*" in French), or by adding the word "social" in the given language, to the word for "sex". However, in many languages, the English term "gender" is today frequently used in its "original" English form, instead of being translated (e.g. in German, Hungarian, and Polish). The word is frequently used very inconsistently, especially in language areas that have introduced the English word "gender" as a technical term. In many cases this contributes significantly to confusion over precisely what, in concrete terms, is being talked about; moreover in English-speaking areas themselves, the inconsistent use of "sex" and "gender" sometimes causes confusion.

Up until the 1970s, women's studies, and sex- or gender-studies were mainly shaped by trying to explain social aspects of the sexes biologically. This subsequent conceptual distinction between gender and sex, however, provided an opportunity to question the assumed predestinating and determinative impact that biological sex has on sex roles and sex-specific behavior. Henceforth, the social and cultural aspects of male and female bodies could be interpreted as phenomena that are produced on a daily basis, without solely having to refer to biological explanatory models. Gender-research could now focus on precisely these processes of socially producing men and women, or femininity and masculinity. As it is conceivable that these processes could work on a basis other than the "traditional" gender-related stereotypic images, the emergence of the concept of *gender* has broadened the scope of their potential individual self-conceptualizations for both men and women. Meanwhile, the term "gender" is often used in a political way, for example in the context of "gender mainstreaming" approaches. However, the political usage of the term *gender* often reveals its inconsistent usage. These approaches frequently assume different needs of men and women as a given, and they typically do not focus on the social production and construction of these need-differences, but on the goal of achieving equal opportunities and an equal allocation of resource between the biological sexes.

For a long period the distinction between gender and sex adhered to a binary model of only two sexes, namely men and women. Though the concept or construct of "gender" sometimes has a broader approach in terms of potential manifestations of different genders, it often embodies the tendency to assume only two types of genders that oppose each other in a bipolar way: masculinity and femininity. To a certain degree trans-identities might, conceivably, be able to be aligned with this world order, but for the phenomenon of intersexuality, at least, this is much more problematic.

In very basic terms, trans-identities, or transgenderism and transsexuality, represent an incongruence between one's biological sex, and one's gender identity. Trans-persons, then, can aim at resolving this incongruence to different degrees, in different ways, in order to adjust their body and their appearance to their gender identity. For trans-persons, both their biological sex and their gender identity may, in many cases, fit into a model of only two sexes and two genders. Thus, transgender individuals often have a clearly male or female gender identity. However, it remains in question as to what extent this gender identity can be equated with the concept of a social "gender". The latter was created primarily to make the processes of social construction, and their inherent interchangeability and mutability comprehensible; biological sexes are thereby frequently forced into tight corsets of characteristics, and to these biological sexes are ascribed certain gendered scripts, and related expectations about the behavior of each sex (Hanappi-Egger 2015). However, this gender perspective focuses on the level of societal ascriptions, attributions, and expectations. For trans-persons, on the other hand, their gender identity represents the level of an individual's acquisition of gender identity. Thus, it is not about ascribing a bundle of preconceived role expectations to an individual, it is much more about breaking with these stereotypes, and acquiring another identity. It is not about the constrictions of society, and its methods of confining the individual, it is much more about that individual him-, her-, or *self, and the individual's way of expressing a societally non-conforming gender identity. Thus the gender focus moves from the level of being a social ascription, to the level of being an individual sensation and expression. Indeed, one could hold the opinion that that individual can only acquire and express what "society" made available as being acquirable. However, many concrete gender identity-concepts of trans-persons do not reflect this (see e.g. Engel 2002). The estimations about the number of trans-persons within society differ wildly, between 0.04 % and 5 % of the population, depending on how the term "trans" is applied, and what trans-identities are subsumed under it (Olyslager and Conway 2007).

Intersex or intersexuality questions the model of having only two sexes and two genders to a far greater degree than transgenderism does. Biologically and medically, intersex is often described as a sexual ambiguity. However, this "ambiguity" results solely from the fact that in biological and medical terms only two sexes are provided for, unambiguously classifying the sex of an individual. Intersex-persons are classified as persons who possess sexual characteristics from both sexes. The prefix "inter" describes exactly the *inter*mediate position between the "unambiguous" sexes, namely men and women. However, a system is eminently conceivable in which intersex persons can be taken as that which they are, without pressing them into a binary or dichotomizing sex system by attaching a (mostly negatively connoted) intermediate position to them. This would reflect much more accurately the self-image of many intersex people, and it would much more adequately serve the biological and medical spectrum of phenomena that are subsumed under the category of "intersex". Just as with trans-persons, the estimations about the number of intersex-persons within society differ widely. The estimates range from 0.0002 % to 1.7 % of the population, depending on which medical diagnoses are subsumed under the term "intersex", and which scientific sources are cited (Sax 2002).

In the English language it is nowadays very common to use the words "intersex" and "intersexuality" synonymously. However, the use of the latter is responsible for a certain confusion, in English, as well as in other languages. The second part of the word "-sexuality" is due to an inexpert transfer of the Latin term "sexus" into German, that was first applied by Goldschmidt in the formulation of the term "Intersexualität". In his English publications he translated this term as "intersexuality" (Goldschmidt 1917, 1931). Thus, intersexuality is not related to the way the terms "*Sexualität*" in German and "sexuality" in English are used in everyday speech in their respective languages, as intersexuality does not include the aspect of "sexual desire" at all. The term "sex", as the English equivalent of the Latin "*sexus*", covers, more or less, the concept of the Latin term (which allows the distinction between sex and gender linguistically). Therefore, the English term "intersex" refers more precisely to a medical biological level, but the term "intersexuality" intuitively creates false associations, that are related more to the level of sexual desire. These ambiguous (and partly false) connotations that are related to the term "intersexuality" also exist in other languages. Sharing the same provenance in translation from Latin to German to English (Benjamin 1966), the same confusion can occur when using the term "transsexuality" (instead of "transgender", "trans*", etc.). However, expressions such as "LGBTI" falsely appear to make sense in this context, as all parts of the initialism seem to represent different sexualities or sexual orientations.

In the next two sections the phenomena of trans-identities and intersexuality will be looked at more closely, and from different perspectives. From this will be derived those aspects that are relevant for workplace settings, and that serve as starting points for diversity management initiatives that aim to create a supportive work environment, and an appreciative and inclusive climate for transgender and intersex employees.

3 Intersexuality

Until the 1950s the term "intersex" was not in widespread use in the English-speaking world, and intersex-persons were frequently designated "hermaphrodite", a term which continued to be used as synonymous with "intersex" even after that word had gained more currency. In present-day English, the term "hermaphrodite" is now used exclusively for plants and animals in the fields of botany and zoology, but in other languages, such as in Danish or German, it is partially still in usage as a synonym for "intersex". The term derives from Hermaphroditos, the son of Aphrodite and Hermes in Greek mythology, who fused with the nymph Salamakis, and from then on possessed traits of both male and female sexes (Zajko 2009). Another term that is related to intersexuality is "androgyny". Androgyny is composed of the ancient Greek word for man ("*andros*") and woman ("*gyne*") and is used for persons that express both male and female characteristics. However, there is no clear definition about the commonalities and differences of the concepts of intersex and androgyny, and different intersex people use androgyny in their self-images and self-concepts in different ways and intensities; many, too, do not use the concept at all (Rosselli 2015).

In his book *Symposium*, for example, Plato has Aristophanes tell the story of the three original types of people, who were spherical, each individual having two bodies that were attached back-to-back. There were those that had two male bodies fused together, those that had two female bodies fused together and, finally, those that had one male, and one female body fused together. These last beings were androgynous. Because of some infraction against divine will, so the story goes, the gods split each of these dual-beings into two halves, and, from then on, each half formed a sexual desire that compelled it to search for its former second half. Not only did Plato, as an extrapolation of this story, expressly indicate that homosexuality was "normal", he used, for the first time, the term "third sex" for the androgynous individuals, an expression that also nowadays is frequently used in the context of intersexuality (Groneberg 2008; Herdt 2003).

In 1917, the German geneticist Richard Goldschmidt came up with the term "intersexuality" for the first time in one of his publications in English language (Goldschmidt 1917). In the same period he also used the term "*Intersexualität*" in his publications in the German language (Goldschmidt 1931). His publications are seen as the reason that this expression became widely accepted, both in the English- and German-speaking worlds, especially in medical discourse (Stern 2010; Morland 2014). Goldschmidt combined the Latin word "*inter*" ("in between") and "*sexus*" ("sex"), which, as already explained, is less ambiguous in the English language than it is in other languages, such as German. In public discourse, and also on the level of individuals' self-declarations, "hermaphrodite" and other equivalent expressions are still sometimes used, especially in other languages than English (Zehnder 2010). In order to take account of the vast number of different individual self-concepts and related sex- and gender-identities, "inter*" has become a more inclusive, and more frequently used term (Remus 2015). However, by using the prefix "inter", the binary model of only having two sexes is still not called into question. In international medical discourse, the term "intersexuality" is increasingly being replaced by the pathologizing term "disorders of sex development" (DSD) (de Silva 2008), or in a less pathologizing way, the word "disorder" is replaced by "differences" or "divergences" (Klöppel 2010, p. 21; Diamond and Beh 2008; Reis 2007).

3.1 Social Constructivist Perspective

The scientific discourse on intersexuality is primarily shaped by medical perspectives (Klöppel 2010). However, there are perspectives in the sphere of social sciences that consider biological sex to be mutable, rather than stable, and less binary than it is frequently taken to be. Sex can be seen as a product of a Euro-American discourse (Yanagisako and Collier 1987), within which sexual characteristics are interpreted as visible signs that index humans as being either male or female as the only possible sexes (Errington 1990). Closely related to this binary division of sexes is the cultural interpretation of bodies and their sexual characteristics on the basis of their functional meaning for the reproductive process (Moore 1994). Although her work has been largely overlooked for some considerable time (Gildemeister 2005; Gildemeister and Wetterer 1992), as early as 1984 Hagemann-White (1984) considered "being-a-man" or "being-a-woman" not as a biological matters of fact, but rather as "symbols in a social system of meaning" (Hagemann-White 1984, p. 79) that through individuals' interactions are permanently created anew. At the beginning of the 1990s, the works of Judith Butler contributed to a re-evaluation of the strict distinction between sex and gender, since the biological sexed body can also be seen as a discursively constructed cultural product (Butler 1990, 1993). The emergence of this perspective—often labelled as a *postmodern* (or *queer*) approach—was paralleled by a process of reducing and constraining bodies and sexes as phenomena that are solely constituted linguistically, as discourses can only proceed via language as vehicle.

Feminism had initially converted the established ideology that "biology is destiny" into "biological differences are shaped culturally"; postmodernism further changed this ideology to (Behrend 1994, p. 176) "culture is destiny; everything is culture, including biology" (Landweer and Rumpf 1993, p. 4, in Behrend 1994). Thus, biological determinism made way for a social or cultural determinism. In Western societies this sex-shaping discourse springs from the assumption of only two sexes. In order to make "sense" in cultural or social terms, a sexed body has either to represent a man or a woman. Thus, Western discourse normalizes the sexual possibilities of being (Wetterer 2004). For intersexual persons (as well as for their parents and physicians) this creates a cultural pressure to disambiguate their sex into one direction. This approach to sex as a product of cultural forming, that gets its content (or essence) only by permanently discursively performing it, expands individuals' scope of action, and makes other performances or "stagings" of one's sex thinkable. Butler introduced the term "performativity" in this context. This perspective liberates intersexual persons from their pathological status, as every sex is produced and constructed socially anyhow. It also follows, therefore, that its essence and meaning are changeable and modifiable, and there is no reason to declare certain constellations of sexual characteristics as deficient or deviating from any standard, as there cannot, perforce, be any legitimate standard from which something can deviate. For intersexual persons, taking this perspective can be a relief, psychologically speaking.

However, as mentioned above, the medical perspective on intersexuality is still the dominant one in Western societies. It is therefore important to comprehend this perspective as well.

3.2 Biological-Medical Perspective

From a biological or medical perspective on intersexuality, there are three sex-characteristics that are indicative for different types of intersexuality: chromosomes, gonads and genitals. For most people all three of these indicators are corresponding and indicate the direction of being either male or female (Calvi 2012, p. 54):

1. The genetic/chromosomal sex is determined at the time at which the sperm cell fertilizes the egg cell and mostly leads to the development of a male (46, XY) or female chromosome complement (46, XX); these chromosomal complements then indicate an individual's male or female sex development, respectively.
2. The gonadal sex is determined by the gonadal tissues present. Individuals with a male chromosome complement mostly have testes that produce testosterone as the principal male sex hormone, and individuals with a female chromosome complement usually develop ovaries that produce estrogens and progesterone as the principal female sex hormones.
3. The phenotypic sex is indicated by individuals' reproductive organs/genitals, thus by having a vagina, labia, and clitoris in the case of a female, or by possessing a penis and scrotum in the case of a male (see Calvi 2012, p. 54).

Table 1 Classification of DSDs according to the Chicago Consensus Statement (Hughes et al. 2006a, p. 2)

Sex chromosome DSD	46,XY DSD	46,XX DSD
(A) 45,X (Turner syndrome and variants)	(A) Disorders of gonadal (testicular) development	(A) Disorders of gonadal (ovarian) development
	1. Complete gonadal dysgenesis (Swyer syndrome)	1. Ovotesticular DSD
(B) 47,XXY (Klinefelter syndrome and variants)	2. Partial gonadal dysgenesis	2. Testicular DSD (e.g. SRY+, dup SOX9)
	3. Gonadal regression	3. Gonadal dysgenesis
(C) 45,X/46,XY (mixed gonadal dysgenesis, ovotesticular DSD)	4. Ovotesticular DSD	(B) Androgen excess
	(B) Disorders in androgen synthesis or action	1. Fetal (e.g., 21-hydroxylase deficiency, 11-hydroxylase deficiency)
(D) 46,XX/46,XY (chimeric, ovotesticular DSD)	1. Androgen biosynthesis defect (e.g., 17- hydroxysteroid dehydrogenase deficiency, 5 alpha reductase deficiency, StAR mutations)	2. Fetoplacental (aromatase deficiency, POR)
	2. Defect in androgen action (e.g., CAIS, PAIS)	3. Maternal (luteoma, exogenous, etc.)
	3. LH receptor defects (e.g., Leydig cell hypoplasia, aplasia)	(C) Other
	4. Disorders of AMH and AMH receptor (persistent Müllerian duct syndrome)	(e.g., cloacal extrophy, vaginal atresia, MURCS, other syndromes)
	(C) Other	
	(e.g., severe hypospadias, cloacal extrophy)	

Intersexuals can possess different constellations of these three types of sex-characteristics that do not have to point in the same sexual direction. They may also have differing manifestations of each of these sex-characteristics. There are different medical approaches to categorize these controversially-labeled "disorders of sex development" (DSD). According to the *Chicago Consensus Statement* DSD "is proposed, as defined by congenital conditions in which development of chromosomal, gonadal, or anatomical sex is atypical" (Hughes et al. 2006b: 149). There is a proposed distinction to be made between 1) sex chromosome DSD, 2) 46, XY DSD, and 3) 46,XX DSD (Hughes et al. 2006b). Table 1 gives an overview about how DSDs can be classified.

The first group also includes persons with 45,X0 or 47,XXX karyotypes, who often do not show any bodily differences. There are also individuals with different chromosomes at different somatic cells, who then possess some kind of chromosomal mosaic. The second group comprises persons whose gonads are not fully developed or who have male and female (sometimes not fully developed) gonads and/or genitals (Reis 2007; Meyer-Bahlburg 1994). Until very recently it was the established medical practice for a newborn child with a DSD diagnosis to be "disambiguated" into one sexed direction, via an operation and, often, subsequent hormone therapy (Richter-Appelt 2004). In order to be socially and culturally viable, it was assumed that humans had to be either men or women. The doctor's job was to maintain an illusion of unambiguousness as far as was possible through medicinal, operative, and psychological treatment. With the emergence of the voices of intersex-associations decrying this coercive treatment, medical practice has, now, largely changed, though the former practices of "medical disambiguation" have not fully disappeared. The insight that it is quite possible to live a life as an intersex person, has gained in both prominence and importance over the past few years, and thus, more and more diagnoses of DSD do not coercively lead to a sexed "disambiguation"; the one major exception is where "medical disambiguation" is necessary to save a newborn's life, but this is only very rarely the case. In not performing this sexed "disambiguation" on newborn babies, the individual is given the opportunity to decide by him- or her- or *-self what way of life he/she/* wants to live in terms of his/her/* sex-identity (Voß 2012).

As outlined in Table 1 there are many types of intersexuality with different medical designations. Without going more into detail here, it can be seen that there is a broad variety of sexed possibilities of being that question the dichotomous model of only two sexes as the only valid organizational system of ordering. The question then arises as to how organizations or companies can deal with this.

3.3 Intersexuality and Diversity Management

The social constructivist perspective on sex would help to destigmatize intersex persons and to take away the pressure on them to conceal their intersexuality, or to assign themselves to one sex. However, very rarely does diversity management practice take this perspective. Most diversity approaches assume two sexes as a given, and diversity management then equals either the direct, and one-sided, support and promotion of women; or the attempt to create framework conditions that offer the same opportunities to both men and women. The starting points of such approaches are frequently either the recognition of the different (stereotypic) needs of men and women, or the organizational compensation of societally existing disadvantages for men and women, e.g. by implementing quotas and women-only networks or mentoring programs. From the perspective of assuming men and women to be nothing more than culturally- and socially-shaped sexed bodies both of these starting points would find little favor, since from this perspective one would not wish to be the means of perpetuation of the maintenance and performative construction of the dichotomous sex paradigm, any more than one would wish to be an active agent or conduit for its performative staging. In this context, it is misleading to label this dimension of diversity as "gender" and to allege that it is only about the social and cultural aspect of gender/sex and therefore also about the overcoming or dispersal of the stereotypic social ascriptions to the different sexes. The decomposition of certain stereotypic ascriptions to men or women (which lead to an unequal allocation of opportunities and resources) might be an intermediate goal or a valued side effect of some diversity management initiatives. However, ultimately this all promotes the inclusion, equal treatment, or selective empowerment of biological sexes. In no way does it dissolve sex-categories, since such dissolution would then remove the starting point for balancing the framework conditions for men and women. To include intersexuality within the so-called diversity dimension of "gender", it would seem, would carry with it the danger that, in terms of the respective sex (out of two sexes) that is contextually underprivileged, the point of origin for any political claim could get lost, since that point of origin would be, perforce, a seemingly unambiguous biological sex.

It seems that intersex persons cannot really expect a great deal of support or positive assistance from the current diversity management approach to the dimension of "sex/gender". In fact, quite the contrary seems to be true. Although intersexuality is clearly a phenomenon that represents a manifestation of the category "sex/gender", it is (on those occasions when it is mentioned at all), always grouped together with (or "disposed of" to) the diversity dimension of "sexual orientation". This widespread practice occurs despite the fact that intersexuality really has little to do with diverse sexualities or sexual orientations, except in so far as all humans (can) have a sexuality or sexual orientation. However, this would connect all the other dimensions of diversity with "sexual orientation" in the same way, as every human also has, for example, an age or a skin color. Linguistically this grouping together of LGBTI is legitimized by the false assumption that—in the case of "T" being interpreted as transsexuality (instead of transgender or trans-identity)—all of these letters represent a broad spectrum of sexualities (homo-, bi-, trans-, and inter-sexuality) which can then be addressed and served conjointly by "adequate" diversity management practices. As already outlined, this misunderstanding is largely due to a questionable linguistic application of the Latin word "*sexus*" to an English-language term (via German). Nowadays, the meaning of the term "sexuality" is exclusively concerned with sexual desire, and erotic interest and practices. Therefore, by using this word in relation with "trans-" and "inter-", the misunderstanding outlined here is already linguistically predetermined.

4 Trans-Identities

By using the different terms "trans-identity", "transgender", and "transsexuality", attempts are often made to emphasize different trans-facets. However, in everyday language, as well as on the level of trans-persons' self-designation, these terms are sometimes used synonymously, and conversely sometimes assigned individually different meanings. In order to respect the plurality of trans-identities, and to avoid narrowing down the ways of interpreting and describing trans-identities available to individuals linguistically, a frequently used term employed to cover the whole spectrum of trans-identities without having to name them is "trans*". All of these terms have in common that they describe individuals who (in different ways) perceive their gender identity as being different from the way that their biological sex would, conventionally speaking, be socially determined. The usage of the term "transsexuality" would seem to originate with Magnus Hirschfeld (Pfäfflin 2008). He coined the term "transsexualism" in 1923 in his German article "The Intersexual Constitution" ["Die intersexuelle Konstitution"] (Hirschfeld 1923). In this article, he developed the concept of "psychic transsexualism" ["*seelischer Transsexualismus*"] (Cauldwell 2006) as a desire that exceeds transvestism in not only adapting one's "vestiture" to that of the other sex, but also adapting one's body. Hirschfeld had already proposed the concept of the "transvestite" as a distinct category in 1910 (Hirschfeld 1910), to make the concept of transvestism distinct from that of homosexuality. His motivation for this was largely so as not to endanger his primary political goal of abolishing Paragraph 175 of the Imperial Penal Code in force in the German Empire at the time, which criminalized homosexual practices between men as "unnatural fornication"; a goal which he perceived as being jeopardized by the increased visibility of, and domestic "scandals" (*Eulenburg-Affair*) surrounding gay men in the entourage and cabinet of the then-Kaiser, Wilhelm II (Herrn 2005; Domeier 2014; Hekma 2015; Beachy 2010; Oosterhuis 1992). Amongst the trans-terms, "transsexuality" is the term most related to the physical body, and is often associated with actions that aim to adjust the individual's biological body to the individual's gender identity surgically and/or hormonally (Benjamin 1967; Reiche 1984).

Trans-identities do not, by and large, challenge the binary model of only two sexes, neither on the level of social genders, nor on the level of biological sexes. Transsexual persons are mostly biological men or women with a gender identity in the other sex respectively, who wish to adjust their body into this direction, often ideally in such a way that they are perceived publicly and societally as having a sexed body that totally corresponds with their gender identity.

The term "transgender" is often used or adopted if one's individual self-concept does not exactly fit into a binary gender model. This term is often noted as being coined by Virginia Prince in 1969. Prince uses "transgender" to designate persons, who express their gender identity "solely" through their dress and their appearance, *without* having the wish to adjust their biological bodies according to their gender identity that does not conform their biological sex (Papoulias 2006). She herself, however, refused to be seen as the initiator of this concept, as her primary intention was to draw a line of distinction between gay men and male transvestites (Ekins and King 2006). As a relatively new term "trans-identity" covers a much broader spectrum of possible self-concepts. One's trans-identity then may contain a bodily adjustment, but, equally, it may not; it may also be a potentially "new" or very individual and unique self-concept or gender identity that results from a perceived incongruence between one's biological sex and the rejection of the related, socially-expected gender identity. Trans-identities can also oppose the societal pressure of having to assign oneself to a clearly-delineated, distinct sex or gender at all; one might, instead, perceive oneself as being "somewhere in between" (e.g. as genderqueer, intergendered, multigendered, or gender fluid), or one might deliberately opt to elude gender or sex classification at all (Kuper et al. 2012; Dargie et al. 2014).

4.1 Medical Perspective

In 1980 the American Psychiatric Association recognized transsexuality as a "mental disorder", revising this designation more specifically in 1994 as a "gender identity disorder". In 2013 the the term for diagnosis was changed to "gender dysphoria" in order to make it sound less pathological (Zucker 2015). Another term that has been used in order to de-pathologize the diagnosis of trans-identities is "gender incongruence" (Drescher et al. 2012). The WHO defines transsexualism as:

> ". . . a desire to live and be accepted as a member of the opposite sex, usually accompanied by a sense of discomfort with, or inappropriateness of, one's anatomic sex, and a wish to have surgery and hormonal treatment to make one's body as congruent as possible with one's preferred sex" (WHO 2015).

Once an individual has been given a medical diagnosis of gender incongruence, gender dysphoria, or gender identity disorder, the public health care systems of many countries, as well as many health insurances, will cover the costs for necessary medical treatment, such as sex reassignment surgeries, or hormonal treatments. In most countries operations pertaining to gender reassignments are legally regulated. In Germany, a person is obliged to prove that it is very unlikely that he or she will ever change his or her gender identity through psychological assessment, before he or she can officially request a change of civil status (Franzen and Sauer 2010). Since 2011 proof of one's infertility is no longer a precondition for requesting this change in Germany; however, in many other countries this still remains a necessary precondition (Rauchfleisch 2014).

4.2 Societal Perspective

As already outlined above, instead of challenging the binary model of only two sexes, trans-identities often rather oppose the coercive assignment of a certain gender identity to the respective biological sex. Whether one adheres to the binary model on the level of one's gender identity is something that differs from person to person, and is expressed in individually diverse self-concepts and identities. Many trans persons clearly assign themselves to one gender, whilst others see themselves more as being somewhere in between or outside these gender categories. These "new" constellations or alignments of sex and gender identity categories within one individual are still not fully accepted within many socities, and this non-acceptance is frequently an enormous obstacle for trans-persons' desire to live a "normal" life within their gender identity. As soon as an individual is perceived as being trans, they often have to face incomprehension, animosities, and vilifications in their everyday live. The direct perceptibility of their trans-status often differs strongly between trans-women and trans-men. While trans-men (female-to-male trans persons) can initiate some of the changes of male puberty to a certain degree by taking male hormones, trans-women (male-to-female trans persons) are largely unable to undo the effects of the male puberty that they have already undergone. Thus, the bodily frame, the height and the pitch of the voice of trans-women frequently make them identifiable as such, whereas trans-men are often more able to pass as cisgender men. "Going stealth" is much more a possibility for trans-men than it is for trans-women, and it "enables" them to live a life within their gender identity, without being permanently identified as a trans-person. Therefore, on average, trans-women experience much more non-acceptance in their everyday life than trans-men. Closely linked to this is the fact that the public image, and the public perception, of transgender-issues has been, and continues to be, much more shaped by trans-women then by trans-men.

Something of a disjunction exists in the seeming compatibility of, on the one hand, the political trans*-claim for a higher degree of societal acceptance for individuals living their lives in their gender identity, and, on the other hand, certain feminist claims. Interpreted restrictively, transsexuality (and also transgender and trans-identity) is a clear gender identity that differs from a clear biological sex within a binary model of two sexes and two genders. This seems to confirm the feminist standpoint and line of argumentation based on a model that allows the separation of the phenomena of biological sexes from the phenomena of social genders. Transsexuals or transgender-persons seem to be ideal examples to support the claim that biological women are not (and do not have to be) per se feminine (or female), and consequently they do not have, per se, to be restricted by the corset of "appropriate" gender stereotypes that produces and legitimizes their societal secondariness (Elliot 2009, 2012; Snyder 2008). The big difference between the trans-claim for recognition (and appreciation) and feminist striving for equality is that trans-identities address (sometimes stereotypic) *self*-ascriptions, whilst the demand for gender-equality addresses stereotypic ascriptions that are ascribed by *others* (or, indeed, by society as a whole). To put this in its most exaggerated and least nuanced form, this means that, for example, trans-women may (possibly) wish to adopt an idea of femininity, and a possibly ultra-feminine lifestyle that, from a feminist perspective, is often perceived as highly problematic. Taking into account the fact that transgender persons may not necessarily wish, need, or be able to adjust their bodies to their gender identity (neither as far as possible, nor gradually) in order to live within their gender identity, this causes the notion of "solidarity" with feminist claims to falter, since here the very categories of sex and gender themselves are called into question. This might be welcomed from a queer-theoretical, postmodern perspective (Halberstam 2005; Bendl et al. 2008). However, politically, this involves the danger of blurring the important starting point for all political claims for equality and redistribution, namely the dichotomy of being-a-man or being-a-woman.

4.3 Trans-Identities and Diversity Management

Until very recently, trans* has been a marginalized issue in diversity management (Ozturk and Tatli 2016). If it has been mentioned at all, it has largely only been as one element of the initialism LGBT (or LGBTI). Within employee resource groups that use this initialism, then, trans-persons are officially included verbally, but, when it comes to concrete network activities, they are largely unacknowledged. Equalization guidelines or corporate codes of conduct do not, by and large, include one of the trans-terms in their written versions; furthermore, to the terms "sex" or "gender" (or their equivalents in other languages) is only rarely added the word "identity". The self-evidently and seemingly consensually perpetuated non-integration and non-consideration of transsexuality and trans-identity as one facet of the diversity dimension of "gender" would seem to reveal that the societal normalization of appropriate gender identities is widespread, even within the field of diversity management.

The shunting of the "T" (as well as the "I") here into a miscellaneous category that nebulously groups it together with diverse sexual orientations highlights that little weight is given to trans-identities. Furthermore, it indicates the way that diversity initiatives monopolize the dimension of gender (or sex) for cisgender men and women, i.e. for biological men or women, whose gender identity corresponds to their biological sex, and how those initiatives can actually work to exclude, rather than include, some dimensions. That said, there are indeed several organizations that do explicitly recognize trans* by having implemented very clear guidelines on how to handle transitionings within the organization. These guidelines have, of necessity, to cover formal and bureaucratic aspects, and they also have to clarify how a change of a civil status is handled within the organization, in order to minimize the danger of the trans employee having to running the gauntlet of potential everyday embarrassments and incomprehension. Furthermore these guidelines must state how the organization handles potential emerging uncertainty within the workforce in the case that someone decides to initiate transitioning, and how the trans person is supported during this phase. It should be noted that besides helping the trans-person, organizations that implement such guidelines do themselves benefit from them. Were an employee to decide to start his or her transition during employment in a specific organization, one without specific guidelines in place, the employer or manager, or superior of that individual may find themselves uncertain of how to handle such a situation, which they may have previously never encountered. Out of ignorance, misapprehension, fear, or, indeed, in trying to overcompensate from a fear of doing or saying something wrong, the employer or manager may inadvertently behave in a hurtful, unsupportive or disrespectful way, and, as a consequence, the transitioning individual might leave the organization. Guidelines can establish clarity, can provide space and opportunities to address insecurities, and to search for solution possibilities together. In the long term, therefore, they can help the individual, the employer, the co-workers and the company itself form a more reciprocally supportive and nurturing framework, which can only strengthen and benefit the organization as a whole, and all of the individuals within it.

In summation, an outline will follow of a potential diversity management approach, which considers trans-identities and intersexuality to be an integral and equal component for the goal of creating an integrative and inclusive work environment and organizational climate. The key to this reconceptualization lies in a more integrative approach to the dimensions of gender/sex, gender identity, and sexual orientation, which no longer treats these dimensions as if they are phenomena that are separable from each other.

5 Conceptualizing an Integrative Diversity Management Approach on Gender/Sex, Gender Identity, and Sexual Orientation

As already mentioned above, if trans-identity and intersexuality are mentioned in the context of diversity management at all, they are usually grouped together with "sexual orientation" into one very heterogeneous residual dimension of diversity. This grouping together in, for example, the initialism LGBT(I) follows the questionable but common practice of defining the individuals that are represented by these letters as one "community", although their social recognition goals are quite heterogeneous. On the level of language this aggregation gains legitimacy, as (in the case of the "T" being interpreted as transsexuality) all of these letters seem to represent different "sexualities", namely homo-, bi-, trans-, and intersexuality. As has already been outlined, this "commonality" is based solely on the specious (and for many languages outright fallacious) use of the term "sexuality" within the terms "intersexuality" and "transsexuality", where "sexuality" derives from the Latin term "*sexus*" which designates the biological sex. Within the terms "homosexuality" and "bisexuality", on the other hand, "sexuality" stands instead for a sexual desire or sexual interest. Whilst in English this ambiguous usage of the term sexuality is merely confusing, in other languages, such as in German or Polish, it is outright incorrect. Trans- and inter-sexuality represent sex- or gender categories. However, the diversity dimension of gender/sex is related to the dimension of "sexual orientation", insofar as the manifestations of the different sexual orientations are defined by the desiring and the desired gender/sex, for example as a same sex/same gender or as opposite sex/opposite gender sexual desire.

When considering the integration of intersexuality and trans-identity into diversity management programs, one should possibly pre-empt this consideration by asking oneself why one should follow, or should want to follow, a diversity management strategy at all. One fundamental idea of diversity management is that management practice should break away from stereotypic images of the different manifestations of the different dimensions of diversity. Management practice should rather work towards an ideality where these manifestations are no longer criteria for organizational allocations of resources and opportunities. For employees' career development, and the intra-organizational allocation of tasks and responsibilities, it should ideally not matter at all whether an employee is intersexual or a trans-man. The only considerations that should be valid are the individual's capabilities and the individual's potential contribution in accomplishing the organizational goals, and these should be based on parameters such as experience or talent, rather than founded in stereotypic dimension-related pre-assumptions about his or her capabilities and contributions. In order to come close to this ideality in terms of intersexuality and trans-identity, the dimension of "gender/sex" has to be understood in a much broader und much more integrative way. The dimension should lose its characteristic of only being understood in a binary way, as being represented solely by cisgender men and women, i.e. by men and women who have a gender identity that corresponds to their unambiguous biological sex. The goal of this integrative approach has to be that the concrete manifestations of one's sex or gender become less important, as with it an individual's self-pigeonholing into a fixed template of legitimate manifestations would become less important. If an organization could succeed in creating such a climate of inclusion, or at least if an organization come close to this ideal, intersex and trans employees would not be forced anymore to permanently legitimate, defend, or categorize themselves, and they would no longer have to develop and to apply any debilitating coping strategies. It is true that such a goal of diversity management might smack of an unrealizable utopian construct, but this is precisely because of the declining, but still prevalent, societal pressure to unambiguously self-categorize oneself within a binary model of only two sexes, and to live a gender identity that mostly corresponds to one's biological sex. Nevertheless, this seems to be the right overall objective, as it helps to avoid mistakes on the level of concrete actions and initiatives that might prejudice the related objective of achieving a higher degree of inclusion for intersex and trans* employees. A working climate that has rid itself of the pressure to categorize oneself as belonging to a certain sex and gender, and therefore of attaching to oneself a certain sex- or gender-value, would automatically make the diversity-dimension of sexual orientation pointless and irrelevant, as it would need an unambiguous gender/sex assignment by definition (see e.g. Lewandowski and Koppetsch 2015).

In terms of designing organizational diversity management initiatives this necessitates the consideration of the dimensions of sex/gender, gender identity, and sexual orientation as being one common and conjoint field of action, or one conjoint dimension of diversity. Care must be taken, when addressing the three layers of this dimension, to address the whole spectrum of potential manifestations in a value-neutral and unweighted way. Special care should be taken in allowing space for individually differing identities, self-concepts, and self-designations. A rough scheme of different manifestations is as follows (Table 2):

Analogous to the concept of trans*, cissexuality or cisgender stands for the congruence of one's biological sex and gender identity (Taylor 2010; Sigusch 1991). One's sexual orientation then can be defined by one's biological sex or by

Table 2 Manifestations of sex, gender identity, and sexual orientation

Dimension of diversity	Manifestations
Sex	Woman—intersex/inter*—man
Gender identity	Transgender/transsexual/trans*—cisgender/cis*
Sexual orientation	Homosexual—bisexual/*sexual—heterosexual

one's gender identity. Whether, for example, a trans-women who is sexually more interested in women defines herself as being lesbian, or whether she defines her sexual orientation in another way is individually different.

Having the diversity goal of unshackling individuals' developmental possibilities and scopes within the organization from their sex, gender identity, and sexual orientation, must go hand in hand with an approach which keeps in mind and integrates all of its manifestations, in the case where one of these levels is addressed. Employee networks that are established around the dimension of sexual orientation, for example, should also invite, and be open to, heterosexual employees (Köllen 2016). The term LGBT(I) should be avoided, as it might have a negative impact on two accounts: for one thing, it mixes up different dimensions and with it different claims; for another thing, it includes only selected manifestations of these dimensions, which might effectively stabilize the polarization and hierarchization amongst the manifestations. It is entirely conceivable that initiatives could be developed that conjointly address the three dimensions, but these initiatives must then address the *whole* spectrum of manifestations of *all* these dimensions. In this context one must be critical of initiatives that aim at the advancement or promotion of exclusively women (or exclusively men) as well as of one-sided mentoring programs, or quota systems. Furthermore, one should approach the question of applying a gender-neutral language with care. One should at least be aware that, if linguistically men *and* women are included in address, this is anything but gender neutral, as it of course reproduces and stabilizes the binary model of only two sexes and genders; this is an issue that is especially relevant in, for example Romance, Slavic, and Germanic languages.

The integration of intersexuality and trans-identity into diversity management programs opens up a new perspective on approaches to diversity management, and to the dimensions of diversity management in general. This reframing can be used to refresh or enlarge one's interpretation of the term of "inclusion". In terms of trans* and intersexuality, inclusion has to mean giving intersex and trans employees the scope and opportunity to develop individually. Organizations should aim at creating an organizational diversity climate (Köllen 2015) that considers every sex and every gender identity to be equal, a climate which removes and forestalls any pressure to demonstrate legitimacy, and any pressure on intersex and transgender employees to justify themselves within the workplace.

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Queering the Gender Binary: Understanding Transgender Workplace Experiences

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1 Chapter Outline and Rationale

While the literature on LGBT individuals' workplace experiences is growing, there is a comparative dearth of peer-reviewed studies that focus on transgender employees specifically. Those studies that do include transgender employees often group them together with sexual minorities. In so doing, the implicit assumption is that issues related to gender discrimination and sexual minority discrimination are similar, or even identical, to one another. However, sexual minority status is considered an *invisible* identity category, while gender is considered a *visible* category. The visibility of gender, as defined by societal gender markers, creates uniquely challenging circumstances for individuals who are transitioning or planning to transition to another gender, as well as for those who are gender non-conforming. Because gender is one of the most salient categories which people use to define their interactions with others, such that individuals often automatically and unconsciously categorize others by gender (Maccoby 1988), transgender individuals face unique challenges at work that vary from those of sexual minorities.

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"Doing gender" (West and Zimmerman 1987)—the act of dressing, interacting, and performing in accordance with gender norms—is an activity that most cisgender males and females participate in almost continuously. Gender is learned at a very young age, with infants at the age of 5 months being able to recognize gender in still photos (Fagan and Shepherd 1982; Fagan and Singer 1979) and stable individual differences with regard to sex-typing emerging by the age of four (Jacklin et al. 1984). Interestingly, Pascoe (2011) found that the primary motivation for bullying of LGB individuals was not, in fact, their sexuality. Rather, students reported that the perceived break with gender norms was the driver of their mistreatment, primarily the perceived alignment with feminine norms for gay males. This research highlights the bitter reality that teenagers often learn quickly that departing from gender norms may be met with swift punishment from peers. As a result of this conditioning, by the time individuals reach working age, they have been exposed to and may have cemented a wide array of gendered norms, stereotypes, and ways of thinking. Within the body of this chapter, we will highlight the strong stigma that transgender employees face in the workplace, which is grounded in their perceived breaks with well-learned societal gender norms. To properly address this stigma, we believe employers should put into place interventions to protect transgender employees from harmful workplace environments and work to promote more inclusive workspaces overall. We also believe that researchers can inform these practices by providing scientific evidence for the effectiveness of these interventions in workplace settings.

Thus, in order to encourage a greater emphasis on transgender employees' unique concerns in research and practice, we first outline the need for transgender inclusivity by providing transgender population estimates and legislation information, both within the U.S. and globally. Second, we summarize the literature on transgender workplace discrimination globally, in order to provide an impetus for more inclusive workplace practices and programs of research. Third, best practices for supporting transgender employees in organizations are outlined. Finally, directions for future research that support more inclusive workplaces are presented. More generally, it is the goal of this chapter to shed light on the challenges faced by a frequently forgotten and widely misunderstood portion of the LGBT population, the transgender community, with the hope of providing avenues for progress within academic and practitioner communities interested in transgender workplace equality.

2 U.S. and Global Estimates of Transgender Populations

Before discussing the effects of workplace discrimination on transgender populations, we will examine the prevalence of transgender identity in the population overall. Estimates suggest there are at least 700,000 transgender individuals in America (Gates 2011). However, it is difficult to estimate the actual number of transgender individuals within the population because the U.S. Census does not collect this information. Further, there are many transgender individuals who, once they transition from one gender to another, no longer wish to categorize themselves as transgender but rather choose to identify as their current gender. Thus, it is likely that these estimates are lower than the actual percentage of the population qualifying as transgender. Global estimates, which are also likely to be underestimated, demonstrate that transgender individuals make up anywhere from 0.1 to 1.1 % of the world's population (UNAIDS 2014). Again, it is difficult to estimate statistics on specific country-level data, given the lack of official collection of this data.

However, the European Union produced a report in 2013 (European Union 2013) on LGBT populations in the EU, which showed that about 7 % of their survey respondents identified as transgender. Yet, this does not offer an estimate of how many individuals within the general population (non-LGBT) identify as transgender. As such, we will not attempt to provide specific statistics for individual countries, but rather suggest this is an area within which future research might be conducted. In many countries where transgender identity is particularly tenuous, it may be impossible to collect this information without transgender individuals fearing repercussions. Yet, even using the lowest estimate (0.1 % of the world's population), there are likely 7,000,000 individuals worldwide who stand to benefit from more inclusive transgender laws (not including their friends, family, and those who advocate with the community). Given the opportunity for transgender law to better address the concerns of the transgender community, we now discuss transgender discrimination and the law at a societal level, both in the U.S. and internationally.

3 Transgender Discrimination and the Law: Global Perspective

International law surrounding transgender populations is constantly evolving. However, there are some countries which specifically include gender identity in their national protections. For example, the UK and Spain allow transgender individuals to change their name and gender without having to complete gender reassignment surgery (Human Rights Campaign 2015b). South Africa and Australia also formally prohibit transgender discrimination (Human Rights Campaign 2015b), while Argentina allows individuals to legally change their gender and name as they please (Wojcik 2014). Additionally, the UN put forth the Yogyakarta Principles in 2007, which provide international guidelines for LGBT inclusivity (The Yogyakarta Principles 2015). These principles call for the enforcement of basic human rights for LGBT individuals, including the right to be free of discrimination, harassment, and violence. However, like the U.S. context, these laws have not prevented transgender discrimination from occurring at a higher rate than within general or other minority populations (Open Society Foundations 2013).

Finally, some countries recognize a third gender as an official gender category. For example, India legally recognizes a third “hijra” gender (Wojcik 2014). Nepal, Bangladesh and Pakistan also have a third gender category that is legally recognized (Park and Dhitavat 2015). Thailand may be moving in a similar direction, given its large number of transgender citizens (Park and Dhitavat 2015). While this does not mean that transgender individuals are free to live as a third gender without discrimination, the legal acceptance of a third gender category pushes the boundaries of the two-gender system that rules most of the world. A three-category system does not rid society of categories overall, but it does create the opportunity for individuals to question whether or not a two-category system is truly “natural” or if it is merely a social construction. While some individuals within the transgender community may choose to transition from one “side” of the binary to another (male-to-female or female-to-male transgender individuals, for example), it is our contention that these individuals still lie outside of traditional gender binaries, in that they “queer” gender by highlighting the social construction and performative nature of gender expression overall. While many non-cisgender individuals identify as gender queer or non-binary in their gender expression, it is our contention that all transgender individuals, even those who choose more traditional expressions of gender identity, create progressive avenues for exploring gender as a display—not as a natural imperative that follows from biological sex.

4 Transgender Discrimination and the Law: U.S. Perspective

Within the U.S., transgender individuals are, in some ways, offered more societal legal protection than LGB individuals. For example, the EEOC found in 2012 (Macy v. Holder) that court cases which involve gender identity are covered under Title VII as gender discrimination (Transgender Law Center 2012). This court case was filed after a transgender woman, who was exceptionally qualified and hired as a man, was denied a job as a ballistics technician after transitioning genders. Thus, transgender individuals experiencing discrimination at work may have greater legal protection than those who identify as LGB and will only receive federal protection through the passage of the Employment Non-Discrimination Act (ENDA). Outside of the workplace, President Obama signed the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act in 2009, which includes gender identity as a category covered under federal hate crimes law and allows states to receive federal funding to combat transgender violence (National Center for Transgender Equality 2012). However, as we discuss in the following sections, these federal protections against violence and discrimination do not stop these events from happening.

Additionally, transgender individuals have not historically received equal coverage in terms of health insurance (Transgender Law Center 2004). Many insurance programs do not cover procedures related to transitions (e.g., hormones, surgery, etc.), and many individuals may not be judged as qualified for particular procedures (e.g., a male-to-female transwoman being judged as unfit for a prostate exam, even without sex reassignment surgery). As health care law changes in the U.S., transgender individuals may benefit from more inclusive coverage, but this is yet to be determined. Finally, for individuals in states that do not recognize same-sex marriage, individuals who marry as an opposite-sex couple and become a same-sex couple (through the transitioning of one of the partners) may be forced to legally defend their marriage as viable under state law (although they are likely to prevail under these circumstances if they plan properly; Human Rights Campaign 2015a). However, in states that do not allow gender markers to change on birth certificates and which also do not allow same-sex marriage, marriage to a post-surgery transgender individual who is now of a different gender than their partner may not be allowed (American Civil Liberties Union 2013). Given the laws outlined above, it is clear that navigating a gendered legal system is much more nuanced and fraught with complications for transgender individuals at work and in their personal lives.

5 Transgender Discrimination: Societal-Level

Before delving into transgender discrimination in the workplace, it is important to note the broader discrimination that transgender individuals may face in society. Due to the inherent connections between work and family life, it is important for organizational scholars to be aware of the many challenges that transgender individuals may face outside of the workplace as well. For example, research has shown that almost half of transgender individuals have experienced harassment or violence at some point in their lives and a quarter have experienced an incident of violence (Lombardi et al. 2001). Further, U.S. data from self-report surveys, hotlines, and police reports demonstrate that violence against transgender people begins during youth, occurs frequently and in varying forms, and is more likely to be sexual in nature compared to the general population (Stotzer 2009). Social support is lacking for transgender individuals too, with transgender siblings reporting less support than their non-transgender siblings (Factor and Rothblum 2008). In fact, transgender youth are more likely to be rejected by their families, leading to increased rates of homelessness and a greater likelihood of attempted suicide (even when compared to other homeless individuals) (Cochran et al. 2002; Quintana et al. 2010). Indeed, while estimates specific to transgender populations are difficult to locate, 20 % of homeless youth identify as LGBT more broadly (Quintana et al. 2010), in turn leading to a higher risk for personal harm. Further, one in five transgender individuals will likely experience homelessness at some point in their lives (National Center for Transgender Equality 2015).

Rejection in school settings is also prominent for transgender individuals. In a survey by the Gay, Lesbian, and Straight Education Network, 38 % of transgender students reported feeling unsafe, 55 % reported being verbally harassed, and 23 %

reported suffering verbal and physical harassment, respectively, because of their gender identity. Finally, 11 % of students reported having been physically attacked at school due to their gender identity, with the majority of these students choosing not to report the incident because they felt no one would care. The ramifications of this harassment on educational pathways seems clear—LGBT students were almost twice as likely not to finish high school or to attend college compared to the general population.

This combination of physical and verbal violence and a lack of support from parents and peers can drive transgender individuals to self-harm. A study of transgender individuals in San Francisco found that almost one-third had attempted suicide in the past (Clements-Nolle et al. 2006). Furthermore, a study of 55 transgender youths revealed that nearly half had contemplated suicide and one-fourth had attempted to kill themselves (Grossman and D'Augelli 2007). Those who attempted suicide were more likely to have experienced parental abuse and to have lower confidence in their bodies. Finally, 41 % of transgender individuals in a large-scale study reported having attempted suicide before, compared to 4.5 % of the general population and 20 % of LGB individuals, within a US context (Grant et al. 2008). Overall, it is critical to remember that transgender people have likely fought the "gender battle" since childhood and may have compounded reactions to workplace discrimination. Additionally, they may have decreased support at home to lessen the emotional burden stemming from a stressful and/or discriminatory workplace environment.

6 Transgender Discrimination in the Workplace

Transgender employees, similar to transgender populations in society more broadly, have historically faced stigmatization (Badgett et al. 2007; Irwin 2002). Thus, achieving authenticity at work is challenging for these individuals given the inherent fear of discrimination (Budge et al. 2010; Connell 2010; Schilt and Connell 2007) and associated stress of deciding to openly express their identities or not (Button 2004; Clair et al. 2005). Transgender individuals may wish to display their authentic gender identities and/or to disclose their transgender status, yet feel unable to within an intolerant workplace. However, research suggests authentic identity expression leads to positive outcomes, including greater psychological wellbeing and life satisfaction (Goldman and Kernis 2002; Ryan et al. 2005; Sheldon et al. 1997) given that individuals are able to achieve an authentic sense of self at work (Griffin 1992). For this reason, transgender individuals are likely to benefit from being gender authentic at work but may feel unable to do so given the threat of prejudice. This "push and pull" between happiness and being shielded from discrimination has also been documented in lesbian and gay populations (Ellis and Riggle 1996).

Because transgender employees may face high levels of discrimination, they may feel unsafe and unwelcomed at work. The Level Playing Field Institute reports that more than two million transgender professionals turn over each year due to unfairness, costing U.S. employers roughly $64 billion annually (Human Rights Campaign 2008). Within the U.S., the National Transgender Discrimination Survey (Grant et al. 2008), found that roughly 90 % of transgender employees have experienced harassment, mistreatment or discrimination. The report also found that 47 % reported being either fired, not hired, or denied a promotion due to their transgender status and over a quarter reported having lost a job due to their transgender status. These findings were compounded for African American transgender participants. Finally, the report showed that while a majority of individuals reported hiding their transgender status at work, a vast majority of those who did transition in the workplace reported feeling more comfortable at work and experiencing higher levels of job performance as a result.

However, once transgender individuals make the transition from male to female or from female to male, the battle against gender norms does not end. Schilt (2006) found that female to male transgender individuals received higher performance appraisal ratings post-transition, while Schilt and Wiswall (2008) found that male to female transgender employees suffered a decrease in pay after transition. Further, Schilt and Connell (2007) found that same-gender employees often took transgender employees "under their wing" after transition. However, this same-gender grooming was not always favorable for transgender employees. For example, female to male transgender employees reported being exposed to sexist language from male coworkers, causing greater discomfort for these previously female-identified employees (Schilt and Connell 2007).

While the above cited research is a starting point for assisting organizations in creating safer spaces for transgender employees, research on transgender populations in the workplace is still in its nascent stages. Further, studies examining transgender discrimination outside of the U.S. are even more scant. For this reason, it may be difficult for organizations to determine best practices for fostering inclusive workplaces for transgender individuals. In the following section, we outline a number of interventions that organizations are currently utilizing to cultivate safe spaces, as well as suggestions for best practices for facilitating transgender workplace fairness.

7 Recommendations for Creating Trans-Inclusive Workplaces

Organizations wishing to create inclusive work environments for transgender employees often look to the Human Rights Campaign Corporate Equality Index (CEI) for guidance (Human Rights Campaign 2014). The CEI measures the extent to which companies conform to a set of best practices for LGBT inclusion at work. The 2015 CEI report found that 66 % of Fortune 500 companies included gender identity in their non-discrimination statement. One-third of Fortune 500 firms had transgender inclusive healthcare policies, which is ten times as many companies compared to 5 years ago. The CEI tracks whether companies have LGBT friendly policies, benefits, training, public commitment to LGBT issues, a lack of missteps with regard to LGBT discrimination, and holding people accountable to LGBT inclusivity via metrics and surveys.

As a result of instituting the CEI, many companies, especially those on the Fortune 500 list, have strived to become more LGBT inclusive, as it serves as a marker of being progressive and sensitive to the diverse needs of their workforces. However, not all companies have utilized the CEI, organizations that do not apply for ranking are not evaluated, and instituting the CEI recommendations does not guarantee that an organization's culture will fully support LGBT employees. Thus, we are unaware of many firms' standing in terms of true LGBT equality. For this reason, it is useful to outline some best practices for organizations interested in creating positive workplace climates for transgender employees. Many of these suggestions (though not all) are also highlighted in the Transgender Law Center (2013) Model Transgender Employment Policy, which provides a detailed account of the specific procedures to follow with regard to transitioning employees in the workplace. It should also be noted that these recommendations may be more easily followed within national contexts which are already more accepting of transgender individuals overall. Thus, employers should take time to consider how these suggestions might be best implemented within their particular cultural context, with a constant focus on prioritizing the safety and well-being of transgender employees overall.

First, it is important that organizations recognize the gravity of having proper name change policies for transgender employees. While this appears to be a straightforward issue, it is possible that firms might keep track of employee data in many places, making it difficult to ensure that there will be no confusion about proper naming as individuals move throughout the organization. For example, while it may not be offensive for an employee who gets married and changes her last name to be referred to at work by her maiden name from time to time, this kind of naming slippage is likely to be much more upsetting for individuals who are transitioning to a different gender. Further, even if an individual does not enact an official name change, coworkers should honor an employee's request to be called by a different name. Finally, education for employees on proper pronoun usage is also important. Transgender employees may wish to be referred to using traditional or alternative pronouns (such as "ze"). Determining one's preferred name and pronouns is a vital way to show commitment to ensuring comfort through the transition process.

Second, gender neutral restrooms and/or other degendered spaces (e.g., locker rooms) also encourage comfortable work environments for transgender employees. Determining which restroom to use when going through a transition or when one is gender non-conforming can be highly stressful. Providing gender neutral spaces at work can help alleviate some of this stress. Privacy is also important within these spaces, given transitioning and gender non-conforming employees may not have undergone surgery and might feel uncomfortable, whether it be in restrooms or locker rooms (Human Rights Campaign 2015c). Gendered spaces within organizations may go unnoticed by many who are traditionally gender identified. Yet, these spaces can be highly contentious for those attempting to navigate the many nuances of transitioning genders at work.

Third, gender neutral dress codes can also help transgender employees feel comfortable and formally supported by their organizations. By providing employees with a dress code that outlines professional articles of clothing, without assigning particular styles of dress to different genders, workplaces make it clear that clothing and gender are not conflated. This may also help organizations from a legal standpoint given there is some precedent for the illegality of gender-based clothing requirements (Fiske et al. 1991). Providing employees with clear, unambiguous messages that wearing gendered clothing is not required will allow gender non-conforming employees to confidently wear the styles of clothing they wish to.

Fourth, transgender education, as well as gender education more broadly, may also help employees to better understand the importance of transgender inclusivity, as well as the socially constructed nature of gender overall. Including information about transgender employees may also promote the effectiveness of diversity trainings, given consideration of the challenges that transgender individuals' face may cause employees to question their basic assumptions regarding gender and other social categories. Moreover, this level of education and awareness may affect other organizational policies, such as requiring employees to check "male" or "female" in job applications without providing other options. In fact, it has been demonstrated that reactions of coworkers to transgender employees is a mediating mechanism between disclosure and a variety of important workplace outcomes (Law et al. 2011). Thus, including this content within training and education programs may create greater support for transgender employees after disclosure, leading to more positive experiences for those who have disclosed.

Fifth, as demonstrated in LGB samples (e.g., Ragins et al. 2007), proximal organizational policy is a strong predictor of outcomes for stigmatized employees. As such, zero tolerance policies for harassment and open channels for reporting within organizations are likely critical for transgender employees as well. Law et al. (2011) found that organizational support was related to both the likelihood of disclosure and to important workplace outcomes, including satisfaction and commitment within a sample of transgender employees. Thus, it is wise for companies to make it clear that discrimination based on gender identity will not be tolerated and to provide genuine support for employees who may have experienced prior discrimination. Further, because employees may face new forms of prejudice when living as a different gender, it is also important to inform transitioning employees of these potential challenges and to support them in coping with such challenges. For instance, Schilt (2006) found that while female to male transgender employees reported experiencing less sexual harassment following their transition, Schilt and Wiswall (2008) found that male to female transgender employees reported experiencing sexual harassment for the first time after transition.

Sixth, work-family conflicts (WFC) may also take on different forms within transgender versus traditionally gendered populations. While we are not aware of any studies of WFC within transgender populations, as we noted earlier, transgender employees may have less social support from family and friends. The presence of social support is important in lowering family-to-work conflict (FWC; Adams et al. 1996). For this reason, it may be the case that transgender employees experience higher levels of FWC (or life-to-work) conflict. Additionally, changing relationships (e.g., when individuals change their gender identity and must reconfigure their sexual partnerships to reflect opposite-sex or same-sex partnerships) may create stress for transgender employees. Finally, health concerns related to transitioning may also create life-to-work stress for transgender employees. While coworkers may be naturally sympathetic toward other coworkers who are facing major health-related issues (e.g., cancer), transgender employees may not enjoy this same level of support with regard to their unique health issues, particularly those related to the transition process. In sum, it is vital that employers recognize the added life stressors that transgender employees may be facing and be empathetic to these unique concerns.

Finally, it is important to think about intersectionality within the transgender community. Intersectionality is the idea that identities are layered and interlocking, such that being a Black lesbian female represents a qualitatively different experience than being either Black, lesbian, or female only (Crenshaw 1989). As noted earlier, African-American transgender employees fare much worse on important outcomes than their peers (Grant et al. 2008). Thus, paying attention to additional, intersecting identity categories when examining outcomes for transgender employees may be important. Creating surveys to assess the climate toward diverse groups of employees, which include items specifically about transgender employees, should be examined at the sub-group level as well if possible (e.g., Black transgender employees versus White transgender employees).

In order to support the interventions outlined above (as well as any other interventions for increasing transgender inclusivity at work), additional research must be conducted in order to demonstrate their necessity and merit. In the following sections, we outline directions for future research on transgender populations, as well as methodological recommendations for studying transitioning transgender employees.

8 Future Directions for Transgender Research in the Workplace

Despite the encouraging signs that show there is a burgeoning interest among scholars in studying the unique work experiences of transgender people, large gaps in our understanding still remain. The following sections discuss these gaps and highlight opportunities for future research.

8.1 Methodological Considerations

Researchers interested in studying the work experiences of transgender people face a number of design and measurement challenges. Perhaps the most pressing challenge is the implementation of research designs that explicitly consider the issue of time. For instance, in studying the inherent changes in identity associated with gender transition procedures, it is important to recognize that these processes are dynamic in nature and unfold over a series of phases—each marked by varied focal issues and obstacles. Although research has yet to offer theoretical models regarding the unique identity-related changes and trajectories that transgender individuals experience at work over the course of the gender realignment process, Devor's (2004) influential work provides some insight. Devor put forth a framework that describes a long-term, multiple stage approach conceptualizing transsexual identity development. Inherent in this process is the notion of a developmental sequence that occurs over time. For example, this multi-stage process is theorized to begin with interpersonal discomfort and exploration of new identities (e.g., transsexualism), leading to progression through the transition to a new gender, and culminating in learning to live with a new gender identity. Clearly this process, or even one phase of it, might occur over the course of years and even decades. In order to study this type of long-term temporal process and the changes that may occur both within and between individuals, scholars would need to employ a time series or panel study design. These types of longitudinal designs require the collection of repeated measurements on the same individuals over time (see Newson et al. 2012 for an accessible treatment of longitudinal design and analysis).

Aside from this developmental approach to examining long-term temporal processes that transgender people experience, researchers may be interested in the day-to-day lived experiences of these individuals at work. This approach also requires the consideration of time and a different type of research design. For example, some researchers have argued for the application of the Minority Stress Model to transgender samples in order to examine the more immediate impact of daily stress on health and wellbeing (Hendricks and Testa 2012). This model proposes that people with stigmatized identities experience greater interpersonal mistreatment, such as experienced discrimination and violence due to their minority status. To capture the short-term impact of this daily stress on proximal outcomes for transgender people, researchers would need to employ an experience sampling methodology or daily diary design. These types of intensive longitudinal designs require the collection of momentary assessments on mood, emotion, affect, experiences, and/or situational context one or more times per day over the course of one to several weeks (see Bolger and Laurenceau 2013 for an accessible overview of these intensive longitudinal designs).

In addition to design-related concerns, there are issues of measurement to consider when conducting research with transgender samples. Chief among these issues is the lack of validated measures that tap their unique experiences. Although there have been promising advances in this arena (e.g., Brewster et al. 2012;

Bauerband and Galupo 2014), greater empirical attention needs to be given to the development of measures of key constructs unique to the transgender experience. Researchers interested in pursuing this endeavor should consider beginning with prior qualitative studies. The rich, qualitative insights generated from this work can serve as a useful theoretical basis for understanding work-related experiences that are highly relevant to transgender employees. For example, Nadal et al. (2012) employed a qualitative research design to develop a theoretical taxonomy of subtle forms of discrimination, or microaggressions, directed towards transgender people. This study provides a foundation on which to base the development and validation of a high-quality measure of this construct.

The dearth of measures devoted to transgender populations has led researchers to rely on measures adapted from the LGB literature. Underlying this approach is the assumption, as noted earlier, that the experiences of transgender people and sexual minorities (i.e., LGB individuals) are one and the same, and thus these groups can be represented as a single homogeneous group. In addition, this approach assumes that the items comprising these measures are equally relevant and similarly experienced by lesbian, gay, bisexual, and transgender individuals, and that the psychometric properties of these measures are equivalent in a transgender population (Moradi et al. 2009). While research has shown that lesbian, gay, bisexual and transgender individuals share many similar characteristics and experiences (Fassinger and Arseneau 2007), there are few studies that have tested these assumptions or provided evidence for the applicability and psychometric properties of the adapted measures for transgender people. One noteworthy exception is a recent study by Brewster and colleagues (2012), which modified three commonly used measures of constructs in the LGB literature to improve their applicability to transgender people [i.e., Workplace Heterosexist Experiences Questionnaire (Waldo 1999), the Lesbian, Gay, Bisexual, and Transgendered Climate Inventory (Liddle et al. 2004), and the Workplace Sexual Identity Management Measure (Anderson et al. 2001)]. In this study, the authors present evidence for the reliability, factor structure and criterion validity of the adapted measures. Future research should continue to move away from relying on adapted LGB-related measures without a more rigorous examination of the psychometric properties and applicability of these measures to transgender populations.

8.2 Shifting of Social Roles and Power Dynamics

Gender identity is not only fundamental to one's internal identity but also one's social identity. The gender identity one enacts carries with it a set of normative role prescriptions derived from deeply rooted social and cultural practices and beliefs, which guide the ways in which we think about ourselves and interact with other people (Shotter 1993). These social roles are organized and structured along the idea that gender is a binary status comprised of only two genders, male and female. Moreover, it is assumed that these gender roles are static; one is either male or female and one does not change roles. The male and female gender roles carry with them unique privileges and liabilities. At work, this is reflected in gendered disparities in opportunities for advancement in pay and promotions that advantage men and disadvantage women (Catalyst 2013; Elliott and Smith 2004; Haveman and Beresford 2011).

Transgendered people do not necessarily conform to the gender binary, and their gender role may not be static. Thus, as they change from one gender to another they experience a change in their social role as well. That is, they may move into a different social group that has different privileges and liabilities. This notion of moving between social roles brings with it a number of intriguing questions. For example, how do transgendered people reconcile the attitudes formed by experiences shared among members of one role with attitudes and behaviors shared among members of their new role? It may be that previously held attitudes and beliefs are misaligned with the attitudes and beliefs expected of the new role. Such misalignment may, in turn, create considerable cognitive dissonance. For example, in a recent qualitative study, several participants who were born female and identified as male reported the struggle of reconciling their attitudes about male advantage with their new male identity (Levitt and Ippolito 2014). Levitt and Ippolito note that, “participants who were self-identified feminists, explained how, on the one hand, being male-identified fit their own sense of their gender but, on the other hand, they were disturbed by their entry into the position of power they had struggled against as women” (p. 53).

To help alleviate this cognitive dissonance, it seems the person has at least three options. First, they might work to discard their previous attitudes to better align with those expected in their new role. This essentially involves accommodating the new identity by conforming to role expectations and adopting the attitudes and beliefs of the new social group. Second, they may maintain their attitudes but choose to conceal them and act covertly to express them. This would involve subtly seeking out ways to influence or even subvert the system. Third, they may openly reveal their disparate attitudes and directly challenge the system. Research should examine this process of reconciling the attitudes and beliefs shared by those in one’s previous social identity and the attitudes and beliefs shared by those in one’s new social identity, as well as identify the conditions under which individuals are more or less likely to engage in these different strategies.

8.3 The Impact of Role Change on Coworkers

As important as it is to understand the shift in social roles experienced by those who are transgender, it is also important to understand how the change of social roles impacts members of the social group that is ‘receiving’ the new member. If, owing to policies and practices, we can assume that transgendered people do not immediately face aggression or discrimination in terms of job loss, or by being bullied and harassed, there are a range of other reactions members of the receiving social group may have. They may reject the transitioned person's new identity and only allow them nominal membership in the group. Group members may ostracize the individual by excluding them from all but formal interactions in the group (Williams 2007). They may also engage in incivility, a form of low intensity interpersonal mistreatment marked by rude and discourteous acts with ambiguous intent to do harm (Cortina et al. 2001). The ambiguity surrounding incivility is problematic given the instigators can hide their aggressive motives, thereby avoiding sanctions (Cortina 2008).

On the other hand, members of the receiving group may accept the transitioned person's new identity and allow them full membership in the group. This would involve accommodating the individual and assimilating them into the group. The results of a qualitative study by Schilt and Westbrook (2009) provides several examples of how this accommodation and assimilation process occurs through the use of gender rituals to reinforce gendered norms for behavior. For example, when describing those who underwent female to male transitions, these authors noted several instances in which coworkers attempted to make the person feel like 'one of the guys'. These included heterosexual men encouraging the transitioned person to express sexual desire for women and engaging in physical gestures (e.g., a slap on the back) that are consistent with masculine gender role norms. Schilt and Westbrook also report women asking female to male transgendered individuals to lift and carry objects and engage in similar gender role-consistent behaviors. Future research examining the conditions under which rejection or assimilation occurs is important. Beyond focusing solely on the role of individual differences among transgender employees and their coworkers, or the role of organizational-level characteristics it is important to examine how characteristics of the work group influence rejection or assimilation processes.

8.4 Explanatory Mechanisms

As noted earlier, transgender individuals often face a number of unique identity-related issues and challenges at work—challenges that may produce both negative *and* positive psychological outcomes not captured by cross-sectional investigations. For example, gender realignment processes are inherently dynamic in nature, producing various time-contingent effects on one's achievement of a stable, authentic sense of self. In the early stages of transitioning, individuals are likely to experience anxiety and stress as they mull over and monitor for potential negative reactions from their colleagues. Indeed, the decision to express a stigmatized identity at work is often made with trepidation over fear of negative consequences (Ragins 2008; Ragins et al. 2007). Over time, however, such discomfort may subside and be replaced by positive feelings and stronger emotional bonds to coworkers who are supportive and accepting. Conversely, in situations marked by a lack of support for the transitioning individual, anxiety and stress may intensify and result in rapid deteriorations in one's psychological wellbeing. Because of the temporal nature of gender realignment processes and the lack of within-person examinations of transgender individuals' daily work lives, there exists a need for research that explores the mechanisms that explain the potentially negative and positive outcomes related to these individuals' experiences at work. Below, we discuss two promising areas for research in this domain.

Given the physical salience of transgender individuals' stigma, combined with their deviation from entrenched gender norms and the lack of policies that sufficiently address issues of gender identity and expression in organizations (Heller 2006), this population is likely to be especially susceptible to pervasive states of paranoid cognition and emotional arousal at work. Following Kramer (2001), state paranoia reflects "a form of heightened and exaggerated distrust that encompasses an array of beliefs, including organizational members' perceptions of being threatened, harmed, persecuted, mistreated, disparaged, and so on, by malevolent others within the organization" (p. 6). *State paranoid arousal* includes heightened levels of distrust, fear and anxiety, and perceptions of threat, which, in turn, promote *state paranoid cognitions*, including rumination, hypervigilance, and sinister attributions regarding others' intentions (Chan and McAllister 2014; Kramer 1998). In a recent study of 165 full-time transgender employees, controlling for trait paranoia and trait negative affect, Thoroughgood et al. (2015) found that perceived transgender discrimination was related to decreased job satisfaction and higher turnover intentions and emotional exhaustion, with state paranoid cognitions mediating these links.

From a theoretical standpoint, given transgender individuals often deviate from societal gender norms in highly visible ways, they may attract intense evaluative scrutiny, leading to self-consciousness and paranoid arousal (Kramer 2001). Perceived scrutiny is associated with feelings of uncertainty around others, leading to extensive self-evaluation and speculation regarding others' perceptions of oneself (Frable et al. 1990; Lord and Saenz 1985). Indeed, state paranoia is largely thought to reflect an adaptive set of responses to uncertainty experienced within one's social milieu (Averill 1973; Beehr and Bhagat 1985; Coyne and Gotlib 1983; Marr et al. 2012; O'Driscoll and Beehr 1994). According to Hogg (2001), the motivation to reduce uncertainty inherent to one's social world and one's place within it is a fundamental human need. Relatedly, Kanter (1977) argued that "token" group members not only experience disproportionate attention from majority group members, but may also experience imagined scrutiny—even when the majority group treats them no differently from non-token individuals. This highlights the important point that individuals with stigmatized identities may often interpret uncertain contexts in ways that construct social threats even when they are not there. As such, state paranoia may stem from real or imagined threats (Freeman et al. 2008). Given many transgender people have suffered pervasive mistreatment and intense stigmatization across life domains, including the workplace, their experiences of state paranoia at work may be equally likely to result from actual or perceived discrimination. In turn, this creates the need for employers to not only be active in rooting out discriminatory threats inherent to the work environments they promote, but to also to be cognizant and understanding of transgender employees who may be particularly sensitive to perceived mistreatment.

Despite their likely susceptibility to state paranoia at work, especially during the early stages of the gender transition process, transgender individuals may enjoy a number of positive outcomes, including greater psychological health and life satisfaction, as a result of openly expressing their true selves at work (Goldman and Kernis 2002; Ryan et al. 2005; Sheldon et al. 1997). However, little is known regarding the mechanisms that explain why open expressions of identity may benefit those with stigmatized identities, especially transgender individuals. We turn to the authenticity literature for potential clues. Authenticity refers to the "unobstructed operation of one's true, or core, self in one's daily enterprise" (Kernis 2003, p. 13). Authenticity is related to physical and psychological health, including lower levels of anxiety, depression, distress, and negative affect and greater life satisfaction (Goldman and Kernis 2002; Ryan et al. 2005; Sheldon et al. 1997). The concept of authenticity encompasses four interrelated facets: awareness, unbiased processing, action, and relational authenticity (Kernis 2003). While awareness and unbiased processing refer to being conscious of and honest about self-relevant cognitions, respectively, action refers to enacting behaviors consistent with one's internal self-concept rather than engaging in behaviors as result of external pressures or expectations. Relational authenticity refers to achieving a sense of self around others that is consistent with one's self-concept (Kernis 2003). In terms of gender identity, we focus on the latter two facets given the former two are related to identity formation and coherence, which are internal, rather than behaviors and relationships that manifest in the workplace.

In terms of transgender employees, *action authenticity* involves situations in which individuals engage in gender-relevant behaviors that align with their inner representations of their gender (e.g., West and Zimmerman 1987). Given the strong societal norms associated with being male or female and the routine feeling experienced by many transgender people of having physical characteristics that do not align with their inner gender identity, action (in)authenticity likely reflects a pervasive concern for such individuals. When one's inner gender identity and outward expressions of gender are misaligned at work, such situations may produce an ongoing state of felt dissonance (Festinger 1962) between one's internal conceptualization and outward behavioral expressions of gender. *Relational authenticity*, applied within the context of gender identity, can be characterized by situations in which one's inner conceptualizations of their gender identity are shared and affirmed by others (in this case, coworkers, supervisors, customers, and other key stakeholders affiliated with the organization). This idea is consistent with self-verification theory (Swann 1983, 1987), which suggests people have a fundamental need for others to perceive them in a manner consistent with how they perceive themselves. However, when others fail to recognize or affirm a transgender employee's gender identity, relational inauthenticity is experienced.

When transgender individuals attempt to align their inner gender identities with their external appearance at work, whether through gender realignment procedures (e.g., hormone therapy, surgery) or more cosmetic changes (e.g., wearing gender consistent clothing), they should experience greater freedom from the internal conflicts between their inner gender identities and their outward expressions of gender, leading to greater action authenticity. These outward, physical changes may further promote action authenticity given individuals may feel less restricted in enacting gender-relevant behaviors at work that align with their inner gender identities. Action authenticity, whether through gender realignment or other authentic expressions of gender, may further serve to align self- and others' perceptions of one's gender, fostering greater relational authenticity. That is, when individuals are able to achieve greater congruence between their inner representations and outward expressions of gender and coworkers are supportive of their true self, this is likely to produce greater "fit" assessments between self- and others' perceptions of one's gender identity. Higher levels of action and relational authenticity, in turn, may promote a number of positive employee outcomes. For example, in a recent study of 173 full-time transgender employees, Martinez et al. (2014) found that individuals who had fully transitioned had higher job satisfaction and person–organization (P–O) fit perceptions and experienced less perceived discrimination than individuals who had not begun the transition process. This study's results align with findings from Law et al. (2011), who found that disclosing one's transgender status was related to higher job satisfaction, as well as recent qualitative analyses that point to the benefits of being gender authentic at work, including reduced fears of discrimination and more positive interactions with coworkers (e.g., Budge et al. 2010; Davis 2009; Schilt and Wiswall 2008).

9 Conclusion

The purpose of the present chapter was to begin to illuminate the unique issues, concerns, and experiences of transgender individuals, both in and outside of the workplace, in order to spur future research on this largely forgotten stigmatized identity group in organizations. To date, the organizational psychology and management literatures have almost completely overlooked the many theoretically intriguing and practically important questions surrounding transgender people in the workplace. This seems to be at least partly due to a prevailing assumption that transgender individuals face similar, or even identical, social stigmas and challenges as those of lesbian, gay and bisexual individuals (i.e., sexual minorities). Indeed, the general labelling of individuals as "LGBT" has most likely contributed to this erroneous assumption. However, as our discussion highlights, gender identity and sexual identity are not one and the same and have different social implications for members of these different identity groups at work and in social situations more generally. The lack of research on transgender individuals' workplace experiences is further compounded by the inherent difficulties associated with accessing this unique population and the challenges of recruiting identified individuals, who are often highly concerned about anonymity, given job alternatives are frequently scarce (due to the strong societal stigmas operating against them).

Finally, we would also like to note a general trend we have observed toward studies that frame issues of stigmatization and identity in broad, non-sample specific terms. More precisely, there seems to be an unfortunate focus in many top-tier management journals on using unique samples (for example, LGB employees) to study broad topics like stigmatization, identity management, and authenticity. While such work may provide some theoretical insights, namely within the context of qualitative, grounded theory examinations, they presuppose the experiences of study participants generalize across different stigmatized identity groups and further reinforce misplaced assumptions that overlook important distinctions between these groups. It is our view that more comprehensive theories and overarching claims should only be made after carefully considering and examining the potentially unique experiences of different stigmatized identity groups at work. It is our hope that the present chapter brings into focus and provides an impetus for researchers to consider the unique work-related experiences of transgender individuals, so that employers may begin to provide empirical support for and discover new types of organizational solutions which promote transgender inclusivity at work.

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I Am the Man for the Job: The Challenges of Coming Out as a Female-to-Male Transgender in the Indian Organizational Space

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1 Introduction

In the Indian social space, the lesbian, gay, bisexual, and transgender (LGBT) community encounters varying levels of recognition and acceptance. Though traditional narrative may provide spaces for the conventional 'third gender' like the *Hijra/Aravani*[1] community or other queer identities like the *Jogappas*[2], but these spaces lie on the margins. The binaries that emerged with India's colonial encounter with Britain often stigmatize any modern queer identities (Penrose 2001). It is hence not unusual to see the contemporary queer identified person as 'diseased' and 'unnatural' in the mainstream discourse, often making them vulnerable to identity based discrimination and sexual violence (Shaw et al. 2012).

One of the major struggles for any member of the queer group is to assert a positive identity in the societal context. In this context, coming-out at the workplace is seen to be a major milestone as it targets workplace integration through identity affirmation (Ward and Winstanley 2005; Woods and Lucas 1993). Like in the rest of the world, coming-out makes employees from the group more satisfied at the workplace in the Indian context as well (MINGLE 2012). The challenge of coming-out however has its unique complexities for the transgendered person who often challenges the binary view of gender that tends to polarize 'men' and 'masculinity' and 'women' and 'femininity'. The transgender person challenges this polarity by often framing the identity as liminal though moving towards one side of the binary

[1] Umbrella term for several traditional identities including biological men identifying as women, MSMs, eunuchs, hermaphrodites; often knit as a community with its own social system.

[2] 'Feminine Boys' dedicated to the Goddess *Yellamma* who often lead a same-sex relationship (Bradford 1983).

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(Wilson 2002; Diamond et al. 2011). As some scholars (Connell 2010; Schilt and Connell 2007; Schilt 2006) argue, the transgender subject is often conveyed expectations of acting like the destination gender and is often guided for gender conformity. The transgendered person's own efforts at transgression are hence often conditioned by the societal and organisational view on 'being' a man or a woman; in the organizational context, the sanction to prevention of transgression could also be supported by various rules and policies including the organization's commitment to promoting diversity and inclusion. In the Indian context, the issue complicates further since there is a tendency to identify the 'third gender' with the aforementioned *Hijra* or *Aravani* community (Reddy 2005), the members of which are by and large identified with feminine behaviour even if they are biological males. This often implies lack of social cognition and legitimation for transition and sex reassignment. The situation is even more difficult for female-to-male transgender person (Edelman 2009), as no prominent traditional male-to-female transgender groups exist in the mainstream; coming-out among the female-to-male transgender persons is hence often associated with major problems of identity formation and negotiation in order to be accepted (Zimman 2009).

This chapter discusses the case of Arjun (*name changed*), a transman (male-to-female transgender person) who had an open transition (Schilt and Connell 2007) i.e., transition from the gender at birth to destination gender without changing his job or workplace. Working in a consulting firm in Mumbai, Arjun chose to come out at his workplace and shared the news of his transition with all his office colleagues. While coming-out reduces self-stigma (Morris et al. 2001), it creates barriers, both in personal as well as professional life (Kalra 2012; Sebastian Maroky et al. 2014). Even though Arjun's gender-shift got acceptance from his office colleagues, it posed its own challenges. The chapter looks at the coming-out and transition of Arjun in the Indian context. We endeavour to look at to what extent the transsexual experience gets impacted by traditional queer identities and how the transgender subject negotiates gender identity with pressures to conform either to gender at birth or destination gender. We further probe the way a transgender person deals with tensions between the tradition and the modern perspective in transgenderism.

2 Gender-Identity in India: A Socio-Linguistic Enquiry

The Indian mythological scene is filled with stories of third gender, suggesting the prevalence as well as acceptance of the queer community (Doniger 1980). The word '*Tritiya Prakriti*' (the third form/neuter) is an indispensable part of the ancient Indian text, with frequent reference to it in the Sanskrit treatises (Wilhelm 2003). As per a popular folk narrative, when Rama[3] went to forest in approval of his

[3] Rama is worshipped as an incarnation of Vishnu, one of the most prominent gods of the Hindu pantheon.

father's judgement of 14 years' exile, a large number of people followed him. Rama ordered that all the males and females return immediately, effectively giving no specific order to the third gender who opted to remain in the forest. Impressed with their devotion, Rama granted several boons and honour to the queer community (Vyas and Shingala 1987). The Indian religious tradition is full of such incidents that bestow religious sanction on the identity of the queer community.

While ancient treatises of India give a prominent space to the queer community, their identity has also been affirmed in the languages of the era. Sanskrit language, the parent language of most of the dominant languages of the Indian subcontinent, is a highly infected language that gives a prominent space to gender-neutral words (gender assignment in Sanskrit is done through three categories, viz. Masculine, Feminine, Neuter). In fact, third sex is itself divided into many different categories wherein the variance is in terms of physical and psychological characteristics. Such elaborate categories suggest the larger social acceptance and understanding of the 'other' gender in ancient India.

In the medieval times, while the respect of the queer community declined, they retained a prominent space in the royal courts of the Islamic rulers. The queer people were seen as powerful people who had close association with the Indian royalty (Reddy 2005). This phenomenon could also be seen in the linguistic space: Urdu language, a language associated with Muslim community of modern day India and Pakistan, retained the gender inflection property of Sanskrit language. It may be noted that the word *Hijra* has its roots in the Arabic word '*hjr*' that means 'leaving one's tribe'. The *Hijras*, as a community separated from the mainstream, is thus acknowledged from the medieval times itself. This recognition of the *Hijras* along with their separation from the mainstream represents the hallmark of the attitude of the society towards the genderqueer. While there is recognition for the unique status the representative of the third gender representatives, there is also their separation from the mainstream that is visible.

The advancement of the European colonialists in the Indian subcontinent led to the decline of the queer community. The decline was most prominent at the end of the nineteenth Century which saw the dominance of the British government across major parts of the Indian subcontinent (Chatterjee 1999). Marked by Victorian conservatism, the colonial rulers promoted a binary understanding of gender and consequently suppressed the people belonging to the third gender (Kugle 2002). It may also be noted that most Romance languages have binary gender inflections, reflecting the sentiments of the social setup wherein gender is seen in binary terms; the same is the case with medieval and modern English. Gradually, the colonial rule with its Victorian English perspective led to a largely binary perspective on gender: the linguistic bifurcation ultimately led to the loss of queer identity (Chatterjee 2002).

When the British emerged as the single largest colonial power in the Indian subcontinent, they further crushed the identity of the queer community though passage of law. The British saw the queer community as a mentally deranged community and 'punished' them inhumanly: such treatment was given legal sanction through the Criminal Tribes Act, 1871. Under this law, people belonging to the queer community could be arrested without warrant and sentenced to imprisonment up to 2 years. The community enjoyed very little civil rights: they could neither adopt nor act as guardians to minors; they had no power to write a will. There was systematic persecution of the queer community—a complete deviance from the Indian cultural tradition. Though this law was modified within 2 years of the British leaving India, its remnants had already impacted the Indian cultural scene as the legacies of binary gender continued (Agrawal 1997).

The independence of India in 1947 could not change the situation of the third gender representatives and they still lacked the respect they once had (Sharma 2014). While this made life difficult for those who were biologically neither male nor female, those who found themselves to be psychologically at odds with their biological sex were also fearful of coming-out because of the deep stigma attached to non-conformance to binary genders. This further led to suppression of their right to expression and their right to be one with their self-determined, self-identified, and self-chosen gender. In a way, their right to choice was curtailed and their right to lead a dignified life was attacked. Nonetheless, despite the odds that they faced, the queer community was able to maintain an identity of their own by forming a close knit 'community' like the *Hijras* or *Aravanis*.

3 Transgenderism: Structural Boundaries of Identity

Transgenderism, which may be seen as a discursive act that 'both challenges and reifies the binary gender system' (Gagné and Tewksbury 1998) often depends on institutional definitions and community acceptance since the 'structuration' is located in daily life. The challenge posed by the transgendered person is often limited to challenging only select elements of the gender schema in a given context while largely adhering to the societal definitions of conformity. This conformity in 'doing gender' (Connell 2010; Schilt and Connell 2007; Schilt 2006) is first and foremost to the acceptance of either male or female identity as defined by the modern institutions. This definition does not just come as an imposition from the mainstream but also from the transgender groups themselves, some of whom reject the liminal existence (Wilson 2002) though there is a huge diversity on who the transgender person may choose to deal with the issue of gender. In the Indian context, this is also coupled with the unique interaction of traditional non-conformist gender identities and British colonial perspective on gender.

As discussed above, the classical Indian literature, especially Sanskrit literature, often asserts the fluidity of gender (Narayanan 2003). From men who became women (including the warrior Arjuna in the epic *Mahabharata*) to God assuming male and female form together in esoteric traditions, there are enough myths to uphold the idea of gender transition as well as oscillation as defined in the contemporary gender studies. The problem however arises due to the gap between the classical liberalism and the prevalent institutional values. Both the traditional codes (including the *Smriti* literature that has been a reference for modern civil law) and the existing norms have clear roles and identity markers for males and females. Secondly, the very myths that accept the fluidity of gender often metamorphose into folklore dismissive of the fluidity, much in line with the binary gender view of the West: for example, the use of the name *Shikhandi*, a hermaphrodite character from *Mahabharata* as typifying someone who is not 'man enough' (Custodi 2007). More importantly, the Indian co-existence process, based on institutional exclusivism has put the traditional gender non-conformist groups on the margins, with stigmatized status. These non-conformists include religious communities like *Jogappas* who we mentioned in the introduction part and the *Sakhis* or the female acting mendicants dedicated to Lord Krishna in Vrindavan.[4] The second group is the actors who enact female roles in exclusively male performing arts like *Jatra, Bhandgiri and Shumang Lila*. All the above groups are generally isolated from the mainstream and often sexually exploited. The third major group is the *Hijras* or *Aravanis*, which includes eunuchs and is expected to dance, beg, or be a sex worker. Like with the other transgender groups, these identities are also shaped by the mainstream norms related to these communities with the phobic and the erotic often combined through religious sanction. The predominance of the above groups in gender non-conformity has led to a stereotype of anyone who does not fall into the socially acceptable gender norms as a representative of one of the above identities. Due to the absence of a strong queer-assertive movement (as of now dominated by *Hijras/Aravanis,* gays and lesbians) there is little recognition of the transgender groups like transsexuals in the society. Overall, it is not unusual for people to equate the genderqueer with a *Hijra/Aravani*. Even the famous NLSA Judgement of Supreme Court mentioned in the next section often uses *Hijra* and transgender synonymously.

4 Modern Institutions, Work and Gender Non-conformity

India's colonial encounter added another dimension to the gender stereotyping. In the process of subjugating the Indians, the British identified their own traits and actions as masculine while dismissing the local non-assertive petty bourgeoisie as well as other subjects as either less than masculine or too aggressive. In her study on the production of 'manly Englishman' and 'effeminate Bengali' in the nineteenth Century colonial Bengal, Sinha (1995) points out how the categorization of British considered 'Oxbridge masculinity' defined by choice of professions, ability to protect women, involvement in certain kinds of sports, and reaction to military work, as the defining features of being a man. Such constructs have shaped the definition of 'man' at work and in turn influenced the laws and norms that came into place. The British laws and norms finally came to define being a man in the Indian workplace: this included dress codes, rules and protocols. This reinforced and

[4] Vrindavan is a city near Delhi, the capital city of India.

further cemented the male–female binary, often exacerbating the stigmatized status for the non-conformists, as already discussed above with reference to the Criminal Tribes Act 1871. The legacy lives on with digression in the above rules leading to disciplinary action against the identified non-conformist. The high level of stigma came to the fore in the case of D K Panda, a police officer from the state of Uttar Pradesh, who was holding the highest state-level police rank of Director-General. In line with the above mentioned *Sakhis* tradition, the police officer had started using female make-up and veil identifying himself as 'Radha', the beloved of Krishna (The-Hindu 2005; Tripathi 2005). However, this not only led to negative media coverage of the officer, but also disciplinary action against him for violating the dress code (Rediff 2005).

Even though the recent decades have witnessed a revivalist trend emphasizing the classical stories of gender non-conformity, and the emergence of LGBT movement in India (Vanita and Kidwai 2000; Pattanaik 2014), it is still the gender binary that dominates the public spheres including the workplace. The colonial laws are often ushered in action against those who represent gender non-conformity or display same-sex desire. Section 377 of the Indian Penal Code 1861 still exists in the same form criminalizing any act of sex 'against the order of nature' (Narrain 2009). With respect to *Hijras*, the police is often reported to use Sections 294 and 268 of the Indian Penal Code 1861 that deals with action in case of obscene acts in public that "cause annoyance to others" creating public nuisance (Ratnam 2014). On the positive side, the changes that help the transgendered persons' struggle for identity and acceptance include a judgement by the Supreme Court of India in 2014 (popularly known as the NLSA judgement) affirming the rights of the transgender community and suggesting affirmative action for them. The judgement provides support to self-identification and affirmative action for the transgendered persons (Boyce 2015). Another positive trend has been emergence of debate on the question of queer identified persons in the media, which has led to better awareness on the issue.

5 Framing the Gender Identity at Workplace

The paradox of classical liberalism and contemporary exclusionism poses its own challenges for framing of gender identity in a 'masculine' modern workplace. The classical and esoteric traditions espouse androgyny in concepts like *Ardhanariswara* (half male–half female God), thus showing acceptance of gender and sexual ambiguity (Chakraborty and Thakurata 2013). However, the assertion of the colonially inspired gender binary negates the liminal identities and a person is expected to accept the social constructs of 'male' or the 'female' as unchangeable and inalienable. In this context, the case of Arjun (the subject of current research) represents a change in the above dichotomous response from the society. While Arjun experienced apathy and to some extent transphobia in the larger community, he found relatively more acceptance for his transition at the workplace.

Gender identity, like any other mark of identity is considered as jointly produced where the institutional context may shape the normative definition which in turn interacts with the agent's interpretation of the identity leading to the final structuration of the concept of male or female. Since gender is both contextual and dynamic, it poses challenges of definition in the context of space and time. This challenge is often manifest in conflict between the normative view and the interpretation. The gender binaries as perpetuated by the medicalized view of identity have shaped the male and female identity, corresponding to roles based on biological sex. This binary view, has in turn, either moved the other gender identities to the margins, or has identified them as deviant. In spite of the queer movement and alternative affirmations, the binary view of gender still typifies the norms and roles in the habitus of a given industrial or post-industrial society. Since modern work was shaped by the same paradigm that supported the male–female dichotomy, modern institutions have been instrumental in reinforcing gender definition through organizational systems. The transgender person, in spite of challenging the predominant view, has to negotiate the identity in conformity with the normative view.

Given the lack of understanding about the transgender identities, the modern workplace may often lack the wherewithal to help the transgender person feel safe and accepted. The diversity policies, which cater to a range of identities, often fail to address the specific question of transgender identity. This could be due to the tendency to club all the queer identities together (Zimman 2009). Secondly, the multiplicity of non-normative gender identities (ranging from cross-dressers to those who have undergone sex reassignment surgery) and their fluidity also fails to give a standard identity model. Such lack of standard model creates confusion at the level of policy framing. Lastly, the overall discomfort with liminal identities makes both the structure and the agent identify with one pole of the gender binary thereby negating gender radicalism (Wilson 2002). This effectively closes the scope of negotiation for any third gender or related alternative assertions.

The above factors make it imperative to look at the experiences of the transgendered persons as they assert and negotiate their identities in the workplace. It is especially necessary to look at the identities in the context of South Asia where the traditional 'Third Gender' identities including the *Hijras* often dominate the transgender discourse thereby creating certain stereotypes (generally negative) about gender non-conformity.

6 Coming-Out as a Transgendered Person

All the queer identified persons including transgender groups share a few features of coming-out. First, there is no specified age or clear phase in life when a person would come out. Secondly, there are generally several phases of coming-out beginning with one's own self, follows by some trusted confidantes, and then at work. Thirdly, coming-out need not always be to everyone given the needs of self-preservation. Here, however the physical changes in a transsexual person may act as a compulsion to come out (though there are enough transgendered persons who have undergone sex reassignment but have not come out). Despite notable similarities in the coming-out process, the acceptance and sharing of the non-conformist identity for a transgender person is qualitatively different from that of sexual minorities like gays and lesbians (Ruvio and Belk 2013). While the coming-out is often a static event in the case of gays and lesbians (barring the case of coming-out to new colleagues or clients), it happens in many stages in the case of a transgender person. Moreover, the transgender identity is not just an addition to the larger identity of the person but tends to shape the basic gender identity (Gagne et al. 1997). It can sometimes be a total transformation that erases all the previous markers as in the case of a transsexual who has undergone hormone treatment and sex-reassignment surgery (Zimman 2009; Wilson 2002).

The coming-out in case of a transgendered person often corresponds to the stages in the transition and given the pressures to conform, the person often accepts the socially acceptable gender identities (Beemyn and Rankin 2011). The pressure to conform emanates from several sources: Gagné and Tewksbury (1998) identify the need for community acceptance (which includes both the mainstream and the reference group or the transgender community itself) and self-preservation (employment, economic reasons, and safety) as primary sources. These pressures often lead to clear movement towards one gender as preferred by the larger transgender groups as well as employers. Some transgendered persons however choose to avoid coming-out or hide their gender dysphoria in order to preserve their status and well-being (Bell et al. 2011). One major fear that plays at such times is the fear of losing job given the pressures to conform at work (Jones et al. 2015). Nonetheless, it is not easy for a transsexual/transgender person undergoing sex reassignment surgery to hide her/his emerging identity given the physical markers of the same. In such cases the coming-out and acceptance is negotiated with move towards a clear identity including erasure of all marks of the previous or socially assigned gender. The coming-out at work is thus largely linear.

While there are pressures to conform to an identity when one comes out at workplace, the process of coming-out at work has been found to positively affect one's well-being and job satisfaction (Griffith and Hebl 2002). This is because an employee spends most of the productive years at workplace and it is here that most of the relationships beyond the family are made. This process helps overcome the sense of deception or moral lack (Zimman 2009) and thus feel comfortable with the colleagues. Even in case of non-acceptance, many people find it better to come out so that they can be comfortable being who they are.

7 Male-to-Female Vis-à-Vis Female-to-Male Transition

Most scholars emphasize the lack of congruence between gender identity, sex and sexual orientation. The need for transition, if felt strongly, would be first established through certification of gender identity dysphoria by a psychiatrist. This is generally followed by intake of hormones followed by surgery. While these elements are common in both male-to female (MTF) and female-to-male (FTM) transsexuals, it is generally more obvious in the FTM case due to the conspicuous changes in the face including emergence of beard. This often calls for being cautions of the facial features if a transman is not keen to come out. In either case, the transition will lead to marked shifts in doing gender due to hormonal change as well as the emergence of the biological traits of the other sex. A shift in the use of gender-based rest rooms may just be one such transition in behaviour. It additionally leads to pressure to change informal groups (to socialize) that are often formed on gender basis. The acceptance in the destination gender group becomes an important factor in the transition (Schilt and Connell 2007). It is here that the person may often encounter rejection at work if the transition is not complete. However there is enough literature to show that the acceptance is high for both MTF and FTM transitions in a workplace when the transition is clearly towards male or female identity (Schilt and Connell 2007; Schilt 2006).

Given the above context of transgender identity and coming-out, we examine the narrative of Arjun, a transman (female-to-male transgender), who has undergone sex reassignment surgery and is now in the process of changing sex in all his identity documents. The endeavour is to look at the mechanism of gender negotiation and adjustment in the larger milieu of traditional perspective on transgender identities with special reference to his workplace.

8 Arjun's Experience

8.1 The Case Context

Coming from a traditional middle-class family from Maharashtra in Western India, Arjun who lives with his father in Mumbai was born as a biological female at the end of 1970s. He always acted as a 'tomboy' (*sic*) and dressed in male clothes. From the age of nine, he was confused by his attraction to girls in his class. This confusion continued and led him to believe that he is a lesbian since 'gay' and lesbian' were the only words known to him at that time. He was in the same mind-set when he went for his undergraduate education. He had a very hard time at college due to his confusions related to gender identity and related sexual attraction. However, given his mother's health condition, he did not focus on his own life and concentrated on taking care of her. In 2001 (1 year after completing his undergraduate degree), Arjun got a job as Receptionist-cum-Coordinator in the property/real estate vertical of XYZ Consultants, his current employer. The vertical was not doing well and hence Arjun was moved to the company's HR Consultancy arm in 2002 along with his current boss and one more colleague; they have been together ever since.

XYZ Consultants, a private company established in 1992 is into recruitment consultancy largely for the manufacturing sector. The company has clients in UAE, parts of Europe, and India. The key accounts are largely from multinational corporations. The total employee strength of the company is fifteen, which is distributed in five teams. Being a small company, they have a flexible structure with no standardised designations and predominance of a team system. Arjun's team consists of his immediate boss who is the Key Accounts Manager, Arjun as Consultant, and another Executive Member. They together take care of four key accounts. The culture of the company is marked by family spirit, with the Founder-CEO taking care of each of the employees' needs. It values the contribution of employees and supports them in their personal contingencies. The CEO did not hesitate in giving Arjun long leaves whenever he needed it to take care of his mother. Four employees, including Arjun, his immediate boss, and the third member of the team, have been with the company for almost 15 years. Arjun himself has grown from the post of Receptionist to Consultant over a period of 13 years. Having worked with the same immediate boss has led to a strong bonding between them, making him strongly identify with the group. Arjun strongly identifies with his workplace, considering it his second home. To him it was never been a ten-to-six job as he always worked in a supportive environment with considerate and committed team members.

8.2 Realization of Transgender Identity

In 2005, Arjun came across some lesbians on Orkut, some of whom became his friends. However, he found that he was different from them as they were quite comfortable being females while he was not. In 2008, he got in touch with a transman online who made Arjun realize and accept that he is a man trapped in a woman's body. Arjun could not start his transition immediately since his mother's condition had further deteriorated and she was bed-ridden and totally dependent on him. His life all this while was largely about work and home.

In 2011, Arjun's mother expired. It was then that he started contemplating transition. Since it would be a life-changing event, he gave himself a year and finally resolved for the *rites de passage* in 2012. He got the support from another transman and both started their transition providing mutual support to each other. The first phase was getting in touch with a psychiatrist to ascertain the gender identity dysphoria (GID). He got the GID certificate after two sittings and then contacted an endocrinologist for prescription of hormones.

8.3 Transition and Coming-Out

Arjun shared the news of his starting of hormonal shots with his immediate boss. During our interview with Arjun, he mentioned that she was the first person to whom he came out beyond his transman friend. However, Arjun found that she was sceptical about the whole process since she was not sure how it would ultimately affect Arjun. After 4 months of hormonal shots, there were manifest changes in Arjun's body, including growth of facial hair and increase in weight. This change boosted his confidence and he started coming-out to those who currently constitute his support system. This included his maternal aunts who have been supportive. He also came out to his brother and father in due course but his support system included his friends and aunts only.

His colleagues at work were noticing the visible changes but no one questioned him. However, before his top surgery in 2013, he felt the need to share his decision with his CEO who had always been supportive to him in the past. He came out to his CEO and shared his condition and his plans to go for surgery. The immediate reaction of the CEO according to Arjun was, "How can I help you?" The CEO added that though he did not understand the issue as narrated by Arjun, he would support him. He added that Arjun should do whatever makes him happy. The CEO subsequently approved a loan for Arjun's surgery as well and allowed him to proceed for 1 month's leave. The acceptance could be seen as one of the factors of why Arjun strongly identifies with the organisation and feels integrated at the workplace; this is much in line with the coming-out related literature (Ward and Winstanley 2005).

8.4 Coming-Out to All Colleagues

In 2014, Arjun felt that there is need to be out to all his colleagues. He was feeling 'fed up of the dual life' and wanted to have this 'burden (of truth) off his chest'. He hence wrote a mail addressed to all his colleagues as well as the CEO stating his transition. In response, the CEO wrote a mail marking all the employees stating that the company supported him in his transition. Arjun himself felt that this made him more comfortable though he was not sure of the reaction of some of his colleagues in other teams. To his surprise, the subordinate in his team, 'who is not even a graduate' and is not considered so 'broad-minded', started calling him Arjun, the new name that he adopted.

8.5 The Identity at Work

The transition process of Arjun was marked by varying degrees of acceptance for him at work. While the subordinate in his team showed acceptance of his changed gender identity and accepted his new name, many others did not start calling him by his new name. This includes Arjun's immediate boss who though never addressed him as a female in the past, suddenly become conscious of Arjun's past and started to call him by his past name only. Arjun admitted that this had a lot to do with his own inevitable adherence to his past identity that remained with him due to his identification as a female in all the legal documents. He felt that he might need to speak to all his colleagues to explain his perspective on his transition and his need to be identified as a man including the adoption of a new name.

The CEO on his part had mentioned that he and the others would take their own time getting used to his new identity and hence he needed be patient. Arjun observed that though the CEO did not start addressing him as a 'he', he tended to use gender-neutral terms while conversing. This phase can be understood in terms of transition, which once complete, helps in the acceptance among the members of the destination gender (Schilt and Connell 2007).

8.6 Female at Work, Male Beyond

Arjun was very clear that he wanted to make a new start and forget the past identity that incorporated bad memories. He hence adopted a new name and started applying for change of name in his documents of identity. He got his name and gender changed in the Election Card, one of the most widely accepted proofs of identity in India and recently in his personal (income tax) account number, better known as Permanent Account Number (PAN).

At work, where the formal identities are dependent on his past name even today, he remains a female. All his official correspondence is with the old name. Additionally, many of the old clients whose accounts he handles are yet to know of his transition. However, what annoys him is not the official identity but the refusal of his colleagues, particularly his immediate boss, to accept his identity. The reinforcement of gender binaries by his colleagues is in line with the discussion in the previous sections where one tends to negate gender radicalism (Wilson 2002) which is visible here, as Arjun's transition is not yet complete. This liminality represented by identity markers from both the genders is a way to subvert the gender schema (Thanem and Wallenberg 2014) but it is often not appreciated by the mainstream that is used to the binary view.

8.7 Negotiating Identity

There is no way that all documents (including social security related documents) at work will reflect Arjun's new identity. He hence plans to quit the job once he gets his name changed in all major identity proofs and re-join the office with the new identity, as suggested by his CEO. He feels that once he re-joins, he will have reasons to insist that everyone address him as Arjun. He is ready to wait for that. He has also planned coming-out to his clients after the change in the documents. He is sanguine that the clients will take it positively since they are more concerned about the quality of work irrespective of his gender identity. Moreover, in past, he interacted with one client who was quite impressed with Arjun's resolve to go for transition and he hopes the others will also react the same way. He has already started interacting with the candidates who apply for jobs through his agency as a male only.

The current inability to influence his colleagues to change their perspective is in his view partly due to his own lack of effort to understand their view. In his view, it is both he and his colleagues who are going through the phase of adjustment: years of working together has concretized the pre-transition identity, making it difficult for them to change their perspective; this he feels will change once he erases the elements of his female identity. He also points out the general view of identifying a transgendered person with *Hijras* creates many misconceptions about the MTF and FTM transsexuals and other transgender groups. He feels that it would require a lot of awareness for the people to look at transgender persons beyond the traditional identities and accept transmen or transwomen as representing unique gender identities in a continuum.

8.8 Masculinity in the Informal Work Context

Arjun clearly identifies himself with males but does not want to be considered the part of 'butch' stereotype. He does not feel the need to adhere to the 'macho' image often projected by transmen and identified with acts of smoking, drinking, 'hating' cooking, aggression in social interactions, and looking down on women (sic). He is focused on acceptance as being a man through change in the markers of his past female identity. He adheres to the same perspective at the workplace and feels comfortable therein. His narrative hence relates to the reported undoing of gender where the transgender subjects identify their own ways of expressing the gender with their own choice of elements from the past and the destination gender (Connell 2010; Hines 2010).

Arjun also does not feel he is sidelined in the 'masculine' discussions focused on topics like sports, as he himself is interested in sports. Nor does he feel the need to project any image through specific actions given the informal and largely family-like setting at work. He however feels that the situation would have been different if the company he worked for was a large one or if the CEO was also not the owner of the firm. In his own experience, he came across several transmen who had to quit their job due to lack of acceptance in a formal set-up. It is hence the informal system and support from the top management that makes his journey easier. Due to the influence of the CEO, no one questions him or forces him to act in a way. He is hence largely comfortable being a male at work except when he is addressed by his past name by his colleagues and when he is expected to be a part of gender-centred events at work (like best dressed male/female competition), which he avoids. He finds acceptance more at work than with immediate relatives including his elder brother. The inclusion of Arjun in informal talks of men though not exactly an example of 'interning' under men as reported by Schilt and Connell (2007), does reflect of greater acceptance and recognition of Arjun's male identity.

A liberating fact for Arjun is that he can be a 'man' in all respects that matter to him once he is out of the office. He has become more accepting of the dichotomy of identity at work as compared to his identity in personal life. He is hence no longer as disturbed about the way his colleagues address him as he used to be earlier.

9 Discussion

The study of Arjun is one of the first about a transgendered person in the work context in India (the authors could not find any writing on the topic beyond articles in newspapers and magazines). However, the story of Arjun largely reinforces the findings of the past researchers from different parts of the world. Like the examples cited in the quoted studies (Gagné and Tewksbury 1998; Zimman 2009; Wilson 2002), a clear move towards one side of the gender binary is visible in the case of Arjun. He frames the identity by the method of erasure (removing all major markers of the past including his name) to achieve a new embodied, cognitive, as well as legal identity. He also asserts his male identity through his expectation of being accepted as a male by his colleagues and the society.

Though Arjun (like others subjects reported in the past studies) negotiates and accepts a male identity through erasure, he does not agree to the community identity based on overt 'macho' acts. This does not negate the view in the existing literature about the role of transgender community shaping its members' identity by according acceptance to a particular set of behaviours. The transsexuals in India are a recent phenomenon and are represented majorly by informal groups and networks. Given that the transmen in India do not have any strong forum of solidarity (the few exceptions represented by forums like 'Umang' in Mumbai that includes both lesbian/bisexual woman and transmen), the situation offers several reference or informal groups (other than just the butch category) that one can identify with. This also offers a scope to 'undo' gender in terms of transgressing the boundaries set by the binary view and incorporating many acts that subvert the view on masculinity or femininity and the stereotyped associated with them (Thanem and Wallenberg 2014). This rejection of stereotypes can also be seen as his challenge to the prevailing norms of gender. His love for cooking and dislike for looking down upon women question the view of masculinity among transmen. However, this is within the larger social definition of what defines a man and hence as discussed above, the issue of transgenderism challenges as well as reifies the existing gender definitions.

The process of coming-out and acceptance in Arjun's case has followed the same path that has been reported in other researches. He had a linear coming-out based on move towards a specified gender, starting with a close confidante at work and then moving to the whole group. The relationships at work reduced his fears of negative impact of coming-out and motivated him to be out, which in his view was inevitable, as he did not want to lead a dishonest life. Use of terms like 'dual life' and 'burden off (his) chest' display his focus on the moral argument (Zimman 2009). Since Arjun is also a counsellor for many struggling transgendered persons and a part of queer activism, he wants to build a positive image about the identity in which coming-out is a major step.

The uniqueness of Arjun's experience comes from his negotiation of identity despite hailing from a traditional family and while working in a small company that does not have specific record of promoting diversity. The way both the employer and Arjun cooperated to assert his new identity, shows the significance of the role of the top management in promoting diversity and acceptance. The acceptance from one of his clients and his plan to come out to all the major clients can be seen in the context of the emerging understanding about the need for diversity with the inclusion of queer identified groups. Arjun cites the positive impact of an episode of the popular talk show 'Satyamev Jayate' that focused on queer identities including featuring an interview with one MTF transsexual. In his view, the apathy about the transgender issues can best be countered by such information dissemination.

The uniqueness of the Indian context as already mentioned comes from confusing the transgender identities with *Hijra* identity. With the juxtaposition of the two, there is a tendency to associate exclusion with the transgender person as is commonly the case in dealing with the *Hijras*. However, Arjun encountered his misconception only outside work; colleagues at work did not question his identity due to the support of the CEO. In addition, there was a clear message that while the CEO did not understand what Arjun was doing, he wanted him to do whatever could make him happy. The examples from workplace are hence not of affirmation of an identity but an acceptance based on the definition given by the agent. They are partly jointly produced, but given the apathy on the matter, Arjun may represent the ideal type FTM transsexual for his colleagues, which may include their own interpretations of his behaviour.

The example of Arjun, while highlighting the challenges faced by a transgendered person in India, does not exemplify as a typical example. Much of the acceptance and assertion in his case could be due to contextual factors such as organizational supportiveness, which positively affects the coming-out process (Law et al. 2011). In many cases, there can be fear of loss of job, lack of acceptance, and the general censure from the family that may make many transgendered persons closeted. Similarly the work context even in the 'inclusive organizations' could often be dominated by specific masculine/feminine identities and their enactment, making it difficult for the transgendered person to find spaces there (Priola et al. 2014). Apart from the above structural factors, Arjun's location in India's largest metropolitan area meant easy access to both emotional and medical resources (connected with sex reassignment); it may not be so easy for the transmen and transwomen living in smaller towns and cities. It is also about the resolve of the given individual and their ability to develop the support system that makes transition and coming-out possible. Nonetheless, the process of coming-out, negotiating identities, and developing acceptance in Arjun's case can act as a reference point to other studies and hence represents an addition to the literature on queer identities at work.

10 Conclusion

A major problem with modern transgender identity at workplace is the ascription of gender roles in the institutional context. This relates not just to gender based recruitments in certain jobs but also to the way informal structures are shaped in a given organisation. Often the discussions and leisure activities relate to gender identity, posing a major challenge for a transgendered person who may not be accepted by the gender they identify with and they themselves may have given up identifying with the socially assigned gender. Given such challenges, a strong mental state is required for shifting one's gender. Arjun had those qualities, and he chose to be one with his psychological sex. He no longer felt trapped in 'his' body, but was now one with the body. However, the society around him would not let his old identity go—it was yet not ready to accept that Arjun had changed. Gradually, acceptance was manifest but it was coupled with the demand for complete change. The community around Arjun, including some of his colleagues and fellow transmen wanted him to be bereft of all the female characteristics. This is the challenge that not one Arjun but all the 'Arjuns' face—the onus of bowing to the gender binary. Arjun's struggle is ongoing, given that the society is yet to look beyond the binary gender system. It is time we learn to respect the rights of the queer groups—to give them their freedom so that their right to lead a dignified life is restored. It needs institutional support as well as sensitization of the mainstream in order to achieve the rights of transgender groups.

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A Systematic Literature Review on Trans* Careers and Workplace Experiences

Ciarán McFadden and Marian Crowley-Henry

1 Introduction

This chapter presents the findings of a systematic literature review conducted on the workplace experiences and careers of trans* people in the Western world. Trans* is the most inclusive and recent term used to denote the large variety of people who identity with the transgender spectrum of identities (Collins et al. 2015), including transgender, transsexual, genderqueer, genderfluid, and asexual (see Collins et al. 2015, for more detailed explanation of the different terms). Trans* will be used throughout this chapter to denote all those within the transgender umbrella. The primary research question guiding this review is: what are the primary issues that a trans* person faces in the workplace and during their career? This chapter builds on the results of an earlier systematic literature review on lesbian, gay, bisexual and trans* (LGBT) workplace experiences and careers (McFadden 2015). From a review of 263 articles, it is apparent that the careers of the trans* subgroup are under-explored (McFadden 2015). A great dearth of study is present on the topic of trans* careers and workplace experiences (Carroll et al. 2002; Pepper and Lorah 2008; Sangganjanavanich 2009; Law et al. 2011). In many cases, the titles of articles found during the earlier systematic literature review included the word trans* or a variant, but did not focus in any great detail on the unique aspects of this subgroup's careers or workplace experiences, a problem also noted by Pepper and Lorah (2008). Chung, in 2003, calls for theory development and empirical research to fill in this large gap in the business, management and career literatures over the next decade. This chapter, written over a decade later, highlights how well this call has been answered, and examines where further research is needed.

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In total, 30 articles focused (either solely or as a large part of a broader study) in detail on trans* experiences—20 of these were specific to the subgroup and the remaining 10 were as part of a broader study, but focused a considerable portion of the overall discussion on trans* issues which, as noted above, was rare. These 30 articles make up the review in this chapter, which discusses the extant research according to major stages in the trans* person's career. In the vast majority of cases, the studies were conducted in and/or about the USA, with others taking a broadly Western perspective. Within this chapter, what is known about trans* careers and workplace experiences is elucidated. Importantly, what is not known is also explored, and recommendations for future research are given to fill the large gap in knowledge on trans* careers and work experiences.

This systematic literature review follows closely the methods used by Tranfield et al. (2003) and Pittaway et al. (2004). The five-step method consists of an initial study, where general search terms (in this case, transgender, transsexual, trans etc.) are used to scope the field. From this, more search terms are discovered that are used in the pilot study, which tests the effectiveness of the search string, and is repeated if felt necessary. Literature is then included or excluded from the review according to metrics of quality, and remaining articles are categorized to a theme using open coding techniques. The themes identified in the literature on trans* careers were *Pre-career*, *The job search*, *General-career*, and *Transitioning in the workplace*. Each of these are considered in more detail in relation to trans* careers next.

1.1 Research on Trans Issues*

The work-lives of trans* people are still very much unknown. Although academic research on lesbian, gay and bisexual (LGB) employees—with whom the trans* community are historically, socially and culturally associated—has advanced substantially in the last decade, very little study has been conducted specifically on trans* workers in the management literature (McFadden 2015). As mentioned above, and shown in Table 1, those articles that have been written on trans* issues in the workplace take a Western standpoint, particularly focusing on the USA.

There may be a number of reasons for this deficit. Trans* people still suffer from much stigma; more even, than their LGB contemporaries, who are currently gaining ground in terms of both civil rights and workplace policies throughout Europe. The disparity between the research on each group may be as a result of the further progress the gay civil rights movement has made in the last couple of years, in comparison to the trans* rights movement. The trans* population has been estimated to be 0.3 % of the United States population (Gates 2011) and 0.1 % in the United Kingdom (Reed et al. 2009). However, as Gates (2011) points out, people may not wish to give potentially stigmatizing information about themselves. The stigma that still surrounds being trans* may then result in an underrepresented population.

Table 1 Details of the articles reviewed

Author(s) and Year	Focus	Country/ Perspective	Methodology
Badgett et al. (2009)	Discrimination	USA	Quantitative
Barclay and Scott (2006)	Transitioning	UK	Qualitative
Berry et al. (2004)	Discrimination	USA	Qualitative
Brewster et al. (2012)	Research issues	USA	Quantitative
Brown et al. (2012)	General career	USA	Qualitative
Budge et al. (2010)	Transitioning	USA	Qualitative
Chung (2003)	Research issue	Western	Conceptual
Collins et al. (2015)	HR	Western	Conceptual
Connell (2010)	Gender	USA	Qualitative
Datti (2009)	Career counseling	USA	Conceptual
Davis (2009)	HR	USA	Conceptual
Dietert and Dentice (2009)	Discrimination	USA	Qualitative
Dietert and Dentice (2009)	Discrimination	USA	Qualitative
Dispenza et al. (2012)	Discrimination	USA	Qualitative
Hines (2010)	General career	UK	Qualitative
Irwin (2002)	Discrimination	Australia	Quantitative
Kirk and Belovics (2008)	General career	USA	Conceptual
Law et al. (2011)	General career	USA	Quantitative
Mathy (2006)	Disclosure	USA	Qualitative
O'Neil et al. (2008)	Career counseling	USA	Conceptual
Pepper and Lorah (2008)	Career counseling	USA	Conceptual
Rudin et al. (2014)	Inclusion	USA	Quantitative
Sangganjanavanich (2009)	Transitioning	USA	Conceptual
Sangganjanavanich and Headley (2013)	Transitioning	USA	Conceptual
Schilt (2006)	Gender	USA	Qualitative
Schilt and Connell (2007)	Transitioning	USA	Qualitative
Schilt and Wiswall (2008)	Transitioning	USA	Quantitative
Scott et al. (2011)	Pre-career	USA	Conceptual
Sowden et al. (2015)	General career	USA	Qualitative
Taranowksi (2008)	General career	USA	Conceptual

Using these estimates, we can infer that the trans* population makes up a very small minority of the global workforce. As such, trans* people may not represent a priority for companies or, consequentially, academic researchers in the business and management domain. However, research on trans* workplace experiences will not only benefit the trans* community, but also provide insight into the challenges and workplace experiences of other workplace minority groupings. Because research on trans* workplace experiences and careers is extremely limited, it is even more important to set a research agenda for the future. This chapter outlines what research *has* been conducted and gives recommendations for scholars in the relevant areas for future areas of research, and practitioners who wish to promote trans* inclusiveness in their workplace.

2 The Systematic Literature Review

The selection of the papers that make up this literature review was performed within a number of steps that follow Tranfield et al. (2003) and Pittaway et al. (2004): (1) Initial Study, (2) Pilot Study, (3) Categorization of Literature, (4) Review of Literature, (5) Synthesis of Review.

2.1 Initial Study

The initial step of the systematic review is concerned with the identification of the key scholars across the disciplines publishing on the research topic and the creation of a search string that may be used to effectively and efficiently query the electronic databases (Pittaway et al. 2004; Tranfield et al. 2003). For the purpose of this review, the following databases were used: EBSCO Academic Source Complete (over 13,600 journals over a number of fields), EBSCO Business Source Complete (more than 2400 peer-reviewed journals in the business and management areas), Thompson Reuters Web of Knowledge (over 23,000 journals in various fields) and the Google Scholar search engine. The first step of the initial study was a simple search of the databases using a broad search string, using keywords based on the author's prior experience (Pittaway et al. 2004), relating to both the *Sample* of interest in this research (the trans* population) and the *Context* (the workplace, the career, employment, etc.). These articles were then filtered down by searching only within the title; only within the subject terms, excluding those not in peer-review journals, excluding those in an irrelevant field (for example, biology or chemistry) and those that were not in the English language (c.5 %).

The remaining articles, still numbering in the thousands, were then filtered down further by selecting for relevance to the research question; this included selecting only those that exhibited the key words, phrases and areas of relevance to the research question (what are the primary issues that a trans* person faces in the workplace and during their career?), and by deselecting those that were irrelevant. The citation histories of the remaining articles were then analyzed. The key authors within the field were identified based on the number of citations each had received, the databases were queried with the names and initials of these key authors and additional, relevant papers by them were added to the review. The articles that cited these key authors' articles were then reviewed, and included or excluded based on their relevance to the research question.

By reviewing the titles and examining the myriad of keywords, synonyms and themes of each of the articles that had been chosen so far, a definitive search string was created with which to query the databases. This larger search string was constructed in a similar fashion to the initial search string (i.e., *Sample and Context*), but now included the various synonyms of the initial search terms (including transgender, transsexual, career, work, job, employment etc.).[1]

2.2 Pilot Study

The second step of the systematic review, the pilot study, tests the effectiveness of the search string created in the initial study (Pittaway et al. 2004), and gathers potential articles that will make up the basis of the review. Any changes to the search string that were felt necessary were performed in an iterative process early in the pilot study, and consisted of additional synonyms being added to the string, and words that resulted in more false positives than actual positive results were removed. The three databases were then queried with the established search string, and articles were included or excluded as per the criteria outlined above.

2.3 Categorization of Literature

The third stage of the systematic review involved including or excluding the articles that resulted from the previous steps from the review according to their relevance to the research topic: the workplace experiences and careers of trans* people.

2.4 Synthesis of Review

The review was synthesized by taking note of a number of the characteristics of each article after reading. These included the area in which the study was based, the year it was published, the sampling methods used in the research, the methods used in data collection (interview, survey etc.), and the gaps in the extant literature

[1] Complete search string:

Lesbian, lesbians, gay, gays, bisexual, bisexuals, transgender, transgendered, transsexual, homosexual, homosexuals, homosexuality, bisexuality, sexual orientation, sexual identity, sexuality, sexual minority, same-sex, same-gender, queer, queering, female-to-male, male-to-female, LGBT, GLBT, GLB, LGB, heterosexism, heterosexist, identity disclosure, coming out, come out, homophobia, homophobic, workplace closet, stigma.

Workplace, work, working, employment, employee, employer, employed, job, career, organization, organizational, workforce, diversity, vocation, vocational, career development.

identified by the author(s) of the article. A number of themes that overarched many of the articles were identified, and each publication was assigned to one or two of these themes. In assigning a theme to each article we gain an overview of the major directions in which the literature has, and continues to, progress, and an impression of the topics that require further development (Thomas and Harden 2008; Pope et al. 2007).

3 Results

Steps one and two of the process, the Initial Study and the Pilot Study, resulted in 30 articles. From analysis of these papers, four meta key themes related to the careers and workplace experiences of the trans* population emerged. They are:

1. **Pre-career**—Exploring personal, educational and social experiences that trans* people go through that have an effect on their later careers.
2. **The Job Search**—Articles relating to the trans* person's search for employment or a career. Most articles focused on post-transition.
3. **General Career**—Articles relating to general issues trans* people face in their career, with the exceptions of transitioning and searching for employment.
4. **Transitioning in the Workplace**—These articles deal directly with the trans* worker's transition process, the consequences and the social issues surrounding it.

Some of the papers reviewed discussed only one of themes above (e.g., Schilt and Connell 2007, discuss transitioning in the workplace), while other articles (e.g., Pepper and Lorah 2008) included discussion of a number of themes.

3.1 Characteristics of Literature

Examining the characteristics of a literature may tell us much about the nature of the extant knowledge on this particular topic or phenomenon. Figure 1 shows the number of reviewed papers that were published from 2000 onwards in the EBSCO, Reuters Web of Knowledge and Google Scholar databases; we can observe a growth in the interest surrounding trans* people and their careers in the past decade. In many cases we may only speculate as to why this recent surge has come about, but as Taranowksi (2008) suggests, the increasingly liberal society in the Western world will encourage more trans* people to publically transition to their desired gender. As the population increases, there is an increased impetus on scholars within the business, management, sociology and career theory areas to examine it, for the sake of both trans* employees and organizations.

As shown in Table 1, research carried out in the United States dominates the vast majority of the literature pertinent to this review, with 25 out of 30 papers from or

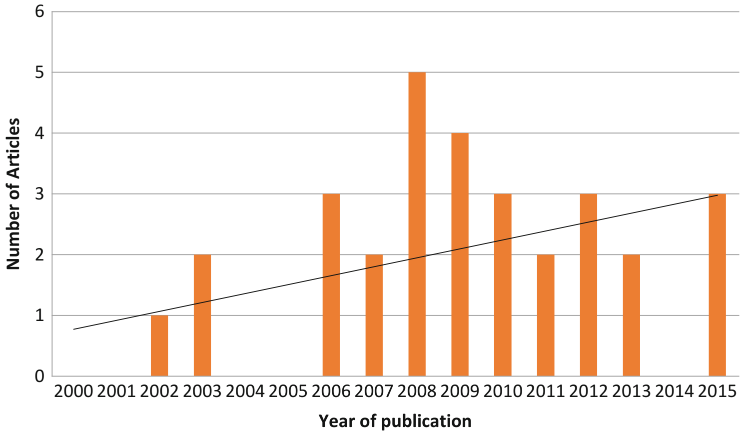


Fig. 1 Number of publications on trans* workplace/career experiences per year, 2000–2015

based in this country. A limitation of the existing limited studies on trans* employees in the workplace is the USA-centricity. Even though the sample of the literature mostly comes from the USA, it may still inform researchers in other countries, where research on the topic may be scarce, but perhaps only on the major issues that trans* people and their employers may face (Fig. 2).

There is a relative lack of quantitative study performed in the business and management areas on trans* issues (also noted by Law et al. 2011), with just <20 % of the literature reviewed containing such research. The very low numbers of trans* people (Gates 2011), as well as issues concerning identity disclosure and fear of stigmatization, may render quantitative studies that focus solely on the trans* population very challenging to perform. We can observe in Fig. 3 that the literature on the careers and workplace experiences of trans* people is mostly comprised of semi-structured interview-centered articles, which seek to explore the phenomenon at first hand; or general explanatory articles, which seek to better understand it.

This tells us, perhaps, that the career of the trans* person, and the common experiences and occurrences within it, remains somewhat of a mystery to the career scholar; there is too little theory built for it to be tested, or to be connected with more well studied contexts and frameworks, as the research is still in its infancy. Even in the literature surrounding the careers and workplace experiences of the LGBT population, there exists little on specific trans* issues (Law et al. 2011). Where trans* experiences are noted, it is only as an aside, even in those articles that include the "LGBT" acronym in its title (Pepper and Lorah 2008). It appears that the career and business literature surrounding the trans* population is somewhat of an island, small and almost uninhabited, cut off from the mainland. There is very little research that bridges the links between the careers of this subpopulation with the larger LGBT group, a fact that this may have repercussions in the pursuit of effective and equitable workplace policies and guidelines which assist both the individual and the company.

Fig. 2 Type of research conducted in the 30 reviewed articles

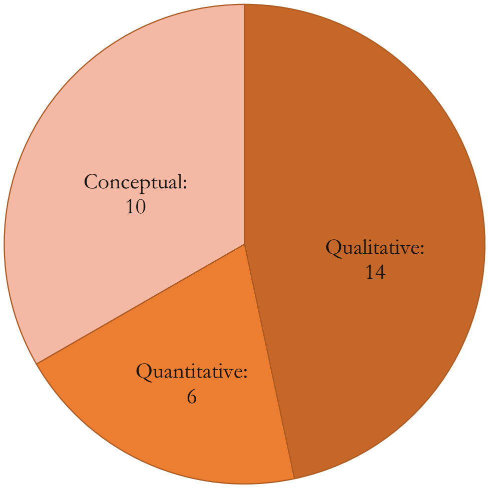
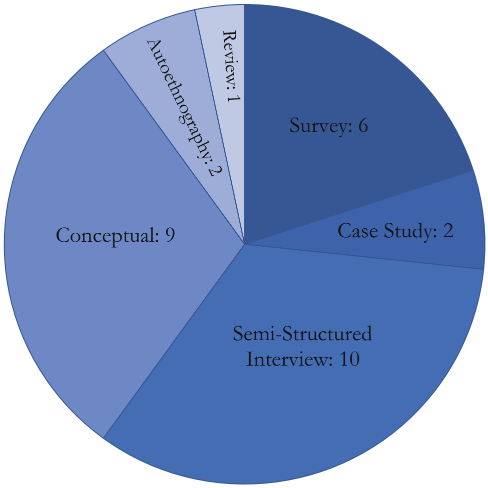


Fig. 3 Types of method used in the 30 reviewed articles



3.2 *Pre-career*

The pre-career theme deals with career-related issues of trans* people before they actually enter employment, and mostly involves articles on personal, educational and social experiences. There is a very large gap of literature on the issues facing trans* students, compared to research on lesbian, gay and bisexual students (Scott et al. 2011). This translates into a lack of informed knowledge for those in positions to help trans* students, such as career or guidance counselors in universities. As Goodrich (2012) points out, many college counselors are not knowledgeable about trans* issues. As explored below, there are a number of unique challenges that trans* people go through during their careers, including discrimination, transitioning and interpersonal problems surrounding their gender, so it is critical that information is available for those trans* people who are just about to enter the workforce.

Schmidt and Nilsson (2006) find that LGB youth face a *bottleneck* when it comes to career development, because so much of their psychological resources are taken up with identity development. This may therefore lead to trouble before and during their early career, as proper preparation has not been taken. This bottleneck hypothesis has been widened to include trans* students (Scott et al. 2011), who face similar identity development issues, and also experience added pressures to do with their transitioning to another gender presentation. Effrig et al. (2011) find that trans* college students, whether or not they were seeking treatment, had higher levels of distress and victimization in comparison to their cisgender (non-trans*) peers. Worries surrounding discrimination at school, future workplace discrimination or presenting as a new gender successfully at work compound to cause additional psychological stress that distracts some trans* students from in-depth vocational decision making and thinking (Scott et al. 2011). However, as Datti (2009) suggests, processing internal psychological issues surrounding one's gender identity may be crucial for optimal career planning.

The lack of detailed and specific information and support available for trans* students may be a crucial determinant in their future career success. With many unique obstacles and challenges to navigate, yet very limited resources upon which to draw, trans* students find that they alone have to guide themselves through their career. However, the challenges they face before they enter the workplace mean they are unable to devote themselves fully to the task. Trans* people and companies alike would benefit from the provision of expertise in school and university career guidance resources, in order to encourage more open communications with trans* employees in the workplace, over the course of their careers.

3.3 The Job Search

Articles in this theme were associated with the issues trans* people face while looking for employment. Searching and applying for a job presents unique issues for the trans* person who has transitioned, and who may have career experience obtained primarily under a different gender presentation and name (Pepper and Lorah 2008; Sangganjanavanich 2009). Walworth (2003) finds that starting at a new job can make it easier for those who have transitioned when it comes to interpersonal relations with colleagues. Even if one desires to start afresh, however, institutional factors may make it difficult for one to leave their old life behind.

Budge et al. (2010) describe the difficulty trans* people have in gaining employment in the USA. Not passing as one's preferred gender in job interviews was cited as a major reason, with employers realizing that the interviewee was trans* and discriminating against them. Sometimes this is not openly communicated but was still suspected by the applicants to be the reason (Brown et al. 2012). In Ireland, a report by McNeil et al. (2013) found that 14 % of the trans* respondents believed they had denied a job on the basis of their trans* identity, and 24 % were unemployed and seeking work.

Even for those who successfully ‘pass’, a variety of problems still exist when searching for jobs in the trans* person’s life. The move from one gender expression to another, usually accompanied by a new name, can affect any trans* person’s *career capital*. Career capital is the assets that one has that can aid the success of one’s employment and overall career (Inkson and Arthur 2001), and is divided into *knowing-why* (the motivation and sense of purpose one has for one’s career), *knowing-how* (the skills and knowledge one has) and *knowing-whom* (one’s reputation, relationships and network). For example, the skills and experience that one can bring to a role may be misjudged or not seen by potentially new employers, if most of this experience occurred before transition (Sangganjanavanich 2009), affecting the perceived *knowing-how* capital of that person. To fully show their experience and skills built up during their career, a person may have to disclose their trans* status to the potential employer, running the risk of discrimination and stigma, and ruling out the possibility of a completely fresh start in their new gender expression. 7 % of respondents in a report by McNeil et al. (2013) said that they had not provided references from a previous job due to their gender history, in effect, cancelling out their *knowing-whom* capital. 8 % of respondents reported not applying for certain jobs due to fear of being discriminated against or harassed at work, similar to participants in Brown et al.’s (2012) study. This suggests that the motivation and identification with one’s work that makes up one’s *knowing-why* capital may also be affected if one is trans*. This also highlights that companies have a definite role to play in signaling to potential job applicants that their workplaces are inclusive of trans* people.

Being trans* may also have an impact on the types of jobs or industries one wishes to work in. Brown et al. (2012) found that, in their sample of male-to-female trans* participants, many of the respondents had initially, before transitioning, worked in typically masculine and male-dominated fields, in an attempt to fulfill societal and familial expectations to act like a man. Post-transition, however, these pressures alleviated, and many participants moved to more traditionally female careers, which allowed them to express previously hidden aspects of their personality.

3.4 General Career

Articles in this theme are related to the general issues that trans* people face during their career that are not directly related to transitioning or looking for employment. The majority of these articles dealt with that discrimination that trans* people face in the workplace. Employment discrimination is a prevalent issues for a large number of trans* people, including, difficulty in getting a job (as explored above), losing jobs or being denied a promotion, healthcare coverage problems and interpersonal sexual or verbal harassment. Employment discrimination against trans* people is an ongoing problem. For instance, in Ireland today, 43 % of respondents in one study (McNeil et al. 2013) report problems with work due to their trans* identity. This included being fired or dismissed from their job (9 %) and leaving a job due to harassment or discrimination (9 %). In many countries, it may be easier for trans* people to hide their trans status, if they wish, but in Ireland, where the population is much smaller, this may prove more difficult. One who wants to appear as cisgender in the workplace may then find themselves being outed at work, or at least be fearful of that happening, causing anxiety.

Dispenza et al. (2012) outline the multitude of types of harrassment and discrimination that trans* people can face in the work: from interpersonal remarks or subtle micro-aggressions, for example, a colleague deliberately using incorrect gender pronouns when addressing the trans* person, to more institutionalised discrimination, like workplaces not offering enough protection for trans* people who have been discriminated against. Trans* people can also face covert discrimination like malicious gossip and deliberate isolation from colleagues (Sangganjanavanich 2009). In addition, interpersonal discrimination can lead to a large amount of continuous psychological stress for trans* people (Budge et al. 2010; Dietert and Dentice 2009; Irwin 2002). Awareness of this within organizations would encourage counselling services specifically tailored to trans* issues to be developed, as well as diversity training for the entire staff.

Collins et al. (2015) discuss how trans* people suffer from exclusion in the workplace due to implicit gender roles and stigmatization, and offer suggestions as to how HRD practioners can encourage the inclusion of trans* people in the workplace. These include introducing a zero-tolerance policy for discriminatory actions and language; having inclusive dress codes that allow fluid gender expression; modifying workplace policies to be inclusive of all gender identities; and learning how other companies have improved their workplace with regard to trans* issues.

3.5 Transitioning in the Workplace

Most of the literature on trans* careers reviewed focuses on the transition stage. Transitioning is the term used to describe one's change from one gender expression to another, and may refer not only to those who have crossed the gender binary, [i.e., male-to-female (MTF) and female-to-male (FTM) individuals], but also those who have begun and are in the midst of a gender presentation change (Brown et al. 2012).

A transition is a very complex and multi-faceted process that includes many challenges, both psychological and social (Sangganjanavanich and Headley 2013). Transitioning may be subdivided into three distinct stages: *Pretransition*, *During Transition,* and *Posttransition* (Budge et al. 2010), but naturally may not always represent every person's experience. Pretransition involves coming out as trans* to

HR and colleagues but may not necessarily involve changing one's gender presentation yet (Budge et al. 2010; Grant et al. 2011).

The next phase of the transition includes changing one's presentation to match that of one's innate gender identity. Changing one's gender presentation to another may include wearing clothes associated with that gender; changing the pronouns with which others identify you, including he, she or the gender-neutral they, zie and hir; or acting in a manner traditionally associated with that gender. During transition, typically gendered behaviors, conversation and social groups may change; this might be difficult for the transitioning person, particularly if social standing and relationships change also (Schilt and Connell 2007). This phase of transitioning may also involve the "real life experience" (RLE). The RLE is a period where the trans* individual lives in their desired gender presentation, and depending on the jurisdiction, may be a requirement before gender reassignment is performed (Sangganjanavanich 2009). Transitioning in the workplace can lead to the trans* person facing a loss of respect, subtle stigmatization, emotional abuse, and physical threats (Budge et al. 2010).

Post-transition, trans* people report that the changes in their gender presentation lead to changes in how they are treated both socially and professionally. Interpersonal harassment that one faces because of their transition may lead to their leaving a job (Dietert and Dentice 2009) or being absent from work due to mental health problems (Davis 2009), which may lead to obvious problems with their career progression and workplace performance. Some male-to-female (MTF) transsexuals report that their skills and abilities become devalued after they transition (Schilt and Connell 2007) also find that, while conversely, female-to-male (FTM) transsexuals report increases in perceived authority and respect post-transition (Griggs 1998), suggesting that, similar to cisgender people, gender-based discrimination is at play. Similarly, Schilt and Connell (2007) find that their MTF respondents report a loss of earnings of almost one third, while their FTM respondents report a slight increase in earnings. These findings suggest that it may be useful to study trans* populations separately, rather than treating them as a homogenous sample—there clearly are unique challenges that each must face, intertwined with and related to more traditional issues of gender. Additionally, as mentioned above, research like this on trans* issues is relevant for employee groupings beyond the trans* population, in this instance broader gender-related matters.

4 Implications for the Workplace

4.1 Education

A characteristic of the literature that is noted above is the relatively large proportion of the literature that was dedicated to explaining and clarifying concepts surrounding trans* people. This highlights the lack of understanding in many places of what a trans* person feels, and experiences. Without a basic grasp of this concept, however inaccessible it may be to cisgender practitioners, it is difficult to imagine how practices and policies that can help the trans* employee could be introduced, or even entertained. As Collins et al. (2015) propose, there still exists confusion over how to treat trans* people, because of traditionally accepted gender roles. A portion of the stigma surrounding being trans*, and the resultant discrimination, may then be due to ignorance rather than sheer inherent malice on the part of colleagues or bosses. To combat this, information must be disseminated to all members of the company. Collins et al. (2015) highlight how HRD practitioners can aid the dissemination of information and the support of trans* employees. Being proactive in this regard, rather than reactive, is important to ensure that trans* people feel welcome in the workplace. For instance, interviews and/or focus groups with trans* employees, openly sharing their experiences would benefit organizational stakeholders in better understanding the specific challenges they face in the workplace.

4.2 Hiring Trans* Employees

Employers have a large role to play in promoting the hiring of trans* people, who, as discussed above, may feel alienated from a particular industry or workplace due to their trans* identity. Employers should be aware that a trans* person's work experience may have been undertaken using a different name and gender presentation. An open dialogue is therefore encouraged between HR practitioners and candidates who have openly identified as trans*. In practical terms, when following up on work references for a candidate, it is recommended that the prospective employer to check with the candidate if their referees know them by a different name, in case they inadvertently "out" them, harming interpersonal relations and the candidate's career capital.

Employers can also ensure that their workplace is seen to be inclusive of trans* people by promoting diversity in their hiring materials, for example, their website or graduate recruitment information. Applying to be included on a list of diversity champions (e.g., the Human Rights Campaign's Corporate Equality Index in the USA, or Stonewall's Workplace Equality Index in the UK) will provide both a checklist of criteria to increase one's inclusivity and a chance to promote it to the public.

4.3 Bathroom Facilities

In the past, many employers preferred employees undergoing transition to their desired gender to use single-room bathroom facilities or those available to people with disabilities, in order to avoid incidents of discrimination or complaints from other employees (Pepper and Lorah 2008), or customers (e.g., as in Brown et al. 2012). Trans* rights organizations (Human Rights Campaign 2015; Transgender at Work 2015) are unequivocal in advocating that a trans* person must be allowed use the bathroom corresponding to their full-time gender presentation, whether or not they have fully transitioned yet. As Pepper and Lorah (2008) point out, trans* individuals who are forced to use a bathroom not corresponding to their gender presentation will suffer considerable damage to self-esteem and confidence. From a HR perspective, this lowered morale may lead to less productivity (Pepper and Lorah 2008) and a very toxic work environment for trans* employees. One alternative may be to offer gender-neutral bathrooms for the use of all employees (Collins et al. 2015). The HRD function of an organization, (or, if this is not available, a HR manager) should contain in its initial training program generalized guidelines for employees on trans* issues in the workplace (Collins et al. 2015), ensuring that employees are knowledgeable about their issues, and are able to ask questions, without singling out any trans* people in the workplace as an example.

5 Recommendations for Future Research

5.1 Income Disparities

Many wage differential studies have been performed for the lesbian and gay community (examples include Allegretto and Arthur 2001; Badgett 1995, 2001; Blandford 2003; Carpenter 2005; Klawitter and Flatt 1998), but only a small number (e.g., Schilt and Wiswall 2008) have been performed to assess how the income of trans* people differs from their cisgender peers. Those that do study this question, however, include in their sample only direct male-to-female or female-to-male transsexuals, i.e., those who have directly crossed the binarized gender line; research on the income of gender-queer, intersex and other non-gender binary identified workers is still required. As described below, most research is confined to the United States; for tailor-made recommendations to take place, localized wage studies must be performed.

5.2 Identity Management

Identity management refers to the strategies and decisions involved in choosing if and how to disclose one's trans* status, sometimes known as "coming out". Whilst a relatively large amount of research has been conducted on the strategies, antecedents and consequences of a lesbian or gay person's identity management strategies in the workplace (e.g., Ragins and Cornwell 2001; Ragins et al. 2007;

King et al. 2008; Madera 2010), less is known about the corresponding process with trans* workers.

Similar to other members of the LGBT community, it may not just be a case of being "out" or "not out"; it is likely that there is a wide variety of strategies the trans* person uses over the course of their life, according to the context, the workplace or group of people they are addressing. Knowing what antecedents would lead a trans* person to come out in the workplace may be important in promoting an inclusive workplace for trans* employees; however, more research is required to fully understand this phenomenon.

5.3 Research Methods

A number of research methods are not represented in the reviewed article, for example, longitudinal studies and diary methods. Diary methods may be useful in this regard as it would allow the respondent complete control over the content of the data; as trans* experiences have had not been researched much, the more exploratory aspect to diary methods may open avenues of investigation that would not occur to a researcher using semi-structured interviews or survey methods, and highlight previously unseen phenomena or experiences. Longitudinal studies would provide more detailed information on ongoing phenomena, such as gender transition in the workplace.

5.4 Areas of Study for Future Research

As noted above, most of the research conducted on trans* issues has taken place in the USA. These studies may inform scholars and practitioners interested in this topic of the major issues affecting trans* employees, however, different cultural, policy and legislative contexts should also be taken into account. As American states differ greatly in the presence and scope of LGBT anti-discrimination laws, as well as cultural, religious and social perceptions of LGBT people and civil rights legislation, this may prove problematic when attempting to generalize U.S. studies for other countries, and even other U.S. states. For example, results from studies based in California will not be similar to results from studies based in India, where there is a very different social, political and historical landscape, and so any conclusions or implications drawn may not be of benefit. Many of the studies in this review were performed using participants from only one or two states, and thus may not be generalizable to another, more or less liberal state or area. Studies situated in other parts of the world are recommended to remedy this problem. Studies from a non-Western perspective were not found in this review (although articles not in the English language were excluded from the search). Academics, practitioners and trans* people in non-Western countries therefore do not benefit from the limited amount of study that has been performed.

6 Conclusion

This chapter presented a systematic review conducted on the academic literature related to the careers and workplace experiences of the trans* population, and examined the primary issues that a trans* person faces in the workplace and during their career. The main themes unpacked in this chapter, *pre-career*, *the job search*, *general-career*, and t*ransitioning in the workplace*, all had a background of ongoing stigmatization for trans* people, who can face challenges at every part of their career. The literature on trans* issues was found to be USA-centric, with most of the articles containing researched conducted in this country. While this research can indeed inform other countries practices, more specific knowledge which included political, cultural and social findings would help local trans* populations, particularly those in non-Western countries. As previously noted by the first author (McFadden 2015), many studies contained the acronym 'LGBT' in their title, but did not contain much discussion on the trans* population. While there are many historical, social and political connections between the subgroups, in some cases, trans* experiences may be different, and therefore require separate unpacking, or indeed separate studies.

Tran* research, whilst nominally focused on one tiny population, may be useful in informing the general diversity debate. For example, to study trans* issues is to draw attention to issues of gender and the hegemonized gender binary, as discussed by Schilt and Connell (2007) and Collins et al. (2015), and so could inform debate about the wider cisgender workplace population.

This is only the second major review of the literature surrounding the careers and workplace experiences of the trans* population, the first being Chung (2003). It is the first to look solely at the trans* population, rather than the aggregate LGBT grouping, and so highlights in more detail the challenges and issues that this subpopulation face in the workplace and during their careers. It is also the first to review the literature in a systematic fashion, a method that is growing in popularity in the business and management fields. This chapter is relevant not only to the trans* individuals who are facing or perhaps will face some of the issues raised here, and plan accordingly, but also to HR practitioners and line managers who are increasingly encountering issues surrounding workplace transitions (of both a physical *and* social nature) and the challenges associated with them. Scholars interested in diversity within the business setting may also take interest in the policies recommended here.

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Transgenderism, Sex Reassignment Surgery and Employees' Job-Satisfaction

Nick Drydakis

1 Introduction

In studies have examined how job satisfaction is moderated by sex (men, women) and sexual orientation (Drydakis 2015; Leppel 2014). However, none of the studies have evaluated how job satisfaction is moderated when employees reassign their sex (i.e., from male to female—through *vaginoplasty*-, and from female to male—through *phalloplasty*). In general, workplace studies—and in particular quantitative studies on the relation between transgenderism, sex reassignment surgery and employment outcomes (occupational access, unemployment, earnings, job satisfaction, commitment)—are scarce (exceptions include Schilt and Wiswall 2008; Law et al. 2011). What we do know from qualitative research is that, compared to cisgender people, transgender people (i.e., people who have reassigned their gender role without having had sex surgery, people who are in the process of having a sex reassignment surgery, people who have had a sex reassignment surgery) experience higher levels of discrimination in housing, health care, education, employment, legal systems, and even in their families (Grant et al. 2011; Morton 2008; Equalities Review UK 2007). This study aims to go one step further and to open the discussion on the relation between job satisfaction, transgenderism and sex reassignment surgery in the UK, suggesting that it is valuable to examine whether people who have had a sex reassignment surgery function well in their employment in order to offer some preliminary evidence that may be of interest to researchers, social planners and the transgender community.

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Were people who have had a sex reassignment surgery to report lower levels of job satisfaction than before their sex reassignment surgery, this might suggest that they are victims of mistreatment and discrimination from employers, colleagues and customers, and/or they might face higher adverse mental health symptoms due to social/personal/physical/mental and workplace conditions that should be examined and evaluated in a systematic way for research based policy implications. On the other hand, if individuals who have had a sex reassignment surgery face more positive job satisfaction adjustments than before their sex reassignment surgery, this should be noted, as well, in order for the potential factors that affect this relation (for instance better mental health status), to be highlighted, and a framework for reference to be demonstrated.

Examining transgender people's job satisfaction is of considerable importance, given that transgender employees are valuable assets for organizations. Studies in the UK have found that transgender people have higher average educational levels than the wider UK population and also that transgender people are more likely to work in professional and managerial occupations compared to the wider UK population (Whittle et al. 2007; Morton 2008). In turn, the (dis)satisfaction of highly educated employees might provide a number of insights into the most important labor market behaviors, such as quitting, turnover and complaint procedures.

In the UK, the Sex Discrimination Regulations 1999, which amended the Sex Discrimination Act 1975, make it unlawful to discriminate in employment and vocational training against an individual who intends to undergo gender reassignment, who is undergoing gender reassignment, or who has undergone gender reassignment (National Archives 1999). The Act covers all aspects of employment, including recruitment and selection processes, employment-related benefits, and facilities, including training, career development and references (National Archives 1999). Thus, we can identify one additional important reason for a job satisfaction study for transgender employees. If people who have undergone gender reassignment face lower job satisfaction than before it might be an indicator of how effective the anti-discrimination law is in protecting transgender employees.

In this study, UK transgender men and women who have had a sex reassignment surgery (*vaginoplasty or phalloplasty*) were periodically interviewed (twice a year) in the city of London during the 2012–2014 period, in order to enable an examination of how their sex transition has affected the satisfaction they received from their workplace. One important strength of this study is that longitudinal data (five volumes) is utilized, and that job satisfaction dynamics both before and after the sex reassignment surgery can therefore be observed. Interestingly, valuable information regarding individuals' masculine and feminine traits, life satisfaction, health and mental health status (among others) was obtained, and additional correlations between job satisfaction and the aforementioned variables can therefore be offered. Potential underlying factors and channels that might affect transgender employees' job satisfaction such as masculinity/femininity, and life satisfaction are examined in a process, which allows interesting patterns to be captured.

The current study will add to the extremely sparse body of empirical literature concerning transgender individuals' experiences in the workplace during and after their sex transition. The rest of the paper is organized as follows: in the next section, the study's main hypothesis is presented. In Sect. 3, the data set and variables' definitions are presented. In Sect. 4, the descriptive statistics and the empirical estimations are offered. The last section, meanwhile, offers a discussion.

2 Job Satisfaction and Study's Hypothesis

From the perspectives of research and practice, the most focal employee attitude is job satisfaction (Saari and Judge 2004). The construct of job satisfaction is generally defined as a positive emotional state that reflects an affective response to a job situation (Locke 1976, 1984). Employees with high job satisfaction appear to hold generally positive attitudes toward their jobs, and those who are dissatisfied appear to hold generally negative attitudes toward their jobs (Robbins 1993). The existence of relations suggests that the analysis of the employee's subjective well-being, and the understanding of what makes different groups of employees satisfied, such as interaction with colleagues, respect for one's individuality, support on special conditions, benefits and rewards, can provide a number of insights into the most important labor market behaviors: higher productivity, better performance, lower absenteeism, lower likelihood of quitting, better work behavior, better health, and better emotional adjustment (see Drydakis 2015 for detailed references).

In addition, the literature has identified good mental health status, life satisfaction, and certain personality traits, as main predictors of job satisfaction. Indeed, a meta-analysis of studies published from 1967 to 2008 showed that job satisfaction is positively related to life satisfaction, happiness, and other subjective well-being variables (Bowling et al. 2010). Interestingly, and in relation to the scope of this paper, since current studies suggest that transition from male to female, and female to male is related to (i) improved life satisfaction, (ii) improved body satisfaction in relation to gender, (iii) improved quality of life and health related quality of life, (iv) reduced depression, anxiety, and stress, and decrease in mental health service use, (v) improvements in the quality of sex lives, (vi) reduced self-harm for the majority of those who had a history of self-harm, (vii) reduced avoidance of public and social spaces (McNeil et al. 2012; Colton Meier et al. 2011; Davis and Meier 2014), one might suggest that these factors may have a direct positive effect on the job satisfaction of transgender employees.

Furthermore, based on Morton's study (2008) people who have had a sex reassignment surgery often find that they can bring so much more to their workplace than they did prior to having this surgery. It is suggested that transitioning might liberate employees from the worries that are engendered by their own unhappiness with their own self-perceptions and their self-worth. Transgender people themselves highlight that they take more pride in their work, and that they can concentrate on what they are doing rather than merely marking time until they are able to leave the workplace and return home (Morton 2008). Moreover, workplace colleagues find that people who have undergone sex transition are more helpful, productive, more approachable and gregarious (Morton 2008). Additionally, after successfully changing gender, an employee is likely to have excellent communication and negotiation skills, the confidence to make difficult but necessary decisions, good self-organization skills, and an innovative and constructive approach to problem-solving (Morton 2008). From a labor economics point of view, one might suggest that, after sex transition, core productivity characteristics could be positively enhanced, which should have a positive effect on the job satisfaction experienced by transgender people.

Since studies suggest that sex transition positively affects not only the mental health, but also life satisfaction, quality of life, and organizational skills of transgender people, it might be suggested that, for transgender employees, their sex transition, (as examined in this study by the sex reassignment surgery binary variable), might contribute positively to their job satisfaction function. This paper suggests, therefore, that sex reassignment surgery might be associated with positive job satisfaction adjustments (Study's Hypothesis).

Importantly, however, two features must be highlighted. Firstly, the relation between job satisfaction and life satisfaction (which is a function of happiness, and quality of life) is, in general, believed to be reciprocal, meaning that people who are happy with their life, tend to be satisfied with their jobs, and people who are satisfied with their jobs tend to be happy (Bowling et al. 2010). Thus, endogeneity between job and life satisfaction is perceived to be prevalent. Secondly, one may suggest that the positive adjustments following a sex transition might partially be the result of workplaces which (i) encourage and foster work environments in which transgender employees feel comfortable enough to be open, (ii) collaborate with transgender employees to make the workplace an inclusive environment for people of all gender identities and sexual orientations, and (iii) provide equal career development opportunities for transgender people. In the current study, it is suggested that support provided by firms to transgender people in all facets of their transition might also impact positively on transgender people's job and life satisfaction function. It is suggested that if transsexual employees feel protected from biased treatments in the workplace, they will also feel valued and respected, and this will impact positively not only on their job satisfaction, but also on their personal/social/life well-being. In turn, due to endogeneity, higher personal/social/life well-being will also affect their job satisfaction and work attitudes (including organizational skills and job commitment).

For clarity, Fig. 1 represents the predicted relations. If sex reassignment surgery can affect employees' mental health, life satisfaction, organizational skills etc. then these factors may positively affect also job satisfaction. Whilst, employees' job satisfaction, mental health, life satisfaction, and even the decision for sex reassignment surgery, are all expected to be affected by firms' supportiveness towards transgender employees.

In order to build a relevant hypothesis and test the data quantitatively (although the current study does not have indexes regarding firms' support toward transgender

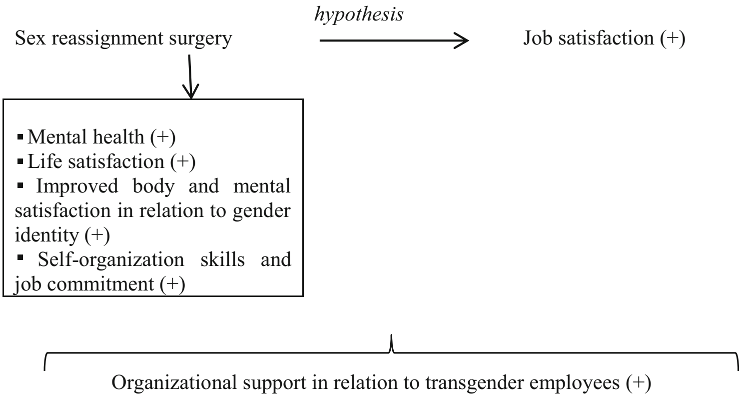

Fig 1 Hypothesized relationships of factors influencing transgender employees' job satisfaction who have had sex reassignment surgery

people who decide to surgically reassign their gender) it is suggested that a positive workplace environment might affect the interaction between job satisfaction, self-organization skills and life satisfaction. In this study, by utilizing job satisfaction and suggesting that it is a relevant index that can offer prompt information regarding employees' general workplace happiness, the paper will attempt to offer new results to make an important contribution to the extremely sparse empirical literature concerning the employment of transsexual employees.

3 Data Set and Definition of Variables

The data-gathering period lasted between August 2012 and April 2014 (five volumes). In February 2012 the research team approached three transgender associations based in London (UK) and presented the aims of the project; that is to work with transgender men and women who were in the process of having a sex reassignment surgery (*vaginoplasty* or *phalloplasty*) in the very near future. The cooperation of the transgender associations was sought for this. Through mass mail-outs they forwarded the questionnaires (with clear information/guidelines regarding the longitudinal study and the target population) to their members. Also, the unions were asked to let the research team participate in their open days and members' activities in order to promote the study. Additionally, between February and June 2012 the research team had the chance to participate in five large-scale events organized by the associations where additional transgender people were approached. During events and bi-annual gatherings the organizers devoted some minutes to speaking to the public regarding the project.

At the end of the first data gathering volume 118 transgender people had forwarded their questionnaires to the research team. Up to the end of the data-gathering period 27 of them had either terminated their collaboration, or important missing data made the use of their questionnaires impossible. Of the 91 remaining people, 46 of them had reassigned their sex surgically. However, six out of those who had surgically reassigned their sex were unemployed, or inactive at least in one volume of the data gathering period and their observations therefore were put aside. Thus, the valid sample of this study consists of 40 employed transgender participants who, as of December 2012 had not undergone a sex reassigned surgery, but who, as of April 2014, had all had a sex reassignment surgery. Regarding the biological sex of the participants in December 2012, 23 were males and 17 were females.

In this study, participants' age, ethnicity (White-British), higher education degree, years of actual working experience, white-collar employment, annual gross salary, and hormone replacement therapy were controlled for. Regarding the most important variables of this study, total job satisfaction was included in the questionnaire. There are many methods of measuring job satisfaction, the most common of which is the Likert scale (1932). The format of a typical five-level Likert item was followed here. Employees were asked to rate total job satisfaction on a scale from 1, "very dissatisfied," to 5, "very satisfied." In addition, the same scale was used to measure life satisfaction.

Mental health symptoms were measured by the scale defined by the Centre for Epidemiology Studies (CES-D, 20 items), which measures the existence of adverse mental health symptoms (e.g., depressed, everything an effort, restless sleep, not happy, lonely, sad, could not get doing, and did not enjoy life) in the previous week (Meads et al. 2006). The possible range of scores is zero to 60, with the higher scores indicating the presence of more depressive symptoms. To measure health status, the classic self-rated health condition was used, which asks respondents to rate their health as excellent, very good, good, fair, and poor (Bowling 2004). The possible range of scores is 1–5, with the higher scores (5) indicating poor health.

Finally, to measure masculinity and femininity the short version of the Bem Sex Role Inventory (Archer and Lloyd 2002; Bem 1981) was used. The instrument has ten items traditionally associated with masculinity and ten items associated with femininity. The stereotypical descriptions of men and women have emerged from repeated observations of men and women in different social roles. Bem (1981) supposes that masculinity and femininity are separate continuums allowing individuals to endorse both characteristics (Archer and Lloyd 2002). Based on Bem's (1981) theoretical predictions, traits are called masculine if they are evaluated to be more suitable for men than women in society (such as, one being assertive, dominant, and acting as a leader). Feminine traits are those that are evaluated to be more suitable for women than men (such as, one being gentle, warm, and affectionate). Individuals indicated on a 7-point scale (ranges from never or almost never true to always or almost always true) the extent to which each of the 20 personality traits described themselves. Masculinity equals the mean self-rating for all endorsed masculine items, and femininity equals the mean self-rating for all endorsed feminine items (Archer and Lloyd 2002). Recent attempts to validate the contents of the BSRI masculinity and femininity scales have provided evidence for the persistence of these stereotypes across different countries (Archer and Lloyd 2002; Ozkan and Lajunen 2005; Xiumei et al. 2012).

The next section will present the study's descriptive statistics, longitudinal correlation matrix and multivariate specifications.

4 Results

4.1 Descriptive Statistics

In Table 1, the longitudinal descriptive statistics for the period 2012–2014 are offered. As is observed in Panel I, for males to females the mean age is 35.8 years, 65.2 % hold a higher education degree, 78.2 % are white collar employees, and the annual gross salary is £33,843.4. In Panel II, for females to males the measures show that the mean age is 34.1 years, 47.0 % hold a higher education degree, 64.7 % are white-collar employees and the annual gross salary is £33,776.1. Also, during the 2012–2014 period both groups of individuals have not changed jobs, that is, before and after their sex reassignment surgery they were employed in the same firm. Furthermore, the great majority of them were undergoing hormone replacement therapy. In addition, an interesting piece of qualitative information suggests that for males who became females, before sex reassignment surgery 78.3 % preferred to be known as transgender women (trans women) and 21.7 % preferred to be known as women. After sex reassignment surgery 100 % preferred to be known as women. While before and after sex reassignment surgery 85 % generally preferred male patterns, 10 % generally preferred both male and female patterns, and 5 % generally preferred female patterns. Furthermore, for females who became males, before sex reassignment surgery 100 % preferred to be known as transgender men (trans men). After sex reassignment surgery 90 % preferred to be known as men, and 10 % preferred to be known as trans men. Also, before and after sex reassignment surgery 80 % generally preferred female patterns, and 20 % generally preferred both female and male patterns.

Table 2 shows the reported levels of job satisfaction, and satisfaction with life, as well as measures for health status, adverse mental health symptoms, femininity and masculinity. The coefficients α of reliability of these composites are at least 0.86. For males to females, in Panel I, measures are offered before sex reassignment surgery, and in Panel II, measures are offered after sex reassignment surgery. Similarly, for females to males, in Panel III, measures are presented before sex reassignment surgery, and in Panel IV, measures are presented after sex reassignment surgery.

As can be seen, for males to females before sex reassignment surgery, the most frequent response for all measures of job satisfaction is dissatisfied (56.5 %).

Table 1 Descriptive statistics; employed individuals for the 2012–2014 period (5 waves)

	Males to females		Females to males	
	Mean	s. d.	Mean	s. d.
Age (years)	35.87	(7.61)	34.15	(6.87)
Ethnicity (%)	86.95	(0.33)	94.05	(0.50)
Higher education (%)	65.21	(0.47)	47.05	(0.50)
Working experience (years)	12.45	(6.41)	12.81	(6.89)
White-collar employees (%)	78.26	(0.41)	64.70	(0.48)
Annual gross salary (£)	33,843.48	(6966.82)	33,776.14	(6774.21)
Working for the same firm during the 2012–2014 period (%)	100	100	100	100
Hormone replacement therapy (%)	79.13	(0.40)	88.23	(0.32)
Observations	115		85	

Notes: Longitudinal descriptive statistics. Standard deviations are in parentheses

However, after sex reassignment surgery, the most frequent response is neither satisfied nor dissatisfied (69.5 %). The differences are statistically significant ($p = 0.00$). It can be observed also that for males to females before sex reassignment surgery the most frequent response for all measures of life satisfaction is neither satisfied nor dissatisfied. However after sex reassignment surgery the most frequent response is satisfied (43.4 %). The differences are statistically significant ($p = 0.00$).

Moreover, as can be observed for males to females before sex reassignment surgery a lower percentage of individuals have a very good health status before sex reassignment surgery than after (47.8 % versus 52.1 %, respectively). However, the patterns are statistically insignificant ($p = 0.45$). Furthermore, for males to females before sex reassignment surgery individuals face a higher level of adverse mental health symptoms before sex reassignment surgery than after (23.5 versus 19.7, respectively). The difference is statistically significant ($p = 0.00$). Also, it can be seen that males to females before sex reassignment surgery report as being characterized by lower femininity traits than after sex reassignment surgery (4.8 versus 5.1, respectively). The difference is statistically significant ($p = 0.00$). On the other hand, for males to females their masculinity traits are higher before than after sex reassignment surgery (4.1 versus 3.8, respectively). The difference is also statistically significant ($p = 0.00$).

For females to males, qualitative comparable patterns are observed regarding satisfaction with job, satisfaction with life, health status and adverse mental health symptoms. However, for females to males before sex reassignment surgery, feminine traits are higher than after, and masculine traits before sex reassignment surgery are lower than before.

For completeness, in Table 3, we present the measurements of the aforementioned variables, wave by wave, with the first data wave showing measures before sex reassignment surgery and the last data wave showing measures after sex reassignment surgery. The general patterns suggest that for males who became females, and for females who became males, the transition entails positive effects

Table 2 Descriptive statistics; employed individuals; comparisons between first and final data volume

	Panel I		Panel II	
	Males to females		Females to males	
	First volume 2012[a]	Fifth volume 2014[b]	First volume 2012[a]	Fifth volume 2014[b]
a. Satisfaction with job (ordinal)				
i. Very dissatisfied (%)	4.34	0.00	5.88	0.00
ii. Dissatisfied (%)	56.52	13.04	70.58	11.76
iii. Neither (%)	39.13	69.56	23.52	88.23
iv. Satisfied (%)	0.00	17.39	0.00	0.00
v. Very satisfied (%)	0.00	0.00	0.00	0.00
Difference test Observations	$x^2 = 12.34$ $(p = 0.00)$ *** n = 23		$x^2 = 14.51$ $(p = 0.00)$ *** n = 17	
b. Satisfaction with life (ordinal)				
i. Very dissatisfied (%)	4.34	0.00	11.76	0.00
ii. Dissatisfied (%)	21.73	4.34	58.82	5.88
iii. Neither (%)	65.21	52.17	29.41	76.47
iv. Satisfied (%)	8.69	43.47	0.00	17.64
v. Very satisfied (%)	0.00	0.00	0.00	0.00
Difference test Observations	$x^2 = 9.33$ $(p = 0.02)$** n = 23		$x^2 = 13.87$ $(p = 0.00)$ *** n = 17	
c. Health status (ordinal)				
i. Excellent (%)	30.43	39.13	17.64	35.29
ii. Very good (%)	47.82	52.17	82.35	58.82
iii. Good (%)	21.73	8.69	0.00	5.88
iv. Fair (%)	0.00	0.00	0.00	0.00
v. Poor (%)	0.00	0.00	0.00	0.00
Difference test Observations	$x^2 = 1.57$ $(p = 0.45)$ n = 23		$x^2 = 2.66$ $(p = 0.26)$ n = 17	
d. Adverse mental health symptoms (continuous—mean)	23.95	19.73	23.11	18.70
Difference test Observations	$t = 2.47$ $(p = 0.01)$** n = 23		$t = 2.31$ $(p = 0.02)$** n = 17	

(continued)

Table 2 (continued)

	Panel I		Panel II	
	Males to females		Females to males	
	First volume 2012[a]	Fifth volume 2014[b]	First volume 2012[a]	Fifth volume 2014[b]
e. Femininity (continuous—mean)	4.80	5.17	4.41	3.90
Difference test Observations	$t = 3.11$ ($p = 0.00$)*** $n = 23$		$t = 5.410$ ($p = 0.00$) *** $n = 17$	
f. Masculinity (continuous—mean)	4.11	3.83	4.73	5.18
Difference test Observations	$t = 2.86$ ($p = 0.00$)*** $n = 23$		$t = 4.82$ ($p = 0.00$)*** $n = 17$	

Notes: x^2-tests have been used to measure distribution of job/life satisfaction and health status. t-tests have been used to conduct tests for difference in means

P-values are in parentheses

[a] Before sex reassignment surgery

[b] After sex reassignment surgery

(***) Significant at the 1 % level

(**) Significant at the 5 % level

on their job and life satisfaction, and mental health status. In addition, after the transitions, males who became females are characterized by higher femininity than masculinity. The opposite holds for females who became males.

In Tables 4 and 5 the longitudinal correlation matrix (with p-values) is presented for males to females, and for females to males, respectively. Regarding the most important variables in this study, job satisfaction, it can be observed in Table 4 that for males to females there is a correlation between job and sex reassignment surgery ($p = 0.00$), job satisfaction and femininity ($p = 0.00$), and job satisfaction and life satisfaction ($p = 0.00$). On the other hand, there is a negative correlation between job satisfaction and adverse mental health symptoms ($p = 0.00$). Of further importance is the positive correlation between sex reassignment surgery and satisfaction with life ($p = 0.00$), and sex reassignment surgery and femininity ($p = 0.00$). Moreover, of further importance is the negative correlation between sex reassignment surgery and adverse mental health symptoms ($p = 0.00$), and the negative correlation between sex reassignment surgery and masculinity ($p = 0.00$).

In Table 5, the longitudinal matrix for females to males suggests that job satisfaction is positively correlated with sex reassignment surgery ($p = 0.00$), life satisfaction ($p = 0.00$), and masculinity ($p = 0.00$). Also, there is a positive correlation between sex reassignment surgery and satisfaction with life ($p = 0.00$), and between sex reassignment surgery and masculinity ($p = 0.00$). Furthermore, there is a negative correlation between sex reassignment surgery and adverse mental health symptoms ($p = 0.00$), and between sex reassignment surgery and femininity ($p = 0.00$).

Table 3 Descriptive statistics per data volume; employed individuals

	Panel I	Panel II	Panel III	Panel IV	Panel V
	First volume 2012a[a]	Second volume 2012b	Third volume 2013a	Fourth volume 2013b	Fifth volume 2014a[b]
a. Males to females					
Satisfaction with job—mean	2.34 (0.57)	2.47 (0.66)	2.69 (0.70)	2.95 (0.63)	3.04 (0.50)
Satisfaction with life—mean	2.78 (0.67)	2.95 (0.63)	3.04 (0.70)	3.21 (0.73)	3.39 (0.58)
Health status—mean	1.91 (0.73)	1.86 (0.69)	1.86 (0.69)	1.82 (0.71)	1.69 (0.63)
Adverse mental health symptoms—mean	23.95 (6.81)	23.00 (6.85)	21.39 (5.92)	20.47 (5.12)	19.73 (4.51)
Femininity—mean	4.80 (0.37)	4.86 (0.43)	5.02 (0.42)	5.08 (0.40)	5.17 (0.43)
Masculinity—mean	4.11 (0.27)	3.97 (0.36)	3.96 (0.38)	3.92 (0.37)	3.83 (0.38)
Sex reassignment surgery—%	0.00	26.08 (0.44)	52.17 (0.51)	82.60 (0.38)	100.00
Observations	23	23	23	23	23
b. Females to males					
Satisfaction with job—mean	2.17 (0.52)	2.29 (0.58)	2.35 (0.60)	2.64 (0.60)	2.88 (0.33)
Satisfaction with life—mean	2.17 (0.63)	2.35 (0.60)	2.52 (0.62)	2.70 (0.68)	3.11 (0.48)
Health status—mean	1.82 (0.39)	1.76 (0.43)	1.76 (0.43)	1.76 (0.56)	1.70 (0.58)
Adverse mental health symptoms—mean	23.11 (6.75)	22.17 (6.06)	21.58 (5.36)	20.58 (4.78)	18.70 (4.04)
Femininity—mean	4.41 (0.22)	4.24 (0.27)	4.13 (0.27)	4.01 (0.33)	3.90 (0.31)
Masculinity—mean	4.73 (0.25)	4.88 (0.29)	4.93 (0.36)	5.01 (0.35)	5.18 (0.28)
Sex reassignment surgery—%	0.00	17.64 (0.39)	35.29 (0.49)	70.58 (0.46)	100.00
Observations	17	17	17	17	17

Notes: Standard deviations are in parentheses
[a] Before sex reassignment surgery
[b] After sex reassignment surgery

The general pattern for both groups of employees suggests that job satisfaction is positively affected by sex reassignment surgery. However, a multivariate analysis is needed in order to verify whether the assigned pattern continues to exist when several core heterogeneities are taken into account.

Table 4 Longitudinal correlation matrix; employed individuals; males to females

	1.	2.	3.	4.	5.	6.
1. Satisfaction with job						
2. Satisfaction with life	0.25 (0.00)***					
3. Health status	0.05 (0.58)	−0.06 (0.47)				
4. Adverse mental health symptoms	−0.33 (0.00)***	−0.06 (0.46)	0.10 (0.28)			
5. Femininity	0.47 (0.00)***	0.12 (0.17)	0.04 (0.63)	−0.20 (0.02)**		
6. Masculinity	−0.15 (0.19)	0.01 (0.84)	−0.05 (0.55)	0.33 (0.22)	−0.24 (0.00)***	
7. Sex reassignment surgery	0.53 (0.00)***	0.38 (0.00) ***	−0.09 (0.32)	−0.32 (0.00)***	0.28 (0.00)***	−0.40 (0.00)***

Notes: N = 115. Spearman correlation coefficient has been used to estimate correlations for both ordinal variables. Rank-Biserial correlation coefficient has been used to estimate correlations between ordinal and nominal variables. Phi correlation coefficient has been used to estimate correlations for both nominal variables. Biserial correlation coefficient has been used to estimate correlations between ordinal and quantitative variables. Point-Biserial correlation coefficient has been used to estimate correlations between nominal and quantitative variables. Pearson correlation coefficient has been used to estimate correlations for both quantitative variables

P-values are in parentheses

(***) Significant at the 1 % level

(**) Significant at the 5 % level

4.2 Estimations

In Table 6 random effect estimations are presented. In Model I, it can be observed that for males to females, sex reassignment surgery positively and statistically significantly affects job satisfaction, even after controlling for several heterogeneities such as age, higher education, annual gross salary, and life satisfaction. Based on the assigned estimations, the study's hypothesis is accepted, that sex reassignment surgery might entail positive job satisfaction adjustments for males to females. Estimating interaction effects between sex reassignment surgery and masculinity/femininity, adverse mental health symptoms and satisfaction with life two statistically interesting and significant patterns can be observed. The estimations suggest that, after sex reassignment surgery femininity, the job satisfaction of males to females is positively affected. That is, for biological males who actively (surgically) disconfirm the male gender stereotype by acting and becoming more like women, this transition positively affect their job satisfaction. It is also

Table 5 Longitudinal correlation matrix; employed individuals; females to males

	1.	2.	3.	4.	5.	6.
1. Satisfaction with job						
2. Satisfaction with life	0.74 (0.00)***					
3. Health status	−0.16 (0.12)	0.18 (0.08)*				
4. Adverse mental health symptoms	−0.39 (0.00)***	−0.51 (0.00)***	−0.25 (0.01)**			
5. Femininity	−0.50 (0.00)**	−0.42 (0.00)***	−0.03 (0.78)	0.15 (0.15)		
6. Masculinity	0.30 (0.00)**	0.38 (0.00)***	0.20 (0.06)**	−0.63 (0.00)***	−0.24 (0.02)**	
7. Sex reassignment surgery	0.65 (0.00)***	0.63 (0.00)***	−0.06 (0.53)	−0.36 (0.00)***	−0.53 (0.00)***	0.48 (0.00) ***

Notes: N = 85. Spearman correlation coefficient has been used to estimate correlations for both ordinal variables. Rank-Biserial correlation coefficient has been used to estimate correlations between ordinal and nominal variables. Phi correlation coefficient has been used to estimate correlations for both nominal variables. Biserial correlation coefficient has been used to estimate correlations between ordinal and quantitative variables. Point-Biserial correlation coefficient has been used to estimate correlations between nominal and quantitative variables. Pearson correlation coefficient has been used to estimate correlations for both quantitative variables

P-values are in parentheses

(***) Significant at the 1 % level

(**) Significant at the 5 % level

(*) Significant at the 10 % level

confirmed that, after sex reassignment surgery, life satisfaction positively affects their job satisfaction.

Similarly, in Model II, it can be observed that, for females to males, sex reassignment surgery positively and statistically affects job satisfaction significantly, when core heterogeneities have been considered. For females to males, the study's hypothesis regarding the positive relation between sex reassignment surgery and job satisfaction can also be accepted. Moreover, the interactions suggest that having sex reassignment surgery, masculinity, and life satisfaction positively affect job satisfaction for females to males. It seems that biological women who are becoming more like men in terms of masculine traits face positive job satisfaction adjustments.

Table 6 Job satisfaction estimations; employed individuals

	Model I	Model II
	Males to females	Females to males
Sex reassignment surgery	0.511 (0.097)***	0.259 (0.105)**
Masculinity	0.002 (0.242)	−0.249 (0.168)
Femininity	0.348 (0.076)***	−0.077 (0.172)
Hormone replacement therapy	0.029 (0.081)	0.168 (0.099)
Adverse mental health symptoms	−0.004 (0.011)	−0.024 (0.011)**
Health status	0.124 (0.092)	−0.168 (0.114)
Satisfaction with life	0.011 (0.072)	0.134 (0.055)***
Age	0.134 (0.076)*	−0.004 (0.015)
Working experience	−0.159 (0.081)*	0.055 (0.029)**
Higher education	−0.185 (0.053)***	0.088 (0.214)
Ethnicity	0.585 (0.312)	0.476 (0.254)
White-collar employee	0.901 (0.340)***	−0.236 (0.177)
Annual gross salary	0.357 (0.299)	−0.002 (0.000)***
Sex reassignment surgery x masculinity	0.042 (0.057)	0.055 (0.024)***
Sex reassignment surgery x femininity	0.132 (0.043)***	0.076 (0.064)
Sex reassignment surgery x adverse mental health symptoms	−0.015 (0.011)	−0.007 (0.006)
Sex reassignment surgery x satisfaction with life	0.083 (0.035)***	0.112 (0.051)***
Wald x^2	127.39	149.48
Prob > x^2	0.000	0.000
Observations	115	85

Notes: Random effect order probit estimations
Standard errors are in parentheses
(***) Significant at the 1 % level
(**) Significant at the 5 % level
(*) Significant at the 10 % level

5 Discussion

This study has examined a largely under-studied population in terms of the relation between job satisfaction and transitioning through sex reassignment surgery using longitudinal empirical techniques for the 2012–2014 in London (UK). Using information from 40 individuals before and after their sex reassignment surgery, a positive association between job satisfaction and sex reassignment surgery was estimated. In this study, it was hypothesized that, if sex transition is accompanied by better mental health, higher life satisfaction, improved body and mental satisfaction in relation to masculinity, femininity, and more commitment to work due to better psychology, then these adjustments (due to sex reassignment surgery) might also positively affect job satisfaction, since the aforementioned factors are perceived to have a direct impact on the satisfaction individuals experience at the workplace. Indeed, extrapolating from the available data, the multivariate analysis has shown that though having sex reassignment surgery, (i) life satisfaction, (ii) femininity for males to females, and (iii) masculinity for females to males, can positively impact on job satisfaction for transgender employees. It seems that the interactions between sex reassignment surgery, life satisfaction, and masculinity/femininity can have effects on the attitudes of employees towards their lived experiences in their jobs. The longitudinal correlation matrix, meanwhile, has also highlighted potential channels that might affect the relation between sex transition and job satisfaction. It was estimated that sex reassignment surgery might have had a negative relation to adverse mental health symptoms; that is, that after sex reassignment surgery employees might face fewer adverse mental health symptoms and this feature might have a direct impact on job satisfaction. People who have previously had to live with the pressure of gender dysphoria might have found this to have a direct impact on their job and life satisfaction. However, transsexual persons who have completed a reassignment of sex through surgery might well emerge happier and better workers.

Although the study did not have indicators regarding the degree of supportive workplace environments towards people who reassign their gender, it was suggested that, if transgender employees have supportive coworkers who respond positively toward them, they might also tend to be more satisfied at work, and more committed to their organizations, because they genuinely enjoy working there. Thus, a variety of arguments can be employed in order for the study's main thrust to be evaluated, and implications to be offered. However, it is difficult to quantify how much of the job satisfaction advancement due to sex reassignment surgery can be attributed to supportive coworkers and firms, improvements in mental health, and life satisfaction. This study does not permit a clear ordering of which effect works on the relation under consideration, and in what degree. A combination of endogenous relations, rather, might have affected the results presented. Thus, social planners, social workers, health providers and employers should work on factors that can affect transgender individuals' quality of life and mental health, and try to foster a diverse social and workplace environment in which transgender employees could function well, progress, and fulfill their potential. The social cost of a minority population excluded from employment is perceived to be significant. On the other hand, good relations between employers and employees increase the openness of transgender employees, and improve job attitudes, as well as benefitting the firm as a whole, given that teamwork is a very important aspect of productivity and success.

Importantly, the characteristics of the data set should be taken into account whilst evaluating the study's patterns. The data set is not random, and thus a generalization is not feasible; furthermore, the study has limited observations that restrict any generalization. The outcomes are also specific to one geographical location, considering that this study focuses on employees working in London. Urban characteristics and extant anti-discrimination laws might have driven the patterns. Importantly, the participants are employed. Severe discrimination against transgender unemployed and inactive individuals is highlighted in the literature. Also, studies suggest that during and after sex reassignment surgery some employees either quit, or are fired from their jobs. In this study, the participants have been working in the same firm before and after their sex surgery. This might be a sign that these employees might have received support from their jobs and colleagues, which would have affected the assigned patterns.

This study, also, utilizes information from those transgender men and women who were undergoing a sex reassignment surgery in the near future. One might expect different patterns to emerge, either if transgender men and women were in the preliminary stages of the transition, or if they had undergone the sex reassignment surgery years before. Furthermore, the study's participants belong to transgender social networks. This detail might have also affected the outcomes. Support from other transgender people might have a positive impact on several observed variables such as mental health. In addition, sex reassignment surgery, hormone replacement therapy, and masculinity/femininity are highly correlated. As well as, job satisfaction, life satisfaction and mental health are also highly correlated. Multicollinearity issues in the regression stage might be a real problem. Any attempt to deal with the aforementioned features, and points on the data set's characteristics would be an extension of this study. Finally, this study examines transgender employees' job satisfaction before and after their sex reassignment surgery. We cannot infer whether males to females, and females to males are worse off or better off than non-transgender people in terms of job satisfaction after having a sex reassignment surgery. Additionally, the effect of sexual orientation on job satisfaction was not examined in this study. These issues highlight that new studies could offer new insights.

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Female-to-Male (FtM) Transgender Employees in Australia

Tiffany Jones

1 Introduction

1.1 A New Visibility

Female to Male (FtM) transgender people have been less 'visible' in Australian culture and media in the past, even in comparison to other people on the trans-spectrum. Possible reasons include a difference in the physical visibility of Australian masculinities compared to femininities generally, and the lack of cabaret and show-based cultures around these identities seen with some trans femininities. The past decade has however seen an increasing level of visibility specifically for FtM people, particularly online. In 2001, the FTM Australia website was formed by two New South Wales men to provide quality information and support for men who transitioned FtM in Australia (http://www.ftmaustralia.org/). In addition, there has been increasing visibility for FtM identities on Australian TV Shows and media (e.g., *X Factor* 2011, *The Hungry Beast* 2011 and others). Increased visibility has also stemmed from new United Nations anti-discrimination efforts (United Nations 2012); and the reframing of transgender identity diagnoses from psychological disorder to the less-pathologizing 'Gender Dysphoria' in the DSM-5 (Drescher 2013). All Australian states and territories have prohibited discrimination in employment on the basis of gender identity, and Australia now has federal anti-discrimination protection in place as of 2013 (Jones et al. 2014). Guidelines to address disparate state requirements around surgery and sterility were also released (Australian Government 2013). However despite their increased visibility in media, social networking and legislation, FtM transgender people remain a particularly under-researched group. This chapter first explores the lack of sociological research

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on FtM transgender people, and then aims to meet the need for more research considering their experiences as employees in light of the new Australian employment protections, through outlining a recent Australian study.

1.2 Lack of Research

Globally, the literature on transgender people has focused more strongly on MtF transgender people than FtMs, and has typically been consisted of small sample sizes in medical environments (gender clinics, sexual health centres, and hospitals). Topics explored have included increased HIV risk and other issues of sexual health (Clements-Nolle et al. 2001; Edwards et al. 2007; Jones and Mitchell 2014), sex reassignment surgery (De Cuypere et al. 2005; Lawrence 2005), and mental health (Haraldsen and Dahl 2000; Hepp et al. 2005; Grossman and D'Augelli 2007). Research with a social focus was less common. A few studies considered transgender and gender questioning youths' experiences of family rejection (Grossman et al. 2005). Most studies focused exclusively on female-to-male (FtM) samples came from North America (Barrett 1998; Pazos 2000). Barrett (1998) discussed the disappointment that could occur with the surgeries available—particularly for genitalia. Pazos (2000) reflected on counselling experiences with several of her FtM clients, and noted the recurrence of feelings of difference as early as 5 years of age, magical thinking and daydreaming about becoming a boy, and early attempts at 'making the change' through trying to urinate standing up and engaging in attempts to look or act like boys. Across these studies where employment was discussed, for MtF populations, it was discussed mainly in relation to discrimination or abuse in sex work for example.

There has been limited research on Australian FtM transgender people, mainly focused on a broader transgender population (Couch et al. 2007; Harris and Jones 2014; Smith et al. 2014), or broader GLBTIQ population (Hillier et al. 2010; Jones 2012). *Tranznation* (Couch et al. 2007) focused on a sample of 253 Australian and New Zealand sample of FtM and MtF transgender people, with only 229 Australians and only a third of the portion for FtM transgender people as there were MtFs represented. Its findings revealed that the most commonly accessed health service by transgender people was mental health. Three quarters of the sample had accessed hormonal treatment and most of the sample had not received any surgeries. Most of the sample had suffered stigma or discrimination on the basis of gender. *Writing Themselves in 3* (Hillier et al. 2010) included a sample of 91 gender questioning youth aged 14–21, within a broader group of 3134 same sex attracted and gender questioning youth. The gender questioning youth were found in further analyses to be more likely to be out than same-sex attracted youth but let less likely to get support from the people they disclosed their identities to, and were more likely to have dropped out of or moved schools as a result of discrimination (Jones and Hillier 2013). They were also at greater risk of homelessness, physical abuse, self-harm and suicide. However, they had higher engagement with activism against homophobia and transphobia, particularly in their schools (Jones and Hillier 2013). *From Blues to Rainbows* (Smith et al. 2014) further explored the activism transgender and gender diverse young people aged 14–25 engaged in through a survey (n = 189) and interviews (n = 16). In total 91 % of participants had engaged in activism, and 62 % had done so to make themselves feel better; activisms ranged from anonymous acts like sharing or making anti-transphobia webpages through to acts in which the individual made themselves 'visible' as transgender such as giving speeches at school or organising rallies. There was little information on work experiences across these studies; which are now particularly important in the Australian context given the new anti-discrimination protections applying to employment. The likelihood of differing cultures around visibility, extent of transition and other factors influence likely differences for FtM transgender people (compared to MtF or broader transgender populations) make the lack of information on their work/employment experience a poignant gap.

2 Theoretical Background

2.1 Key Debates

A very brief history of key debates on FtM people in theory will aid understanding of the position taken in this study. FtM transgender variance before the nineteenth century was not always read in relation to identity in European theory, but in relation to female violation of social roles (Foucault 1980). By the end of the nineteenth C masculinity in female-bodied people was associated in a Freudian psycho-analytic frame with the psychological disorder of 'inversion' (which combined early concepts of lesbianism, role confusion and penis envy) and feminist preoccupations (Freud 1905). 'Masculine women' generally became associated in psychoanalysis and sexology with aberrant sexual desire emanating from severe cross-gender identification, and were cast by conservatives as a sign of the 'ills of modern life'—a coarsening of females, loss of separation of gender spheres and family structures, and degeneration of the species (Halberstam 2012). During World War 1 these anxieties were furthered as women took over 'male' factory jobs and domestic tasks. Weininger argued that the social, political and aesthetic desires of women for liberation were innate for those great achievers (e.g., Sappho) whom he deemed virtual men; but only falsely acquired by more feminine women (Weininger 1906). He pushed for the liberation of the psychically male 'invert', but was against the broader women's movement. Liberal feminists in the 1960s pushed back against such thinking because it functioned to limit their rights, and since the 1970s some extremist radical feminists argued to exclude transgender people from liberation movements and cast them as victims reproducing the patriarchy's gender roles (Tuttle 1986). Post-structuralist feminisms from the 1980s influenced by Patrick Califia, and Queer theory popularised in the 1990s by Judith Butler, do not declare such enmity with FtM transgender people or butch lesbians (Butler 1990; Califia 1981). These frames instead attack essentialist notions of identity (male, female, or otherwise), positing gender as discursive (culturally constructed), although they sometimes overlook embodiment and material experience. Transgender studies, stimulated by *The Empire Strikes Back* (Stone 1991), aims at affirming self-definition, embodiment and the right to positive representation. There are also frames based on brain sex which theorise FtM transgender people as having had brain areas develop as ‘chemically male’ through hormonal exposure in the womb (Pease and Pease 2003). Such new frames do not simply ‘replace’ older ones, but co-exist in tension with them and each-other, along with residual psychological frames re-shaping inversion into Gender Identity Disorder/GID and more recently gender dysphoria.

2.2 Research Frame and Aims

Queer allows a kind of relative authenticity to FtM identities—a ‘male identity’ is seen as no more authentic when enacted by one who was declared male at birth as by one who was not, the authenticity allowed is in a non-essentialist frame (Butler 2005, 1990). In this theory gender and employment identities are understood as performatively constructed through iterations and intersections of culturally established behaviours and expectations. This study also applies Queer’s interest in (de)constructions of sex and gender, and Transgender Studies’ interests narratives of self-definition, experience and embodiment (Nagoshi and Brzury 2010). The study particularly aimed to explore how FtM transgender people experienced their identity in relation to employment and the perceptions of transgender people in worksites. ‘FtM transgender’ is used as a fractured and discursively contested/constructed umbrella term, associated with a range of identities with multiple meanings to multiple people (who experience it according to their particular framework/s of reference). This broad frame was used to allow for the participants’ own self-definitions and therefore did not limit the data, or exclude people with variant experiences. Specific research questions included: How do FtM transgender Australians experience their own identity as employees; how do they experience employment opportunities and obstacles; and which contexts and practices were most supportive or useful in their experience?

3 Design of the Study

The study used an emancipatory approach—aiming to conduct research on, with and for the FtM transgender community towards social justice goals (rather than simply to generate knowledge for its own sake). A small reference group of individuals from the FtM transgender community therefore advised on the study, from development through to recruitment and final reporting. A mixed methods approach was used including a combination of an online survey and an online blog forum. The survey questionnaire was hosted by University of New England (UNE), using the program Qualtrics. It contained both forced-choice (quantitative) and open-ended (qualitative) questions; gathering basic descriptive data on the participants' demographics (age, background, employment status), identities (allocated at birth and gender identity), and work experiences. The survey was anonymous and took approximately 10–15 min. The blog forum was contrastingly used for deeper explorations of key themes over time, and for interactive engagement with other participants. The forum was hosted by UNE, using the program Moodle. The forum included a main section (for people over 18) and a separate section (for people aged 16–17). The researcher moderated and reviewed the posts on the forum daily. The key topics explored further on the forum included more detailed examination of employment opportunities, legal issues and other topics. All participants were able to choose their own pseudonym to use across the survey and blog forum, and these pseudonyms are used in reporting individuals' comments in this chapter.

Ethical approval was obtained for this project from the University of New England Human Research Ethics Committee. The survey and forum were opened in April 2013, when active recruitment began. The target group was Australian FtM transgender people aged 16 and over. All participants gave their own informed consent to participate—including younger participants who were not required to seek parental approval in recognition of the discrimination and abuse that research has shown many transgender youth experience at home. Advertising and a press release were promoted through a range of media to promote the project: FtM transgender networks, mainstream and transgender media (print, electronic and radio), websites, e-lists and word-of-mouth. Gender Centres and FtM groups around Australia displayed leaflets and posters with information about the project. The survey and forum were closed at the end of July 2013, after a total of fourth months. Data were downloaded from the survey site and then transposed into quantitative (SPSS v10) and qualitative (Leximancer, Excel) computer programs. Descriptive and comparative statistical analyses were undertaken, and thematic analyses of written responses. All significant differences in the report are calculated at 0.05.

4 Findings and Discussion

4.1 Basic Demographics

In total, 273 Transgender FtM people participated in the project; the largest number of FtM people in an Australian study [others who did not fit the criteria of age (16+), location (reside in Australia) or identification as FtM transgender (in its broadest sense—including people who were born intersex, people who are genderqueer and so on) were excluded]. Participants mainly came to the study through informal posts and paid advertising featured on webpages (41 %), FtM and gender centre networks (31 %) or through a friend (27 %). They ranged in age from 16 to 64—the majority of were aged in their 20s and 30s, the average age was 30.5. The participants represented a range of culturally and linguistically diverse backgrounds: most were of European descent (77 %), Asian descent (5 %), and to a lesser extent people of Aboriginal and Torres Strait Islander descent and a range of other backgrounds (African, mixed and so on). The group mostly lived in stable situations with their loved ones: a partner (36 %), their family (26 %), or friends (14 %). Around 14 % were living alone, 8 % in other arrangements (military bases, with foster children, or between states for example). Only 2 % reported couch-surfing arrangements or homelessness—possibly an under-representation given anecdotal reports and past research (Jones and Hillier 2013). Whilst 17 % of the group identified themselves as having one or more disabilities (mainly related to mental health: anxiety, bipolar or borderline personality disorder and depression). Notably; the large majority of FTM Australians notably did not frame their gender dysphoria as a disability. This reflected the dominant 'non-deficit' position of transgender activists in international debates on the classification of gender dysphoria (Drescher 2013).

Whilst efforts were made to recruit respondents from all states of Australia, they were more concentrated in Victoria and in urban areas than the broader population. Themes emerging in the qualitative data seemed to support the likelihood that cities like Sydney and Melbourne were more popular with the group due to their increased services and gender clinics specifically catering to transgender people, particularly in relation to transitioning—that were largely unavailable elsewhere. Over four fifths of the participants (86 %) had no religious affiliation—contrasting with only one fifth of the general Australian population (Australian Bureau of Statistics 2012b). The strong emphasis on traditional gender roles in the key book religions (Christianity, Islam, Judaism etc.), and a history of transphobic positions held by many religious organisations (Gahan et al. 2014; Gahan and Jones 2013) may be contributing factors. Also, whilst almost half (43 %) of the participants were in monogamous relationships the majority had never married, which may correspond to the requirement for marriage to be between a man and a woman in Australian law. Only one quarter of the group were attracted solely to the opposite sex (36 % were sexually attracted to both sexes, 15 % were same sex attracted, 14 % were sexually fluid/changeable and 10 % were uncertain).

4.2 Gender Identity and Transitions

Overall, 97 % of the participants were allocated a female sex at birth, 3 % intersex. In terms of gender identity, most participants (51 %) identified simply as 'male' (see Fig. 1). This largest group tended to have known their identity from a young age, and had mainly struggled with the development of secondary sex

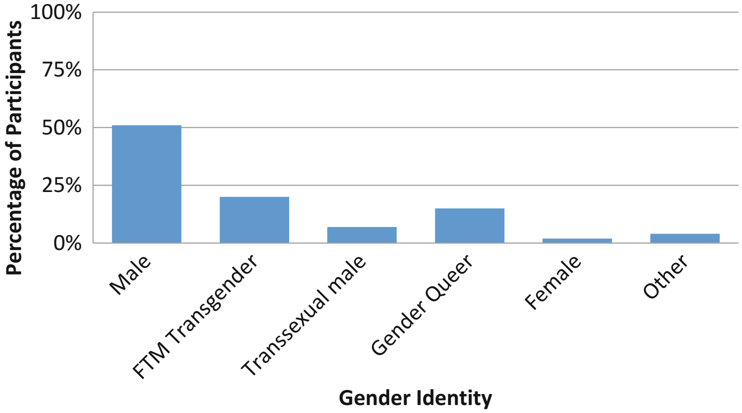

Fig. 1 Gender identity of FtM transgender participants

characteristics during puberty. The group generally did not identify as being 'trans' but as having a 'transgender history'—which was seen as now in their past rather than 'who they are'. However, there was a second group who embraced a transgender component in their identification: 20 % identified as 'FtM transgender', 7 % as 'Transsexual male', and a further 4 % gave other terms, including for example transman, male with a twist, boi, myself and so on. Such participants explained that referring to themselves only as only as male would deny a (transgender-related) part of themselves. Many of this second group were unsure about their identity until later in life, and had simply felt during their development years that they inexplicably *did not feel right* rather than always seeing themselves as 'a male in the wrong body'. Finally, 'Genderqueer' was the preferred way to self-identify for those who rejected pressures to fit into female–male binary model or stereotypes (15 %)—either since they did not relate to or agree with the binary, or due to an uncertainty about gender. Reading post-structuralist feminist or Queer books, study and reflections on gender binaries were all often part of this latter group's path of discovery. Despite such differences, all the participants expressed strong negative feelings about being referred to by female pronouns, regardless of their diverse gender identities and backgrounds.

Transitioning can include any or all of personal/internal, social, legal and physical elements and may constitute direct modifications on the path to realising or affirming male identity, or simply increased natural expression of a genderqueer or alternate identity for example. In terms of physical transitions, non-surgical measures were the most common (see Fig. 2), which made sense in light of their lower cost, accessibility and relevance to a range of conceptions of identity or transition/self-affirmation. A strong majority had used binding and hormones (87 %). In addition, 71 % were using some kind of gear to give the appearance of a penis. Of the surgical interventions possible, chest surgeries (reconstruction or reduction) were privileged. Few had had genital surgery, and this reflected international findings on concerns about its effectiveness (Barrett 1998). Almost half of

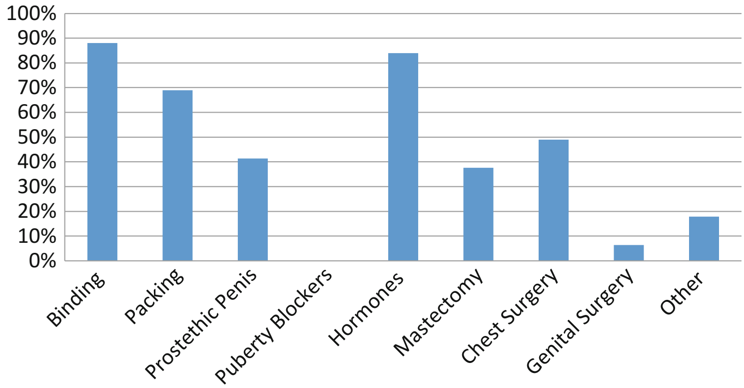

Fig. 2 Physical modifications FtM transgender study participants have engaged in

the participants spent between $1000 and 10,000 towards their transition (or affirmation), although prices ranged from nothing to over $100,000. Many participants (69 %) had received a diagnosis of depression and anxiety within the previous 12 months, and over two thirds had self-harmed and over one third had attempted suicide largely on the basis of their discomfort around their transgender status. However, the great majority (97 %) expressed that simply engaging in some form of personal modification (whether changing their clothes or engaging in surgeries) made a positive difference to their life and the way they felt.

4.3 Employment Status

Whilst around a third of the survey participants were engaged in study, the majority were employed (58 %): full-time (34 %), part-time (22 %), or in an apprenticeship (2 %). However, a sizeable portion of the participants were unemployed (15 %)—a difference in comparison to the general Australian population that is perhaps made more poignant by the fact that this was a highly educated group, with an average age of 30.5 (an age level associated with greater employment stability in Australian culture). The rate of unemployment was higher than the 9 % for the Australian transgender population cited in *Tranznation* (Couch et al. 2007).

Around a third were engaged in study rather than work: attending university (21 %), school (5 %), or vocational education (4 %). Most already had a post-secondary schooling qualification (69 %), a higher portion than in the general Australian population (57 %, Australian Bureau of Statistics 2012a). The participants were relatively divided between having post-graduate degrees (19 %) and undergraduate degrees (25 %), TAFE qualifications (25 %), and secondary school certificates (27 %). This reflected other Australian findings that transgender people were well-educated (Couch et al. 2007). One explanation is the average age of participants (30.5); and their need to be competitive in the changing contemporary work-force. However exploration of the qualitative data suggests that places of post-school study (universities, TAFEs) are perceived as 'safer' spaces to transition or express one's gender identity than the workforce. Participants who were prolonging their years of study intentionally discussed how a potential employer can look into one's gender history indirectly when investigating references and so on, and referred to the mixed levels of protection for transgender people in the past in Australia.

4.4 Income

Participants had a range of annual incomes. At first glance the income earned by the group seems relatively low, with the majority (52 %) under $41 K per year. Moreover, 43 % were earning less than $20 K—a significantly larger portion than the 22–35 % in other Australian studies which included MtF transgender populations (Couch et al. 2007). Perhaps this could be partially explained by the fact that a third of the respondents were engaged in study, 24 % had a reduced earning capacity due to working part-time or within an apprenticeship, and 15 % were unemployed. There were also participants earning a range of salaries: 15 % earned $41 K–$60 K, 11 % earned $61 K–$80 K, and 8 % earned $81 K–$100 K, 3 % earned over $100 K. So whilst a smaller portion of the participants were earning the higher wages than across Australian populations more broadly, and they seemed to be earning less than expected for such a well-educated group, the data showed it was certainly achievable for this population to be gainfully employed. While other factors (such as study, other priorities or perhaps particular issues in gaining work) might be impacting the group's income, the fact that transgender people have repeatedly been seen to earn less than the general Australian population in other studies confirmed that there are likely issues related to transgender status impacting employment, pay rates and promotions for this group.

4.5 Employment Obstacles

To further understand the distinct nature of the issues that arose for FtM transgender people around unemployment and lower incomes according to the quantitative survey data, participants on the forum were asked whether their gender identity had ever become an obstacle for their career aspirations. This investigation uncovered a range of issues that varied depending on whether the participant was not 'out' but being read as their allocated birth sex by colleagues, was in the process of some kind of transition, or had transitioned and was being read as 'male' (and not transgender).

Most participants expressed that they were not ‘out’ (but generally being read as their allocated birth sex by colleagues), and they had concerns about losing their job if they were to disclose their gender identity or consider transitioning further. Junk000 (a younger male who does not yet ‘pass’) is not out at his current job. He has been applying for jobs outside of it but the employers ‘*keep fretting about ‘but which bathroom will you use?’ and how I am ‘a HR nightmare’; ridiculous things like that*’. He fears he will lose his current job or miss out on job opportunities if he comes out, and worse that he won’t even be informed about it; ‘*I’m sure they’re vaguely aware that’s against some law somewhere. They will still do it, they just won’t tell me*’. Fang (FtM transgender, 29 years) had similar fears, and said that at his job he had only disclosed his transgender status to one person; ‘*I am afraid if I disclose it I will be excluded until I leave, yet I am also concerned that when I am passing as male it will not go unnoticed*’. Yet he hates being called a ‘she’ in the meantime. He described this Catch-22 as ‘*a constant source of anxiety in the workplace*’. Many people in this group felt like there was no escape from the stress at work. But they were unlikely to invest in ‘coming out’ if they wouldn’t be at the job for a long period. Maddox (male/FtM/transman, 21 years) was an example of a participant who chose not to come out at such a job pre-transition, but only to come out to colleagues after having left such a role and later on in his journey.

For the second largest group of participants (who were in the process of transitioning in some way), it was not uncommon to avoid work altogether. Within this group, some said they engaged in study during the period of transition to delay their need to become employed and declare a more stable identity. But even for those engaged in study and internships towards their chosen career, there could be problems; Kafka said that when studying law he still faced difficulties, mainly around ‘all the questioning’. A few did look for work at times, but cited a sense of confusion about how to apply for work given their conflicting gender identity, presentation and/or history; or non-conforming expression. For example, Draconem (FtM transgender, 24 years) said, ‘*I feel like it’s only made it hard for me to figure out how to apply for work*’. Several participants reported confusion over how to apply for police checks. They were unsure whether they were to tick ‘m’ or ‘f’ on the form about their history, and whether that would out them to potential employers in fields where police checks were mandatory (care, education and so on). Others particularly did not want to have to work ‘as a female’, and had waited for (and were waiting for) particular transition milestones to pass before engaging in employment. For example, Harry said;

> Besides the depression and anxiety, which kept me unemployed, I didn’t want to have to out myself at work or have to work as a female. So I waited until I was passing consistently enough not to have to worry. Luckily this only took three months on (testosterone).

4.6 Going Stealth

A third smaller group of participants who had either already transitioned, been read as ‘male’ socially or were otherwise living their life in a way congruent with their gender identity, had not discussed their gender identity at work at all to prevent career obstacles. Several people spoke of the concept of ‘stealth’: either passing as a man without aids, transitioning fully and not telling anyone about their gender history, or presenting as a masculine female/gender fluid person without specific explanation or coming out processes. They used phrases like ‘*need to know basis*’, ‘*if you don’t need to know there is no way I’m telling*’, ‘*as stealth as possible*’, ‘*I just want to be a normal cis guy*’ and so on. For people who were stealth and passed as male or had transitioned as male, they sometimes explained that they wanted to be perceived fully as a man: ‘*I don’t want to be known as a trans, I want to be known as a man. Nothing else, just a man*’. Several mentioned that coming out meant being analysed for signs of femininity, which made them uncomfortable: ‘I *don’t want people picking the feminine features out and chucking them in my face*’ said one, ‘*Some people start trying to find ways they might have been able to tell (*e.g., *small hands, no Adams apple)*’ said another. Others worried they would not be treated ‘*as every man is treated*’. It was clear that relying on transgender people to advocate for their own right to non-discrimination in the workplace, or to ‘explain themselves’, is simply an unrealistic and unreasonable expectation for many FtM transgender employees to take up.

However, commencing work as a male could still present problems. Garfield (male, 31 years) recounted how he had intended to be socially transitioned before starting his first job, in order to avoid being seen as female or transgender. Unfortunately, while he managed to get the right name on his degree, he was still presenting as female when he started his first job, so he did not come out regarding his transition process. That led to ‘*some interesting moments*’ when being interviewed for his second job as a male, particularly in terms of reference checking. He explained, ‘*I think the boss at the new job just convinced himself he misheard the pronouns on the phone to my old boss when he was doing the reference checking’*. However, the second job involved a lot of travel in the outback with other male staff members. This often involved camping in areas where toilet facilities were often non-existent. ‘*I didn’t have a useable ‘stand to pee’ device. I spent most of that job absolutely terrified of discovery*’. This meant that he changed career directions to avoid his gender history becoming revealed, despite really enjoying the work.

Particular environments were also more problematic for a transitioned male. For example, Doc79 (male, 33 years) recounted the pressure to put up with or even conform to workplace cultures of engaging in transphobic banter and abusive pranks in all-male warehouse environments, because he was perceived as a male and not a transgender person. There were times when his supervisor called him a ‘big girl’ and engaged in acts which constituted sexual harassment—that were later brushed off as something he should be able to ‘handle’. He noticed that joining in jokes and pranks actually benefitted his career, even to the extent of taking and 'giving back' relatively transphobic language.

> I had one guy joke around with me that I was probably a guy with a fanny who had testosterone injections to grow a beard. That made me feel a little nervous as I thought he knew something I didn't want him to. But when I made a joke about him being a twat himself everyone laughed, and nothing was said again.

Such transphobic exchanges negatively impacted participants' confidence over time. This showed that employers cannot make assumptions about the gender identity or history of their staff, or about the ways in which transphobic cultures might be impacting any of their staff members.

4.7 Practicing Advocacy

Although it was difficult, a few individual transmen took it upon themselves to act as educational or social advocates about trans-identity. Bearcooking (male, 58 years) had been living full time as a male for quite a number of years, but discussed his gender history with people he knew were '*open to difference*' in order to educate them. He reflected: '*Being open is a plus, and helps people to understand differences and similarities, taking the mysticism out of the 'Hollywood version'*'. Jay (male, 30 years) commented that he was '*more than happy*' to educate people on trans issues and who he was, but only if they were open and willing to listen. Others felt that in coming out and discussing other GLBTIQ issues freely, they added to the many voices that were helping young people in the future to have an easier experience. There were some who limited their advocacy to GLBTIQ or transgender contexts only due to reasons of safety and community generativity, helping newer transgender people or their allies in safe spaces through sharing their experiences.

4.8 Employment Supports

Regardless of the new anti-discrimination workplace protections in Australia on the basis of gender identity, many participants reported they felt vulnerable due to the nature of their casual or contract employment basis. For example, Fang (FtM transgender, 29 years), who said, '*I know there are new guidelines but I have trouble seeing how this protects me at the moment, being in casual employment*'. Ramir (transgender, 25 years) commented on the fact that there is greater support available in creative and care-based industries, compared some of the more conservative or gender conforming industries '*I work in the creative arts and disabilities, so there is alot more understanding and embracing of difference in all it's forms'*. Xzaclee (male, 35 years) took advantage of working in a medical environment with particular supports. There were also participants who engaged in self-employment or were on benefits as a means of creating supportive contexts for themselves for a time. The spirit of non-discrimination supports—that transgender Australians could engage in any type of employment in which their skills-base fell—appeared to have been challenged, with many feeling restricted to 'safer' or 'more accepting' options.

In contexts where participants had enjoyed supportive environments, there was also often a sense that this was a 'one-off'—a trait of a particular business or group of people. For example, Darkneko (FtM transgender, 21 years) commented that at his old job, employers and staff 'were fine with' his gender identity and transition. But he was concerned about getting employment again; '*I know I will have to be a male at work too. I couldn't stop even if I wanted to*'. Batman (other/transitioning, 27 years) reflected that the organisation he had worked at for over 2 years had been 'very supportive' of his transition, which had been ongoing over the past year. He asked his supervisor to speak to his colleagues and Head Office for him about the matter, and reported that '*within a few days the majority of staff were calling me by my preferred name as if nothing had happened*'. They were very supportive when he took time off for chest surgery and he was able to return on light duties without issue. This example showed how clear support from management and supervisors, combined with clear guidelines for the employee's colleagues, can enable FtM Australians to experience the kind of workplace environment that they all have every right to enjoy. It was overall very clear from the participants' stories that leadership on this issue could make a big difference in the employees' experiences and the workplace culture around gender identity, for better or worse.

5 Conclusion and Recommendations

Whilst a few transgender FtM people found advocacy in their workspaces fulfilling, others reported in the qualitative data that they preferred to relinquish their gender history entirely. This research therefore underlined that FtM transgender people may not be willing or able to engage in advocacy and that this must not be an expectation of them in any workplace. It seems likely that this finding may also be transferrable to MtF populations also; although further research on the willingness of MtF people to engage in advocacy in their own work places would be valuable to explore this. International (and in Australia, national and state) anti-discrimination law now makes discriminatory treatment of transgender people unlawful in many places, thus employers and all staff across industries need to be made aware of these requirements. Workplace Equity training should include transphobia and guidelines for dealing with transgender issues in the workplace regardless of whether or not a space is 'perceived' to have FtM transgender (or any transgender) employees—this study showed very clearly that a workplace may have transgender staff regardless of whether this is known by employers. Training should incorporate mention of the national and state protections around gender identity relevant to the work site's location. Unions could consider a particular targeting of male environments for anti-transphobia campaigns centred on the new national anti-discrimination law protections around gender identity and expression, with such cultures highlighted for potentially supporting transphobic and homophobic language in the workplace.

There were participants in this study who had experienced direct or indirect transphobia at work and who had changed professions in order to increase their feelings of safety or belonging. Yet with non-discrimination as 'the ideal' and indeed the rule of law, FtM transgender people should not feel so restricted to working in particular fields (creative arts, care) as they reported in this study, or feel the need to 'hide out' in higher education; but must be enabled to pursue the careers best fitting their skills and interests. This is also the case for MtF transgender people, and further research on this group would be useful to understand the extent to which they have perhaps also felt limited in their employment options. Where FtM people in this study reported additional complications around navigating expectations of masculinity in the workplace, it is likely that MtF people may also face additional complications related to issues of sexism that could place different kinds of limitations on their employment options. Leadership from supervisors, management and equity officers is ultimately needed in combatting transphobia in the general culture of an organisation and several participants had outlined promising practices from leaders—including ongoing consultation with the staff member about their needs and being flexible in work arrangements as needed. Leadership is also important during recruitment and promotion. Working with any individual staff member who does come forward as transgender or transitioning is necessary to determine their particular preferences, and needs around medical concerns and use of facilities, or around swiftly and sensitively promoting the employee's preferred pronouns and forms of address if asked—ultimately due to the diversity of preferences in the data, the employee needs to have the dominant say on how these issues are addressed if at all. Research on FtM transgender issues by FtM transgender people is rare and further work could greatly enhance the field by potentially helping it move further away from its history of pathologizing medical tropes. While some research will be generalizable across different transgender groups (MtF, FtM, genderqueer etc.) researchers must note that some elements of research are more specific due to the influences of the valuing of different types of masculinity, sexism and other factors. Research into trialling of workplace training models towards reducing transphobia and improving cultures is an imperative, especially where these embrace the potential of the internet to enhance accessibility for those working in contexts beyond urban areas where most supports are concentrated.

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On the Necessity of Including Gender in Spain's List of Prohibited Bases of Discrimination

Salvador Peran

1 Shifting from Sex to Gender as a Term of Reference

Sex is a paradigmatic example of what in law is known as an indeterminate legal concept, which can be problematic in practice. Spain certainly lacks a unitary legal concept of sex that can give a satisfactory answer to the different social situations with which Spaniards have to cope in modern life. When analyzing the prohibition of differential and derogatory treatment of human beings based on their gender, we must understand the various situations in which the social body disadvantages certain social groups due to their sex or based on their personal relationship with sex.

However, the fact that there is not a unitary legal concept of sex, sexuality, sexual orientation or identity, does not necessarily mean that the law has a passive attitude towards the standardization and normalization of the sexual behavior that is tolerable and belongs to a particular historical moment. The law has been a source of discrimination against women, gays, and transgender people as well as a source of practices prevailing morality, despite being legitimized in medical terms.

One example is the way Michel Foucault regarded modern homosexuality in the late nineteenth century. He regarded homosexuals as "characters that had been made up by psychiatric discourse" (Foucault 1978). In his view, the law aimed to regulate, complement and keep consistency with segregation by gender (Foucault 1978). The same *modus operandi* persists today, where the law has a subordinate relationship with medicine, which ultimately determines what is understood by "sex" in people and what degree of legitimacy an individual must have to be able to decide on their sexuality or gender identity. It is worth examining how social structures have been able to regulate or influence these "power" forces and change

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or reshape their course of action. In fact, Foucault's negative view must be completed by proactive views that highlight—in this particular example—the construction of a "homosexual" identity before it can be psychiatrized, while aiming at its social legitimation (Eribon 1999).

Indeed, the contemporary legal or judicial definitions of sex have evolved in accord with the way that understanding sexuality has changed socially. Thus, sex is understood as a continuum in an individual's life, rather than as an unchangeable, unique fact. A number of elements integrate the concept of sex, which includes not only the physical or physiological constitution of the individual—generally referred to as organic sex—but also as the sex inherent to an individual's awareness, which might or might not match the organic sex and which is called *sexual identity*. While genitalia is exclusively biological, organic sex refers to anatomical, physiological or genetic connotations that differentiate men from women, whereas sexual identity derives from an individual's sense of belonging to a certain organic sex, whether it is their own or that of the opposite sex. Therefore, sex derives from biology, insofar as it shapes human psyche, as well as from the social environment, broadly speaking (Goodrich et al. 1989).

In this sense, the genealogy of contemporary legal standards reveals the extent to which social, feminist and other movements have played a key role in shaping societies that are pluralistic and respectful towards sexual diversity. The link between sex and women's oppression has certainly been a useful tool for both the feminist movement and feminist legal studies, as it has allowed for a comprehensive analysis of how male dominance sexually develops. However, it is also true that the legal instruments that fight gender-based discrimination are proving ineffective in solving the deep sexual segregation in the labor market, leaving aside gender identity-related conflicts.

From a legal standpoint, we could say that the regulations against sexual discrimination are based on the idea that sex precedes gender as a category and is more real than gender (Franke 1995). In other words, these regulations assumed that male and female identities are different from male and female characteristics; the latter depended on natural, biological principles. The gender perspective suggests a different view though, as it understands that sex is subordinate to gender. Thus, the set of demands related to inequality and sexual discrimination—or to sexual identity—are mainly based on gender norms and normative roles.

Gender is therefore a cultural and social classificatory concept. It builds on a set of mechanisms that shape personality, behavior, attitudes and social roles of what is culturally and historically considered as masculinity and femininity. But it is not a purely symbolic issue. Instead, it is the set of practices produced by social relationships. These practices make it possible to talk about a world dominated by male heterosexual subjectivity, subjected to inequality parameters and supported by certain ideologies of power that naturalize and reproduce such inequality. Following this line of thought, the position of different social groups in the social structure has been automatically assumed as a given phenomenon, inherent in human nature and resulting from social classifications of which social beings are mere products.

In other words, gender is a complexity that can never be permanently completed. Rather, it is an open set of practices that allows for multiple similarities and differences without having to obey a definition of a normative goal that is written in stone (Butler 1990). This provides a favorable scenario for political action.

The main innovation introduced by the gender perspective when analyzing the phenomenon of discrimination between men and women, as well as other forms of discrimination based on sexual identity or sexual orientation, is the weakening of sex—understood as a set of biological differences—as a reference category in the analysis. Thus, the focus is on the set of social arrangements that assign different expectations and values to different social groups. This involves a weakening of historical trends that have traditionally favored the naturalization of social constructions around sex and sexuality, as well as a conceptual tool to understand how gender is produced.

The present paper suggests that gender-based discrimination—understood in a broad sense—affects objective and subjective situations that are significantly different from situations of sex-based discrimination. These two types of discrimination must complement each other, so as to provide us with a greater level of protection against discrimination. In the Spanish context, the following two specific cases of application are suggested.

2 Prohibition of Discrimination on the Basis of Gender

The starting point here is judgment of the Spanish Constitutional Court 26/2011, which uses *family circumstances* as a category of discrimination for the first time. This is an important change, as this reason was not explicitly listed in Article 14 of the Spanish Constitution (hereinafter SC), although the article allows for an open interpretation. In the judgment, protection was granted to a father who requested a change of work shifts in order to look after his two children.

Although the court decided that there was discrimination here and therefore a violation of Article 14 SC; the problem remains how to shape this clearly discriminatory event within the prohibited bases of discrimination established in Article 14.

2.1 Work-Life Balance from a Gender Perspective

The right to a work-life balance has a particular impact on employment, as it significantly affects the organization of working time and incorporates formulas aimed at providing flexibility at work through a number of tools, such as family-related leave, leave on personal grounds, or adaptation and distribution of working hours. This leads to the development of new tools aimed at increasing flexibility at work. These tools have traditionally been used as a means to facilitate a work-life balance, or rather to adapt work to the company's production needs with the purpose of improving their productivity. This social and business practice is currently reinforced by European employment policies with their principle of 'flexicurity'.

But we must not lose sight of the importance of the right to a work-life balance, which aims at protecting workers against corporate organizational interests. This should displace the traditional discussion on the need to articulate fundamental rights and public freedoms under the employment contract (including potential shortcomings) towards the weighting of these rights. In this regard, the relevant case law of the Spanish Constitutional Court (hereinafter SCC) should be pointed out. The SCC establishes that the "measures aimed at facilitating employees' work-life balance, from the working women's right to non-discrimination on the basis of sex, to the mandate for the protection of family and children, must prevail and provide guidance to solve any potential issue of interpretation" (Judgment of SCC 3/2007 January 15).

The above idea is reinforced by EU legislation, which considers co-responsibility to be an appropriate instrument to achieve real and effective equality between women and men. In this line, the ECJ has ruled on important situations, such as the one contained in the judgment of the ECJ March 19, 2002 in Lommers, where the Court granted a father who was looking after his children on his own the same advantages in accessing subsidized child care traditionally granted to women as a positive action measure. Cases like this force a reinterpretation—from a gender perspective—of the Spanish constitutional principles of equality, non-discrimination and social, economic and legal protection of families—included in Articles 14 and 39 SC.

Work-life balance standards were integrated into the Spanish labor regulation through two main statutes: Act 39/1999 to promote employees' work-life balance and the Spanish LOI (Organic Law) 3/2007 on effective equality between women and men (hereinafter LOI). While acknowledging the shortcomings (especially of the former), these acts definitely set the grounds for a new model of commitment between women and men, aimed at achieving a balanced sharing of responsibilities in the professional and private spheres of life, well beyond the coherence of principles advocated in the Explanatory Memorandum and the precepts—not to mention the results—of these acts.

Both acts acknowledge subjective rights of a particular structure, where the legislation has sought a consistent balance between the organizational demands of companies and the legitimate aspirations of employees to enjoy a work-life balance. The exercise of this right is conditioned on specific circumstances of the company in question. In order to be consistent, this balance should also include the effects of rights of conciliation on the efficacy of the principle of equality and non-discrimination, as these rights are usually used as tools to ensure real equality between women and men at work and in employment.

In addition to the above considerations on rights aimed at achieving work-life balance with a descriptive and comprehensive purpose, it is worth remembering some of the peculiarities that distinguish these rights based both on their legal nature and on practical implementation. The focus will be on provisions of Article

37.5 of the Spanish Statute of Workers (hereinafter SW) on the reduction of working hours for taking care of children under eight—with a corresponding and proportional reduction of pay; and provisions of Article 34.8 SW on the adoption and distribution of working hours in favor of achieving work-life balance. The former has a universal and subjective nature. It represents a genuine recognition for both parents regardless of their gender, although such recognition is limited to the particular circumstances of the company. The latter has a universal nature too, although the right to work-life balance here will depend on the specific implementation established by collective bargaining or individual contract.

A number of factors have led to a broad interpretation by the SCC, which has provided guidelines for poorly operationalized and ineffective legal standards on the right to work-life balance (Montoya 2011). However, with regard to progressive case law guarantees of these rights, it is worth mentioning that there is a lack of solid criteria with which to interpret the principles of co-responsibility and work-life balance based on Article 44.1 LOI.

Regardless of the systematic nature of the article and the objections that might arise when transferring it to the Statute of Workers—via Additional Provision 11th LOI, this precept contains a clause that aims to legitimize a comprehensive set of measures and incorporates important elements. First, regarding the scope of implementation of the right to work-life balance, it states that the purpose and ultimate goal is to promote a balanced assumption of family responsibilities. Second, regarding the subjective nature of the right to work-life balance, it reinforces equal recognition to all workers regardless of their gender. And third, it establishes that the aforementioned teleological framework must respect the ultimate aim of preventing *any discrimination based on the exercise of such rights*.

Thus, Article 44.1 LOI becomes the regulatory and interpretive reference by which the SCC governs, therefore contemplating changes in working times in accord with a work-life balance, especially in cases where the object of debate lies in the measures established by Articles 34.8 and 37.5 SW. More specifically in the latter case, Judgments of the Spanish Constitutional Court (hereinafter JSCC) 3/2007 January 15 and 24 + 26/2011 March 14 are worth discussing.

JSCC 3/2007 is important because it incorporates relevant criteria, which will eventually integrate the content of the principle of equality between women and men; but above all, it is important because it will require balancing the interests at stake. This means that, on the one hand, it is worth analyzing the extent to which this resolution was necessary in terms of constitutional relevance to the institution it serves. On the other hand, it requires assessing the organizational difficulties that stem from its implementation in companies. However, limits on the exercise of the right to organize working hours based on legal guardianship will have to be justified according to the constitutional dimension of this right—that is to say based on the mandate for the protection of family and children (via Article 39 SC), or on working women's right of non-discrimination on the basis of sex (Article 14 SC).

Nonetheless, that case law was not applied in JSCC 24/2011 March 14, where the SCC denied protection and distinguished JSCC 3/2007 because the female employee in question did not ask the company for a reduction of working hours to take care of her daughter under Article 37.5 SW. However, because she was subject to rotating shifts, she requested to work only morning shifts so that she could take better care of her newborn baby.

Indeed, they are very similar yet different situations. It is worth stressing that the Spanish SW distinguishes between the following two cases: first, the possibility of requesting a reduction of working hours to take care of children with the corresponding and proportional reduction of pay, recognizing an enforceable right under Art. 37.5 SW (this was the second option chosen by the employee whose case was finally decided in JSCC 3/2007); and second, any other case requesting an adaptation of the length and distribution of the workday in order to accommodate the worker's specific needs to achieve work-life balance, which is enshrined in Article 34.8 SW.

The rationale for denying a violation of the right to non-discrimination on the basis of sex is simple and clear: unlike Article 37.5 SW, Article 34.8 SW conditions the intended changes in the workday—without reduction of working hours nor pay—to the existence of a collective or individual agreement. In other words, the legislation believed that the exercise of the right to adapt the workday was conditioned on collective bargaining agreements or interested parties' contracts (employer and employee), and without such agreements the reduction could not be exercised.

Returning to the main resolution which motivated this discussion, JSCC 26/2011 is strikingly different from its *sister* JSCC 24/2001, at least when it comes to facts. While both judgments contain identical cases, in the former the request was carried out by a woman who was a single parent, whereas in the latter it was a man, a father of two, who shared family responsibilities with his working wife. The main difference lies in the absence, in the former case, of the corresponding contractual support needed to make the right contained in Article 34.8 SW legally effective.

Putting aside any discrimination in the above facts, it is clear that the judicial solution in this case raises some questions—to say the least—about the meaning of work-life balance and standards of gender equality. The first case shows a literal interpretation of Article 34.8 SW, which subordinates the adaptation and distribution of the workday to what is established in the collective agreement, or, in the lack thereof, to the agreement reached between employer and employee, without taking into account the constitutional dimension the precept must obey. However, in the second case, the hour reduction given to the employee in his regular workday for legal guardianship was not interpreted by the SCC in terms of strict legality but rather by balancing the *constitutional dimension* of the measure, both from the perspective of the right to non-discrimination on the basis of sex, and the protection of family and children. Once the particular circumstances of the case were addressed, the employee was assigned a fixed shift and could choose to work on certain days of the week. Thus, the SCC took into account the importance of the right to a reduction in working hours for family reasons when it came to the effectiveness of the right to non-discrimination on the basis of sex (Cabeza and Fernández 2011).

Although Article 34.8 SW makes it clear that the employee does not exercise an absolute right to decide his work schedule, but rather is subject to what is established by the individual or collective agreement (unlike the right enjoyed by women victims of domestic violence), nevertheless it is questionable that, in the absence of such right, its exercise is denied. This is particularly undesirable when the situation itself involves a violation of the right to non-discrimination. An interpretation according to the constitutional dimension of the rights claimed should allow, in the absence of an individual—and obviously collective—agreement, for employees to go to court to resolve discrepancies. Consequently, the judge should weigh the particular circumstances under JSCC 3/2007 (Cordero Gordillo 2010).

2.2 The Legal Form of Gender-Based Discrimination

JSCC 26/2011 *paradigmatically* shows the SCC's power concerning the new dimension that co-responsibility policies incorporate—or should incorporate—into the Spanish legal system, especially regarding the integration of such policies into freedom of business organization. This is a highly sensitive area that demonstrates the mainstreaming of these principles and their effect, starting with recognition of the linkage between the employees' right to work-life balance and control over work schedule, since these rights involve more participation by employees in identifying and organizing their own workday.

The term 'paradigmatic' is used here in a negative sense, as the SCC replicates the same caution and doubts that the legislation incorporated in the regulations. The regulations are ambitious with respect to the principles inspired by the EU, but conservative in their standardization, a fact that has been criticized by EU jurisdiction. In other words, progress has been made yet some grey areas remain. Progress because there is an *implicit* recognition of the inevitable interplay between the sexist division of family roles and differential access to childcare leaves (Miñarro 2011).

Grey areas remain because case law on this subject is not solid. Instead, it limits the legal framework and can even jeopardize its legal significance considering that the rationale does not provide many guarantees. It is true that there has been a certain reluctance to recognize the right to work-life balance, in particular its constitutional significance, which is what justifies its preferential protection against corporate organizational interests. Such reluctance is evident in the strongly conditional legal drafting and the restrictive interpretation by Spanish social jurisdiction.

There is no doubt that, in order for the constitutional dimension of articles to protect the particular circumstances, the latter must adhere to the area of discrimination, which in turn must be related to gender. The integration of a gender equality perspective involves a reformulation of the classic tension between the formal and material meaning of the mandate on equality and the prohibition of sex-based discrimination. It is worth mentioning that sex, like any other ground established in Article 14 SC, does not *per se* constitute an objective reason for legal standards to provide differential treatment (JSCC 7/1983 December 21). Instead, subjective elements are needed, that is, *de facto* differences between women and men sufficient to justify legal intervention that is not aimed at overprotecting women, but at balancing the material inequalities between individuals, based on their gender and in the workplace.

Thus, the egalitarian principle is affected not only when legal standards ignore women who are pursuing their rights, but also when rights are granted to women in order to place them in a advantageous position in relation to achieving work-life balance, thus reinforcing the *discriminatory* linkage between women and family burdens. Indeed, the legal principle in these cases is real—*or material*—equality between women and men, which is conditioned by gender norms and materialized in an allocation of household and family responsibilities differentiated by gender.

Furthermore, the complaint is reinforced because, although the aforementioned judgment advances the integration of a gender perspective, i.e., along the line of facts, it undermines and weakens its integration by assigning it to personal circumstances as a discriminatory factor, to the point that it can even jeopardize future case law on the subject. This is certainly a weak argument that shows a clear contemporary trend, aimed at reducing discrimination on the basis of sex (Cabeza and Fernández 2011) and gender.

Personal circumstances as a discriminatory factor do not meet the constitutional definition of bases for discrimination. This is because, although it does not need to be listed among the prohibited discrimination bases in Article 14 SC, it does need to respond to the basic premise defining discriminatory reasons: the collective nature of the social group that is the object of historically rooted differences, placing individuals who belong to that group in a disadvantaged position, as well as in a position openly contrary to human dignity under Article 10.1 SC. This is clearly not the case with regards to fatherhood.

The problem arises from the difficulty of the court to redirect this situation from a perspective of sex-based discrimination, as the subject of discrimination in this case is not a woman but a man, thus breaking the connection between belonging to a socially excluded group and differential treatment. By not being able to assess the violation of a third party's right, indirect discrimination on the basis of the sex of the worker's spouse is excluded. Indeed, this rationale could have involved controversial and contentious arguments, considering the classic difficulties in proving discriminatory behavior and the essential factor needed for granting protection against such behavior. This is because the acts of discrimination usually present multiple nuances that are often hidden under the guise of legality.

The idea that the refusal to recognize the right to work-life balance of a father-employee favors the perpetuation of difference between mothers and fathers in family roles (which involves indirect discrimination against women based on their gender), distorts the discrimination since here the subject of discrimination is the man, not because of his sex, but because of the break with socially established gender norms. The discrimination in this case is the refusal to grant him leave for taking care of his children, a fact that is completely disconnected from whether or not this man is married or what sex his partner is.

However, should the case be considered as a gender-based discrimination, the rationale would have been much stronger. As a consequence, the corporate refusal to recognize the right to work-life balance demanded by this employee should have been considered as gender-based discrimination, given that the anti-discrimination dimension of work-life balance standards is subjectively possessed by male and female employees.

In this way the Spanish Constitutional Court refuses to carry out a significant shift in perspective. This change would have been really important, with a major impact on a society that is demanding the displacement of traditional family roles. Moreover, an alternative view could have been contemplated: conceiving family responsibilities as a right rather than as a burden, and placing the legal issue in its proper terms. In short, the new Spanish constitutional case law should start by recognizing the constitutional importance of the principle of gender equality and by considering co-responsibility as an inspiring principle for a new set of policies on equal opportunities, aimed at achieving real equality and weakening social gender norms that create discriminatory circumstances in Spanish society.

3 Prohibition of Gender Identity Discrimination

3.1 General Aspects

Before analyzing the development of this legal anti-discrimination tool, it is worth referring to its historical background. Spain is in debt to the victims of the darkest period of its recent past. The Spanish fascist dictatorship represented a deep black mark in which discrimination against women was standardized together with repression of homosexual and transgender people, through two legal standards that were particularly terrifying: the Vagrancy Act and the Dangerousness and Social Rehabilitation Act, which were an outrage and showed the extent to which human brutality can be imposed on the most basic ideas of social justice: forced internments, assassinations, torture or "re-education" in the values of the regime. Today's society has failed to compensate dignity of these persons for this collective sense of shame.

This dark past ties in with the current parliamentary gridlock in which Parliament finds itself regarding the Equal Treatment and Non-Discrimination Act (LITND in Spanish) by the Spanish right-wing party. The bill aims to establish a minimum regulatory framework to contain fundamental definitions of Spanish anti-discrimination law, while it harbors basic anti-discrimination guarantees. Moreover, the difficulty in fighting discrimination today is not so much in recognizing the problem but in the real and effective protection of the victims.

In this way, protection against discrimination would involve a proactive dimension aimed at removing the real obstacles to effective equality and non-discrimination. Yet the integration and recognition of diversity in Spain has encountered fierce political opposition. Again, equality and non-discrimination policies have faced resistance from the conservative direction, which seeks to draw an unrealistic picture of the country around undemocratic values.

However, we must ask ourselves whether this act is necessary in a country like Spain in the twenty-first century, whether the current anti-discrimination mechanisms are really insufficient and whether inequality and discrimination are social problems or instead are the result of the lack (or ineffectiveness) of current legal standards.

To answer these questions, first we must address the right to equality and non-discrimination not merely as an issue affecting minorities, which needs to be recognized and protected through specific actions, but rather as a whole set of necessary actions towards change in the collective subjective, so that the social body may naturally reject social inequality and derogatory treatment. Therefore it is necessary to strengthen comprehensive legal standards that seek to prevent and eradicate any form of discrimination as well as seek to protect victims. This is achieved by combining a preventive approach with a restorative one.

Consistently, protection of the right to equal treatment and non-discrimination should establish a set of procedures to effectively provide protection, through a system of reasonable and proportional offenses and penalties to compensate victims of discrimination. This area sheds light on the weaknesses of the Spanish anti-discrimination system, which does not protect in the same way in every case, since it depends on the type of discrimination in question.

The aforementioned aborted government bill contained a reinforced protection against discrimination on the basis of gender identity, thus incorporating gender identity as a basis for prohibited discrimination for the first time in the Spanish legal system.

The implications are enormous, as it prohibits discrimination against transgender people in all spheres of political, economic, cultural and social life, and particularly in employment, education, health, social services, access to goods and services, including housing, social or political participation, and the media; thus establishing a set of obligations that unconditionally bind public authorities. In other words, it opens the door to positive action in favor of historically discriminated groups, without necessarily shielding behaviors that violate equal treatment, either directly or indirectly.

3.2 Prohibition of Discrimination on the Basis of Sexual Identity in Spain

The Spanish Parliament is deadlocked regarding this important act; however, this should not overshadow the important progress made toward equality of opportunities in this country. Spain has taken bold and advanced measures that have made it a benchmark country in the field of gender equality. Some of these acts are as follows: LOI (Organic Law) 1/2007 on comprehensive protection measures against gender-based violence, Act 2/2010 on sexual and reproductive health and voluntary interruption of pregnancy, Act 15/2005 July 8, which amended the Spanish Civil Code and the Code of Civil Procedure concerning separation and divorce, and the aforementioned LOI 3/2007 on effective equality between women and men.

In the same vein, Act 13/2005 July 1 amended the Civil Code concerning the right to marry—allowing marriage between people of the same sex—and Act 3/2007 March 15 regulated the Registry note rectification regarding sex, allowing for the correction of sex in the Civil Registry in order to match sexual identity. While these were important steps towards achieving legal equality and eliminating certain areas of sexual orientation or identity, discrimination, there are a number of reasons why they are insufficient: First, because Spain lacks an explicit regulatory prohibition of discrimination based on sexual orientation and sexual identity. LITND was meant to be the first act in Spain to include both forms of discrimination among the prohibited bases of discrimination. Second, this legal gap has not been sufficiently bridged by case law from the Spanish Constitutional Court, as was the case regarding protection against gender discrimination. Third, there is still significant political and social resistance preventing non-discriminatory treatment of these social groups.

Indeed, the lack of a prohibition on discrimination based on sexual orientation has important practical implications. On the one hand, there are implications resulting from its objective and subjective realization, which is the logical consequence of the lack of a legal definition of sex and thus sexual identity. On the other hand, instruments that aim to protect different but similar situations—such as discrimination based on sex or sexual orientation—are needed, in order to define the framework of protection for this prohibition.

3.2.1 Scope of Application

It is difficult to establish a legal definition of discrimination based on sexual identity, especially because—as it has been highlighted throughout the text—Spain lacks a regulatory text that consistently and comprehensively defines sex, and thus sexual identity. There is no such text in the Spanish legal system or in international law. Therefore, the instruments used to combat this type of discrimination mainly derive from a variety of case law, which does not always include the nature of the prosecuted facts.

From the perspective of this paper, discrimination based on sexual identity takes place when a person suffers a differentiated, derogatory and unfair treatment due to the expression of a feeling of sexual belonging that does not match their socially assigned sex, and he or she acts accordingly. From the perspective of case law, some powerful differences can be noted, which can help define the specific area of protection to be applied.

Here it is worth highlighting judgment of the ECJ on April 30, 1996, *P. c. S. and Cornwall County Council*, where the dismissal of a transsexual employee who had begun her sex change procedure was ruled discriminatory. The case dealt with a set of definitions of sex and sexual identity as a feeling of belonging that was not technically elaborated—a fact that has received criticism (Peral 2000)—, yet laid the foundation for Europe to recognize this form of discrimination.

This judgment is interesting because it draws a parallel between discrimination based on sexual identity and differentiated, derogatory and unfair treatment suffered by people who, albeit physically belonging to one sex, feel they belong to the other, and therefore pursue a consistent, unambiguous identity either through medical treatment or surgery aimed at adapting their physical characteristics to their psychology.

This is a quagmire, particularly given the differentiation between transsexuality, transgender, gender non-conformity and gender dysphoria (WPATH 2011). This can involve a decrease in anti-discriminatory protection, by focusing on cases where there has been a somatic transition due to a hormonal treatment and/or sex reassignment surgery. While it is true that this judgment is not new, and was intended to respond to a particular instance and not to create a general anti-discrimination framework for sexual identity, it is also true that its subjective scope is limited, because it identifies the protected social group only as post-operative transsexuals (In Spanish the term 'transsexual' is broadly used without making a distinction between pre- or post-operative status, whereas this distinction is relevant in English). In any case, its importance lies in applying anti-discrimination policies to any action that aims to socially penalize a person—through a disciplinary dismissal in this case—motivated by his or her sexual identity.

In another vein, case law has consolidated around a definition of sex that tends to overcome purely biological conceptions in order to place it in the psychosocial field, as established by the European Court of Human Rights in judgments of July 11 2002 in *Christine Goodwin v. the United Kingdom* and *I. vs. UK*. These judgments recognize the full legal consequences of sex change, which is certainly important, although it has not been easy (European Court of Human Rights, judgments in *Van Oosterwijc v. Belgium* and *Rees v. UK).*

In Spain, Act 15/2005 recognizes the transsexual status of a person without having to undergo all the necessary sex change steps and, in particular, without having to undergo sex reassignment surgery. Therefore it is enough for a person to provide a medical or clinical psychologist's report stating that he or she has been diagnosed with gender dysphoria and medically treated for at least 2 years, in order to accommodate their physical characteristics to the corresponding claimed sex.

However, although the legal recognition of sex change is relevant, it is not the object of the present study, which now turns to SCC judgment 176/2008 December 22. Here the Court had to decide whether changing a transsexual person's visitation rights to see his son when he was legally separated and in the process of reassigning his sex was discriminatory. The Court held that there was no discrimination in the denial of visitation motivated by the father's transsexuality, since the right to visitation is a child's right, not the parents', and this situation represented potential psychological harm to the child in question. The issue is complex, and the conclusion is questionable. In any case, this has been the first statement—and so far the only one—to analyze discrimination based on sexual identity.

Beyond the casuistry, the SCC missed a great opportunity to legally define discrimination based on sexual identity as a protected basis under of Article 14 of the Spanish Constitution.

3.2.2 Normative Instruments for Protection

Since there is little evidence of an explicit recognition of discrimination based on sexual identity, those instances where such recognition was possible—both in national and EU case law—were made possible by anti-discrimination instruments. In many ways, the prohibition of discrimination on the basis of sex has opened a door to the recognition of this discriminatory behavior. Knowledge of the legal and judicial solutions given to cases of sexual identity discrimination will certainly be useful. Similarly, it is worth highlighting the settled case law, both internationally as well as from the Spanish Constitutional Court, on the prohibition of discrimination based on sexual orientation (JSCC 41/2006 February 13, 2006) as a similar legal situation, although not an identical one.

As shown above, judgment of the ECJ on April 30, 1996, *P. c. S. and Cornwall County Council*, discussed the legality of a dismissal that was questioned in light of Council Directive 76/207/EEC February 9, 1976 on implementation of the principle of equal treatment between men and women in access to employment, vocational training and promotion, and working conditions.

An overhaul of the hateful mindset and motives behind discrimination is required, in order to specifically address sexual identity. This adaptation should be gradually achieved. In this regard, UN Resolution 17/19 was the first UN resolution on human rights, sexual orientation, and gender identity. The approval of the resolution paved the way for the first official report of the United Nations on the subject, elaborated by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and entitled Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity, together with the report, We are born free and equal: sexual orientation and gender identity in international human rights standards, which claimed to be the foundation on which specific international standards should be based.

The absence of this foundation in primary EU law particularly stands out. The Charter of Fundamental Rights of the European Union—Art. 21—includes sexual orientation as a hateful cause of discrimination; and the Treaty on the Functioning of the European Union—Art. 19—addresses the fight against discrimination because of sexual orientation, among others. But the prohibition of discrimination on the basis of sexual identity is missed.

From the perspective of Spanish law it should be noted that, while discrimination because of sexual orientation is not explicitly mentioned in Art. 14 SC as one of the specific instances in which discriminatory treatment is prohibited, it can undoubtedly be considered a circumstance per the clause "any other condition or personal or social circumstance" to which the prohibition of discrimination refers.

The conclusion is twofold: (1) transsexuality has proven to be a historically rooted difference along with the other instances mentioned in Art. 14 SC. Given the deeply rooted prejudice against this group of people, transsexuals are therefore at a disadvantage (through the action of public authorities as well as social practice) and that disadvantage is contrary to human dignity as acknowledged in Art. 10.1 SC. (2) the examination of ex Art. 10.2 SC (JSCC 176/2008) serves as an interpretative source of Art. 14 SC.

3.3 Prohibition of Discrimination on the Basis of Gender Identity

While progress has been limited at the national level, it is worth highlighting the progress made by Spanish Autonomous Regions in using their legislative powers to significantly advance the protection of these issues. This paper is proud to pinpoint the Act of his Autonomous Region of Andalusia, among others: Act 2/2014 on non-discrimination on the basis of gender identity and recognition of the rights of transsexual people in Andalusia. Likewise, the Transsexualism and Gender Identity Unit of Malaga (where this research is based) is a pioneer in Spain by showing the legislative progress made in this area.

Protective acts are beginning to spread, via autonomous regions, as shown in the following examples: Act 8/2014 on non-discrimination based on gender identity and recognition of the rights of transsexual people in the Canary Islands; Act 11/2014 to guarantee the rights of lesbian, gay, bisexual, transgender and intersex people and to eradicate homophobia, biphobia and transphobia in Catalonia; Regional Act 12/2009 on non-discrimination on the basis of gender identity and recognition of the rights of transsexual people in Navarra; and Act 2/2014 on equal treatment and non-discrimination against lesbian, gay, transsexual, bisexual and intersex people in Galicia.

The importance of these acts stems from two key issues: first, they represent a genuine legal recognition of freedom of self-determination of gender of each person as a fundamental human right. The recognition of gender identity as a subjective individual right breaks with traditional views of sex changes as a psychological disorder about individual recognition of one's own sexuality. The new regulatory framework aims to guarantee the right to gender self-determination of people who express a different gender identity from their assigned sex at birth. Therefore, it aims to protect individuals' right to freely enjoy their own sexuality.

Consistently, the concept of gender identity refers to the internal and individual experience of gender as each individual deeply feels it, including a personal sense of the body, of dress, of speech, and manners. Gender identity is usually accompanied by the desire to live and receive acceptance as a member of that gender, or the inexorable desire to modify one's body, by hormonal, surgical or any other methods, to make it consistent with the felt sex-gender.

Second, there is a trend to depathologize transsexuality, in line with the Yogyakarta Principles (Yogyakarta Principles 2006) on the application of international human rights legislation on sexual orientation and gender identity. Principle no. 18 addresses protection against medical abuses and establishes that, "notwithstanding any classification to the contrary, a person's sexual orientation and gender identity are not, in and of themselves, medical conditions and are not to be treated, cured or suppressed".

This trend was reinforced by the European Parliament Resolution of December 12, 2012 on the situation of fundamental rights in the European Union (2010–2011). General Recommendation no. 98 complains "that several Member States still consider transsexuals as mentally ill" and "urges Member States to introduce procedures for the legal recognition of gender, according to the Argentinean model, and to revise the established conditions for the legal recognition of gender (including forced sterilisation)", while it calls on the European Commission and the World Health Organization "to abolish gender identity disorders from the list of mental and behavioral disorders, and ensure a reclassification of such disorders as non-pathological disorders."

The preceding regulatory texts must be seen as pioneers in Spanish law as they represent a major step in shaping non-discrimination based on gender identity. Not only because they establish the material basis for protection against discriminatory treatment by recognizing self-determination of sexual and gender identity, but also because they definitely question a normative model of sexuality and give individuals freedom to enjoy and develop their own sexuality as the most intimate expression of their personality.

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Transgender Rights in Canada: Legal, Medical and Labour Union Activities

Gerald Hunt and Michael Pelz

1 Introduction

In recent years, Canada has been at the forefront of global efforts to advance human rights for lesbian, gay and bisexual (LGB) persons. In 2005, Canada became the first country in the Western hemisphere, and fourth in the world, to legalize marriage equality nation-wide. Significant anti-discrimination provisions exist in numerous pieces of legislation that protect LGB-identified persons. There is also a growing movement to improve inclusion for lesbians, gays and bisexuals in a variety of public spheres, including in schools through the development of gay-straight alliances, and athletics through such things as partnerships between the national LGBT human rights association (Egale) and the Canadian Olympic Committee (Egale 2011).

Inclusive protections for transgender persons however, have lagged behind those for the LGB community. Even now, there are no explicit protections for transgender persons in the Canadian *Human Rights Act* or the *Canadian Charter of Rights and Freedoms*. Considerable evidence suggests that this is a group of people in need of human rights interventions; only recently have the legal, medical, psychological, and workplace issues that are particular to the transgender community moved closer to the political and social spotlight (Hines 2013; Egale 2011; Nameste 2011).

Transgender is a term used to describe people who do not conform to a narrow conception of gender identity or gender expression based on their birth assigned sex (OHRC 2014). It encompasses people who challenge "norms" about appropriate

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dress, cosmetics, and behaviour. Gender identity, in particular, refers to a person's sense of their own gender along the male–female spectrum. Gender expression, in contrast, refers to the way in which a person publicly presents their gender in terms of such things as hairstyle and voice. As a result, transgender refers to people who have transitioned from their assigned birth sex (trans woman—male-to-female; trans man—female to male), often with surgical and hormonal interventions, as well as those who maintain their biological sex, but express themselves in gender non-conforming and variant ways (OHRC 2014). Historically, transgender people have experienced very high levels of overt discrimination ranging from taunts and name-calling, to rape and murder (Paisley et al. 2006; Bender-Baird 2011; Zabus and David 2014; Hines 2013; Connell 2010; Budge et al. 2010). In many instances, this group has been denied equal access to housing and employment opportunities. In one large sample of Canadian students, trans-identified youth reported the highest levels of verbal and physical harassment, of any group (Egale 2011). A 2011 survey of 433 trans-identified adults in Ontario, found only 37 % of respondents were employed full-time, and 15 % part-time, and 20 % indicated they were unemployed. The median income for the group was $15,000. Thirty-two percent thought their gender had influenced hiring decisions, and 18 % indicated they were certain they had been turned down for a job because of their gender (Trans Pulse 2011). Consequently, transgender people are thought to be one of the most economically marginalized populations in the country.

In this paper we assess the current legal situation for transgender individuals. We find that most Canadian provinces have anti-discrimination protections in place for this group, but progress continues to lag at the federal level. Even though broad legal protections for sexual and gender minorities are well established in Canada, what this actually means for transgender people is harder to ascertain. On the one hand, it is clear that denying a transgender person equal access to housing or employment would contravene the human rights code of most jurisdictions, and if proved, penalties would ensue. At the same time, it is not clear what steps organizations must take to ensure there is no discrimination once a transgender person is hired, or when an employee initiates a gender transitioning process.

In Canada, each province is responsible for managing its own healthcare system within a framework of universal coverage, and gaps exist between what is covered in one province but not in another. As a result, we also assess the degree to which the various provincial healthcare systems cover, or do not cover, the medical and psychological needs of transgender people, especially in relation to the costs incurred in gender transitioning (assessment availability, transportation costs to specialized centers, and hormone/surgical interventions). We find there is considerable variation and gaps in the level of coverage across jurisdictions, including some provinces that offer exceptionally limited coverage, or no coverage at all. This creates openings for employers to pick up the slack through work-based supplementary healthcare insurance schemes, and for labour unions to negotiate such coverage in collective agreement language. Accordingly, we also consider the actions unions have taken in terms of policy recognition and collective bargaining on issues related to transgender people. Here, we find several unions have taken good initial first steps, but that much more could be done by organized labour to represent this group.

2 Methodology

To determine the extent of legal coverage for transgendered people we reviewed the contents of the Federal and Provincial Human Rights Codes on-line, as well as reviewing relevant newspaper articles on gender identity and expression clauses within human rights legislation.

Determining the extent of medical coverage across the provinces proved to be more difficult. As a result, several search methods were used. First, a search was undertaken of each provincial healthcare website to determine what medical procedures are covered, and what costs are left to individuals, such as transportation to an approved facility for assessment and surgical procedures. This was followed-up by a review of the web site of transgender activist groups where we found summaries of the extent and type of medical services available in each jurisdiction. This information was supplemented in several cases when information seemed unclear or contradictory, by telephone or email contact with provincial health officials.

One of the earliest and more assertive supporters of lesbian and gay rights in Canada was labour unions (Hunt and Eaton 2007). It is therefore reasonable to imagine that unions have also taken steps to protect and accommodate a broader range of sexual minorities, including transgender people. To determine the extent to which labour unions have engaged with transgender issues, we undertook a multi-pronged investigation. First, we examined the non-discrimination policy of the seven largest unions in the country which as a group represent about 75 % of unionized workers, to see if gender identity or gender expression was specifically mentioned in the constitution. We also sought more details about what, if any, additional initiatives these unions had taken such as educational programs and publications or brochures designed to inform members about transgender rights, as well as to see if these unions were encouraging their locals to include transgender rights as specific bargaining demands. Next, we undertook a key word search of "Negotech," a Federal government on-line data bank of collective agreements in Canada, searching for the inclusion of gender identity and/or gender expression in collective agreement language. Our next step was to uncover the inclusion of transgender health coverage in the collective agreements in a selected group of unions. We also reviewed a number of collective agreements representing Federal government workers, many of which are currently in the bargaining stages. In a number of cases, the information obtained from collective agreements was supplemented by conversations with union officials to clarify actual coverage in a supplementary medical plan if this was not clear.

3 Findings

In this section, we outline our findings relative to the legal situation for transgender persons in Canada. This is followed by a summary of the availability of sex reassignment surgery under the various provincial healthcare plans. We enlarge this analysis to include more specific information about what actual coverage means in terms of access to services and out of pocket expenses since most provinces do not have the medical facilities available for reassignment surgery. We then examine how comprehensively selected labour unions have incorporated transgender issues into policy and collective bargaining strategies.

3.1 Legal Coverage

Table 1 summarizes the recognition of gender identity and gender expression in the Federal and Provincial Human Rights Codes in Canada. There are currently no explicit protections for transgender persons in the Canadian *Human Rights Act* or the Canadian *Charter of Rights and Freedoms*. Some efforts have been made to rectify this gap in legal protections. Bill C-279, a private-members bill originating from the opposition New Democratic Party, would amend the *Human Rights Act* and *Criminal Code* to include gender identity as a protected ground of discrimination. However, despite passing the House of Commons in March 2013, the bill has

Table 1 Recognition of gender identity and gender expression in federal, provincial, and territorial human rights codes

Jurisdiction	Gender identity	Gender expression	*Notes*
Canada	✗	✗	
Alberta	✓	✓	
British Columbia	✗	✗	Covered under "sex"
Manitoba	✓	✗	
New Brunswick	✗	✗	Covered under "sex"
Newfoundland and Labrador	✓	✓	
Nova Scotia	✓	✓	
Ontario	✓	✓	
Prince Edward Island	✓	✓	
Quebec	✗	✗	Covered under "sex"
Saskatchewan	✓	✗	
Northwest Territories	✓	✗	
Nunavut	✗	✗	
Yukon	✗	✗	Covered under "sex"

faced significant resistance and delays in the Senate. Additionally, a separate initiative to include gender identity in the *Criminal Code* through an anti-cyber-bullying bill also failed. It appears that such initiatives were low priority for the then governing Conservative Party, with many members of parliament questioning the merits of the legislation, despite support for the bill from the Canadian Human Rights Commission (which administers and receives complaints connected to the *Human Rights Act*). In March 2015, Conservative Senators passed an amendment that would limit the applicability of the bill in certain sex-segregated spaces, such as public washrooms or shelters. Conservative Senators argued the amendment was necessary to protect women, and other vulnerable groups from potential predators, such as biological males who could use the law to gain access to women's washrooms (King 2015). Transgender advocacy groups, as well as opposition Senators, argued these amendments would greatly limit the efficacy of the law by allowing transgender discrimination in a variety of public spaces (McGregeor 2015). The Senate and House of Commons were required to vote on the proposed amendments before the Bill could become law, however this failed to occur ahead of the fall 2015 election, ultimately killing the legislation. A more progressive Liberal government was elelcted in October 2015, and it has indicated more readiness to advance the trangender file.

Greater success has been achieved at the provincial and territorial levels of government. As outlined by Table 1, seven out of ten provinces and one out of three territories now include gender identity within their human rights legislation. In 2002, the Northwest Territories became the first jurisdiction in Canada to include gender identity as a prohibited ground of discrimination within its Human Rights Code. Since then, Ontario, Manitoba, Newfoundland and Labrador, Nova Scotia, Prince Edward Island, Saskatchewan, and most recently, Alberta, have added gender identity to their provincial human rights codes. Five provinces also include gender expression as a protected ground.

For many of these provinces, the stated rationale behind enumerating gender identity protections was to help clarify and raise awareness about the protections available to transgender persons. In Newfoundland and Labrador, for example, a policy brief accompanying the legislative change explained that it would help raise awareness of the unique challenges and forms of discrimination facing transgender persons within the province (Government of Newfoundland and Labrador, News Release 2013). In Manitoba, the government has argued including gender identity within human rights legislation will provide the Manitoba Human Rights Commission additional tools to combat transgender discrimination (Canadian Civil Liberties Association 2012). Alberta has gone beyond the inclusion of gender identity and gender expression within its *Human Rights Act*. The province now mandates that gay-straight alliances, which often serve as important safe-spaces for transgender students, must be allowed in any school where they are requested. In the provinces that lack explicit protections on the basis of gender identity or expression, provincial human rights commissions have indicated they will accept cases involving gender identity under the ground of "sex."

3.2 Medical Coverage

One of our goals was to examine whether the increased number of Canadian jurisdictions including explicit gender identity protections has led to any meaningful and tangible outcomes for the day-to-day lives of transgender Canadians. As mentioned earlier, we chose to examine the availability of sex reassignment surgery in Canada (SRS). For many transgender persons, SRS is a medically necessary component of living as their preferred gender. In their latest guidelines, the World Professional Association for Transgender Health (WPATH) explains that for many transgender persons "…relief from gender dysphoria cannot be achieved without modification of their primary and/or secondary sex characteristics to establish greater congruence with their gender identity" (WPATH 2012, p. 54). SRS can also help patients feel more "at ease" in their day-to-day lives, while WPATH finds that SRS has numerous positive postoperative outcomes, such as improved subjective well-being and sexual function (ibid., p. 55).

However, despite the medical importance of SRS, the procedures have often been restricted across Canada. In 2009, Alberta and Manitoba offered no public coverage of SRS, while Ontario de-listed the procedures between 1988 and 2009. Nova Scotia also briefly threatened to stop funding SRS in 2013. Many other provinces determined whether they would provide public coverage of SRS on a limited case-by-case basis. In 2014, we find that SRS coverage has expanded, as eight out of ten provinces now have official programs for SRS coverage, up from only five in 2009. Only New Brunswick and Prince Edward Island do not provide any SRS coverage. We have excluded the three territories from this analysis, given the limited data, and that most decisions on SRS appear to be made on a case-by-case basis (personal correspondence with authors).

Despite the larger number of provinces now having official SRS programs, Table 2 offers a rather misleading picture, as the provinces vary significantly in the ease in which clients seeking SRS can actually acquire publicly funded treatment. Indeed, the provincially mandated requirements necessary to gain SRS, and the costs borne by the patients vary significantly by jurisdiction. In Table 3, we

Table 2 Availability of sex reassignment surgery in Canadian Provinces

Jurisdiction	2009	2014
Alberta	✗	✓
British Columbia	✔	✓
Manitoba	✗	✓
New Brunswick	✗	✗
Newfoundland and Labrador	✗	✓
Nova Scotia	✓[a]	✓
Prince Edward Island	✗	✗
Ontario	✓	✓
Saskatchewan	✓	✓
Quebec	✓	✓

[a] Nova Scotia briefly attempted to de-list SRS in 2013

Table 3 What does coverage mean? Access to services and initial diagnosis

Province	Ranking
Quebec	5
British Columbia	4
Alberta	3
Manitoba	3
Nova Scotia	3
Ontario	2
Newfoundland and Labrador	1
Saskatchewan	1
New Brunswick	0
Prince Edward Island	0
Ranking scale	
5—Decentralized assessment requirements, most procedures performed within province	
4—Partially-centralized assessment requirements, aided by high degree of publicly available information and shorter wait times	
3—Decentralized assessment requirements, mitigated by few physicians specializing in transgender health within province	
2—Centralized assessment requirements with long wait times	
1—Requires out of province travel for assessment prior to government approval	
0—No coverage	

begin unpacking the requirements necessary to be approved for SRS procedures. Provinces are ranked from least restrictive to most restrictive.

Of the provinces that do provide SRS coverage, Saskatchewan, as well as Newfoundland and Labrador receive the lowest rankings, as both provinces require patients to travel to Toronto to attend the Centre for Addictions and Mental Health (CAMH), a specialized gender identity clinic, before surgery can be approved. This is a significant obstacle to coverage, as the clinic is known to have wait-times as long as 1-year before a patient can be seen. Ontario is ranked at two, since it requires all presumptive SRS patients to be seen at CAMH before the government will consider funding, which given the long wait times, creates a significant bottleneck in the system. Moreover, for many patients outside of the Toronto area, significant travel will be necessary to attend the clinic. Next up are Alberta, Manitoba, and Nova Scotia, all of which offer a decentralized initial assessment. In practice, these provinces require two physicians knowledgeable about transgender health working within the patient's province of residence to jointly recommend SRS directly to the government. This eliminates potentially long wait times at specialized government-approved clinics. However, the more decentralized system may be less useful in reality if there are only a few physicians within each of these provinces available to treat transgender clients. For example, a provincial report compiled for Canadian Professional Association for Transgender Health (CPATH) notes only three psychiatrists routinely see transgender patients in Alberta (CPATH 2012).

While admittedly a subjective distinction, British Columbia is ranked as having better initial access to services than Manitoba, Nova Scotia and Alberta, despite maintaining a partially centralized assessment system. In part, this stems from greater flexibility than Ontario's centralized system, as some procedures only require one government-approved assessor to sign off on surgery (BC Ministry of Health). In addition, patients are not required to attend a specialized clinic, as is the practice in Ontario. Lastly, unlike the provinces awarded a three, information about SRS procedures is widely available, and there is an extensive transgender healthcare program run through Vancouver Coastal Health. Quebec is ranked as having the least restrictive requirements, as patients are only required to provide a letter from two physicians within the province, and according to CPATH there are a good number of physicians working with the transgender community in the province (CPATH 2012).

In Table 4, we outline the out of pocket expenses that patients seeking SRS are expected to cover. As in Table 3, New Brunswick and Prince Edward Island are ranked at zero as they do not provide any official coverage for SRS. Newfoundland and Labrador, as well as Saskatchewan require patients to travel to Toronto for assessment at CAMH, which leads to significant upfront costs for patients. In British Columbia, while the initial assessments can occur within province, the BC Medical Services Plan (MSP) will not cover transport or accommodation for surgeries performed out of province (many of which take place in Quebec). Alberta

Table 4 What does coverage mean? Out of pocket expenses for patients

Province	Ranking
Quebec	5
Nova Scotia	4
Alberta	3
Ontario	3
Manitoba	3
British Columbia	2
Newfoundland and Labrador	1
Saskatchewan	1
New Brunswick	0
Prince Edward Island	0
Ranking scale	
5—Within province initial assessment, most procedures performed within province	
4—Within province initial assessment, province covers airfare and some accommodation costs for out of province procedures	
3—Within province initial assessment, province covers only airfare/transport costs for out of province procedures	
2—Within province initial assessment, patients must pay travel costs for procedures out of province procedures	
1—Patients are required to travel out of province for initial assessment, many procedures occur out of province	
0—No coverage	

and Ontario, by contrast, do provide some travel costs for out-of-province surgeries, while Nova Scotia provides limited accommodation assistance in addition to airfare. Lastly, by virtue of many procedures occurring within province, Quebec ranks as the least expensive for patients seeking SRS within the country. These findings, though limited in scope and using at times subjective rankings, do clearly highlight that SRS coverage varies significantly across the country.

3.3 Labour Union Engagement

Our third area of investigation was to consider how the labour movement has responded to transgender issues by way of non-discrimination policies and incorporation of transgender issues into their representational strategies. The only other study we know of that has looked at this issue was undertaken by Eaton (2004). Our work builds on his findings, and suggests that unions are only now moving towards implementing more progressive policies towards transgender persons in collective bargaining. As Hunt and Eaton (2007) explain, the inclusion of non-discrimination grounds within collective agreements is important "...because they provide workers with a local grievance mechanism, making redress quicker than through human rights appeals; [and] they also provide an affirming statement to broader union membership" (Hunt and Eaton 2007, p. 138). As will be shown below, many collective agreements lag behind recently changed provincial human rights codes, and while most agreements include sexual orientation as a protected ground, a far smaller number include gender identity or gender expression. On a more positive note, in some cases unions have moved to include gender identity in their collective agreements in absence of provincial or territorial requirements to do so, such as in British Columbia and the Yukon. While tentative, this suggests that some Union locals are increasingly aligning their bargaining goals with jurisdictions that do explicitly prohibit gender identity discrimination (as well as implementing union policies from national headquarters).

Indeed, in recent years several major Canadian unions have started to develop specific policies at the headquarters level, to combat discrimination on the basis of gender identity and expression. As outlined by Table 5, nearly all of the larger Canadian unions now include specific policies and guidelines for improving inclusion for transgender workers. For example, UNIFOR, the largest private sector union in the country, recently published a set of guidelines for how best to address and support workers in transition (UNIFOR, *Workers in Transition: A Practical Guide for Union Representatives*). The guidelines also call for the inclusion of gender identity in anti-discrimination clauses, and for medical coverage, and leave, for patients seeking SRS. The large public sector union, PSAC, also includes the addition of gender identity in anti-discrimination clauses as a specific bargaining demand.

Yet, the translation of union policies supportive of transgender rights into specific language within collective agreements is still a work in progress at the

Table 5 Transgender human rights: union engagement

	CLC	UNIFOR	PSAC	CUPE	CUPW	USW	TU
Gender Identity in Human Rights Policy	✔	✔	✔	✔	✔	✔	
Transgender policy paper or resolution adopted	✔	✔	✔	✔	✔	✔	
At least one collective agreement with non-discrimination covering gender identity	✔	✔	✔	✔	✔		✔
Inclusion of gender identity/ expression in anti-discrimination provisions as bargaining demand	✔	✔	✔	✔	✔	✔	
Inclusion of SRS paid leave as bargaining demand	✔	✔		✔	✔		
Supplementary health plan coverage for SRS procedures not covered by province, and other transition-related expenses	✔	✔		✔			
Transgender awareness and education initiatives	✔	✔	✔	✔	✔	✔	✔

Abbreviations: *CLC* Canadian Labour Congress; *UNIFOR* Union for Canada; replacing Canadian Auto Workers Union AND Communication, Energy and Paperworkers Union of Canada; *PSAC* Public Service Alliance of Canada; *CUPE* Canadian Union of Public Employees; *CUPW* Canadian Union of Postal Workers; *USW* United Steel Workers; *TU* International Brotherhood of Teamsters

Table 6 Current collective agreement containing "gender identity" or "gender expression" in Canada

Search term	No. of agreements
Gender identity	133
Gender identity and/or expression	43
Expanded anti-discrimination clauses	26

local level. A keyword search using the term "gender identity" in the Negotech database, which contains most collective agreements in Canada, revealed a growing number of collective agreements with references to gender identity. After accounting for agreements that had expired, a total of 133 current agreements have references to gender identity at least once within the agreement. In two current agreements, gender identity was not listed in anti-discrimination clauses, however references to this ground were found in specific transgender human rights policies. Forty-three agreements also contained references to gender expression. By contrast, a keyword search of "sexual orientation" in the same database returns over 2000 agreements (Table 6).

Table 7 delves into the collective agreements in greater detail by sector. The largest single group of collective agreements containing gender identity is for public sector employees, many represented by PSAC. Examples of the types of collective agreements represented in this category include government employees, housing authorities, as well as public transit workers. The second largest sample

Table 7 Collective agreements containing "gender identity" by sector

Sector	No. of agreements
Government/Public sector	65
Education/Universities	40
Private sector	26
Other	2
Total	133

Table 8 Gender identity in collective agreements by jurisdiction

Jurisdiction	No. of agreements
Ontario	53
Northwest Territories	18
Nunavut	15
British Columbia	11
Newfoundland and Labrador	9
Yukon	8
Quebec	5
Alberta	3
New Brunswick	3
Saskatchewan	3
Nova Scotia	2
Manitoba	1
Prince Edward Island	0

group emerged from the education sector, and involved agreements covering both academic and non-academic staff at many Canadian universities. Interestingly, universities appear to have frequently included gender identity in their collective agreements even when not required to by provincial rules (e.g., in Alberta prior to 2015, Saskatchewan prior to 2014 as well as New Brunswick). Private sector agreements were the third largest grouping, and included large agreements recently concluded for workers at GM and Chrysler Canada.

Table 8 provides a breakdown of collective agreements by jurisdiction. Ontario has the largest number of collective agreements containing gender identity or gender expression. This is an unsurprising finding given that it has the largest population in Canada, and was among the first provinces in Canada to include gender identity in its human rights code. Since the law was passed in 2012, a large number of agreements have come up for renewal, and now include gender identity and expression as a protected ground. More interesting, however, is the large number of agreements in Yukon and Nunavut containing explicit protections on the grounds of gender identity, despite the term not being included within their territorial human rights codes. This suggests that unions in these two territories have increasingly followed standards set by national headquarters and other jurisdictions that do explicitly prohibit gender identity discrimination. The large number of agreements from the Northwest Territory is indicative of the jurisdiction's early adoption of explicit gender identity protections in its territorial human rights legislation. Indeed, the Northwest Territories was the first in the country to include these provisions in 2002, and many agreements have come up for renewal since the law has been changed.

By comparison, many of the other jurisdictions have changed their laws only recently, including Alberta in 2015 and Saskatchewan in 2014, which suggest that many agreements will lag behind a growing national standard until such agreements come up for renewal. The case of Manitoba is interesting, as there is only one current collective agreement containing gender identity in the Negotech database. Given that the province passed gender identity protection shortly after Ontario, this highlights either a slow uptake of this provision into collective agreements, or that very few agreements have come up for renewal since the legislative change in 2012. The only sub-national jurisdiction without any agreements including references to gender identity or expression is Prince Edward Island. Currently, many of the Federal government collective agreements are up for renewal, and we were able to determine that the inclusion of gender identity anti-discrimination protections as a bargaining demand is present in at least 4 of 27 agreements being negotiated.

While our key word search of the Negotech database indicated a growing adoption of protections for gender identity and/or gender expression in collective agreements, far less progress has been made in references to paid SRS leave, or supplementary medical coverage. Only one agreement, from the University of Western Ontario, included specific language on sex reassignment surgery as a collective benefit. As a result, we decided to undertake an intensive content analysis of the health care plans negotiated by the largest universities in the Toronto area since the specific information about medical coverage for transgender persons would be unlikely to show up in the collective agreements. We selected universities for further study because of the frequency in their collective agreements of coverage for transgender protections (relative to other collective agreements under review), and because the researchers could reasonably gain access to the details of these collective benefits.

In Table 9, we list collective agreements from Toronto area universities. The universities were ranked according to the inclusivity of their gender identity anti-discrimination language, as well as the provision of SRS leave. York University ranks as having the most inclusive language, and also includes paid leave for teaching assistants undergoing SRS. In addition, and unique among collective agreements surveyed, this agreement has a transgender fund which provides recipients of SRS up to a maximum of $15,000 in financial assistance. The collective agreement representing teaching assistants at the University of Toronto also provides paid leave for SRS, although it does not provide any supplementary medical coverage. At present, collective agreements at Ryerson University do not provide for paid SRS leave or supplementary medical coverage. More broadly, our research indicates that no health plans provide additional supplementary coverage for SRS procedures within collective agreements. Given the significant gaps in provincial coverage, this can leave many lacking sufficient coverage to afford treatment.

Table 9 Transgender health coverage in collective agreements: Toronto area universities

Collective agreement	Gender identity inclusion scale	Paid SRS leave	Additional medical coverage beyond provincial coverage	Separate union funds/ support
York University (Cupe 3903—Teaching Assistants)	4	Yes	No	Yes
York University (Faculty Association)	4	No	No	No
University of Toronto (Cupe 3903—Teaching Assistants)	4	Yes	No	No
University of Toronto (Faculty Association—Professors)	2	No	No	No
Ryerson University (Teaching Assistants—CUPE 3904)	2	No	No	No
Ryerson University (Faculty Association)	2	No	No	No
Inclusion scale ranking				
4—References gender identity/gender expression, sex, sexual orientation, and other affirmative clauses (such as transition status)				
3—References gender identity/gender expression, sex, sexual orientation				
2—References sex and sexual orientation only				
1—References sex only				
0—No anti-discrimination references				

4 Conclusion

Over the last 20 years, Canada has developed one of the best records on gay, lesbian and bisexual rights in the world (Rayside 2008). It was an early adopter of inclusive human rights legislation and one of the first countries to enshrine same-sex marriage in law. However, our research indicates that Canada's record on extending rights to transgender citizens has been slower and is far from complete. Although most provinces and territories now have human rights protections for transgender persons, coverage for medical and psychological services vary widely across the country, highlighting a lack of national standards. For patients seeking SRS, even if surgeries are publicly funded, gaining the necessary government approvals often require onerous travel requirements, significant out of pocket expenses, and long wait-times. Moreover, in many instances, the final decision about what procedures to cover and what not is made on a case-by-case basis.

Clearly, there is considerable room for labour unions to improve the lot of transgender individuals. Our examination uncovers some movement toward the inclusion of transgender as a separate category in collective bargaining non-discrimination language, even if not legally required to by federal, provincial or territorial laws. However, many agreements continue to lag behind provincial or territorial rules requiring explicit protection on the grounds of gender identity. Moreover, in only a very small number of cases are there specific provisions for the types of benefits that are unique to transgender persons such as paid leaves and topping-up of the costs associated with sex reassignment. Our investigation reveals little evidence that unions are negotiating additional medical or psychological assistance beyond what is already available from the state.

This was a first look at the issues faced by transgender persons in Canada. It paves the way for more in depth assessment. It would, for example, be instructive to undertake a survey of what non-unionized organizations are doing in this regard, especially since the passage of non-discrimination legislation is quite recent. A content analysis of a larger sample of collective agreements, including the medical plans that have been negotiated, would also have the potential to yield valuable insights. Lastly, some of the initiatives undertaken by the York University collective agreement highlight what could be done by unions.

This study was limited to the Canadian situation. It would be of interest to compare these findings to other settings, especially countries with comparable records for lesbians and gays. This would allow speculation about whether a good record on gay and lesbian issues is likely to act as a predictor for a progressive response to the transgender community as well. Looking at the institutional response of labour unions to transgender issues is useful since labour positions itself as fighting for the equality and protections of all workers, and it is important to test this rhetoric. Comparing organized labour's response across several national jurisdictions would add an interesting comparative approach to the work we have completed in Canada.

This research was conceived as a first level investigation into transgender rights in Canada. We focused on the legal advances, medical coverage, and labour union interventions that have been achieved so far. One thing we uncovered is that the issue is a relatively new one for unions, and in a number of cases has been identified for action. As a result, progress in the area may be quite dramatic over the next few years as more and more collective agreements come forward for renewal.

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Visibility and the Workplace Experiences of Trans Persons in the United States

Todd Brower

1 Introduction

According to Weeks (1998), sexual citizenship encompasses enfranchisement, inclusion and belonging. However, in the workplace, lesbian, gay, bisexual and trans (LGBT) people often are excluded from the world of work—either explicitly when they are fired or not hired, or implicitly, when they are not promoted or otherwise marginalized in the workplace. These experiences are complicated because if LGBT persons remain silent, others assume that they are not gay or trans (Rich 1983). This assumption permits some sexual minorities to push their identity underground in order to evade the negative consequences of visibility. Nevertheless, this closeting or minimizing of identity does not resolve LGBT mistreatment; forced invisibility constitutes both a cause and a symptom of inequality (Schacter 1997) as the data presented here will demonstrate.

Although a significant literature exists on the workplace treatment of lesbians and gay men, the employment experiences of trans persons are less well studied. Drawing on data from a recent, wide-ranging study of discrimination in the United States against trans people, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (Grant et al. 2011),[1] this chapter asks if and how minority gender identity and its visibility or invisibility affects trans and

[1] The study and report by Grant et al. (2011) contains significant detail regarding employment discrimination and workplace mistreatment of trans and gender nonconforming persons. This chapter, however, concentrates on a subset of those data to facilitate a comparative discussion of the work experiences of trans persons and sexual orientation minorities along the axes of visibility of sexual orientation and gender identity. Persons interested in more detailed data on trans persons' workplace treatment are directed to the report itself. The author was not an author of that study and report, although he has written extensively on LGBT issues.

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gender nonconforming persons' workplace treatment. Moreover, it questions whether the interactions between trans persons' identity and work are similar to or distinct from the experiences of LGB individuals with whom they are often grouped. Grouping together both sexual orientation and gender identity, while frequent, assumes that these characteristics share a common dynamic, despite the former centering on emotional or sexual affiliations or desires and the latter revolving around identification with gender and gender roles or expression.

2 Language, Naming and Identity

The experience of same-sex orientation is often, but not exclusively, mediated by gender (Brower 1997) and race (Hutchinson 1997). These differences are important and frequently necessitate distinguishing among those categories and recognizing their intersectionalities (Harris and Bartlow 2015; Holvino 2010). Moreover, bisexuality both shares and is distinct from lesbian or gay identity (Tweedy and Yescavage 2015). Nevertheless, because they constitute a secondary aspect of this chapter, it groups LGB people together for simplicity and uses the term "sexual orientation minorities" to refer to lesbians, gay men and bisexuals collectively. The chapter primarily focuses on and contrasts trans and gender nonconforming persons' work experiences with those of sexual orientation minorities. Accordingly, except where necessary to examine a particular aspect of trans or gender nonconforming persons' workplace treatment or identity disclosure, the significant differences between lesbian, gay, and bisexual individual's identities are elided.

On the other hand, since people disparately understand the term "transgender," this chapter follows the lead of Grant et al. (2011) and specifies one term for those who seek, desire to, or identify with the goal of transitioning from one gender to another (trans persons), and another for those who do not do so (gender nonconformers). That latter designation includes genderqueer people, cross-dressers, the androgynous, and those whose identity encompasses gender nonconformity. As in most minority groups, identity descriptors within trans and gender nonconforming communities are in flux. Gender identity and expression terminology is intersectional and varies by race, culture, age, class, education, and geography (Boylan 2014). The terminological diversity used by study respondents (Grant et al. 2011) illustrates the variety of gender and gender expression language within transgender and gender nonconforming communities. Thus, the study confirmed the findings of Kuper et al. (2012) that gender identity and expression are multifaceted dimensions that are customized by individuals. Accordingly, where appropriate, this chapter distinguishes between trans and gender nonconforming identities and sometimes also by gender within the categories.

2.1 Visibility of Identity for Gender and Sexual Orientation Minorities

Much data exist on visibility of sexual orientation at work and its effects. Sexual orientation measurement is complicated and data depend on whether one studies identity or behavior (Brower 2011). However, Badgett (1996) found that identity is often the salient characteristic in the workplace. Due to the more developed literature on sexual orientation minority visibility, this chapter initially reviews that issue before moving to gender identity openness.

Because most LGB people are not visibly identifiable (Blumenfeld and Raymond 1993), Eskridge (1997) showed minority sexual identity was usually revealed through express communication because silence encourages others to assume heterosexuality—what Adrienne Rich (1983, p. 177) called "compulsory heterosexuality." Compulsory heterosexuality allows some LGBT persons to prevent others from learning their identity in order to minimize or evade the negative consequences of visibility (Eskridge 1997).

LGB people must carefully choose their words or activities, and measure disclosure against silence (Goffman 1959; Karst 1995; Cullen 2000). Publicly acknowledging one's LGB identity constitutes continual choices calibrated to the environment, dependent on theirs and others' comfort level, and responsive to an assessment of possible consequences (Ragins and Cornwell 2001; Yoshino 2006). Different disclosure trade-offs exist in various environments (Badgett 1995; Woods and Lucas 1993)—with disclosure often initially made to confidants, family, or other gay people (Ragins et al. 2003; Friskopp and Silverstein 1996; Eskridge 1997). Another strategy is to not volunteer information about sexual orientation, but only answer direct questions (SF Examiner 2000).

Nevertheless, hiding does not resolve mistreatment; forced invisibility is itself inequality (Schacter 1997). As one employee disclosed:

> As a gay employee there is not much that I can say about this delicate subject [sexual orientation discrimination at work] because I cannot even be myself at my place of employment. I have to lead two different lives. Sometimes my co-workers ask me if I have a girlfriend, if I am married, how many children I have, and I have to answer with a lie. All this makes me feel very unhappy. In addition, sometimes the people that I work with make fun of gay people in front of me, and I have to laugh about it and pretend that it does not bother me (NJSC 2001, pp. 48–49).

As related above, silencing identity reinforces LGB marginalization; it permits sexual minorities to negate an essential difference between their coworkers and themselves (CAJC 2001; Halley 1989). They may not share in common workplace social interaction in order to shield certain parts of their lives (LACBA 1994; Ho 2006). Self-imposed distance may further estrange LGB employees from coworkers and trigger even more discomfort for everyone (HCBA 1995; LACBA 1994).

Thus, open self-identity is more significant for LGB people than for heterosexuals (Eskridge 1997) and has greater consequences. The LACBA (1994) found that, whatever their sexual orientation, almost one half of attorneys surveyed stated that merely revealing the sex of one's partner would harm an LGB attorney's career. Conversely, heterosexuals need not explicitly voice their sexual orientation at work (Brower 2015), but may simply rely on contextual clues: an opposite-sex pronoun when describing joint activities, photos of a spouse or children on their desks, or allowing people to presume heterosexuality (Biewen and Siegel 1997). Although these employment data are from an earlier time when gay rights were less secure and sexual orientation visibility more risky than in the present, other more recent data demonstrate that attorney jobs and legal employment may not have changed significantly, and recent studies contain similar negative findings (Brower 2015; NALP 2013).

These findings have analogues in trans persons' workplace experiences, but the fundamentals are different. As demonstrated above regarding photos and other expressions of family or sexuality, sexual orientation visibility at work—whether LGB or heterosexual—often is made manifest by showing the person with whom one is intimately or emotionally involved. This finding is unsurprising given that the core difference in sexuality inherently revolves around those choices. In contrast, for trans and gender nonconforming persons, revealing sexuality or intimacy exposes nothing about the identity that makes them different from their work colleagues. Axiomatically, the relevant identity characteristics disclosed were gender and gender expression.

2.2 *Trans or Gender Nonconforming Visibility at Work*

Like their LGB peers, trans or gender nonconforming people's disclosure process was graduated, both in terms of express communication or other means, and also temporally or spatially. To explore how visibility affected transgender and gender nonconforming respondents, multiple trans survey questions established basic visibility categories, "generally out" and "generally not out." Fifty-nine percent of respondents were generally out, while 41 % were generally not out. In answering if they explicitly tell people their transgender/gender non-conforming status, respondents said: never 12 %; only to close friends 68 %; only to family 42 %; only to casual friends 26 %; out to work colleagues 22 %; out to everyone 15 % (Grant et al. 2011, p. 28). Thus, significant numbers of trans respondents opted to expressly communicate their identity at work, similar to LGB people.

Trans and gender nonconforming survey participants who reported being employed demonstrated workplace visibility on two dimensions. First as noted above, some respondents explicitly told work colleagues they were transgender or gender nonconforming. Thirty-eight percent reported informing work colleagues of their transgender or gender nonconforming identity. Disaggregated by identity group, the data are: MTF 41 %, FTM 48 %, all Trans 44 %, gender nonconformers 33 % (Grant et al. 2011, p. 52). Visibility varied little by race or age.

Second, irrespective of explicit disclosure, 35 % of respondents said that most or all work colleagues knew of their gender identity or gender nonconformity. Slightly more (37 %) reported some or a few colleagues knew that information, and a lesser number (28 %) said no one was aware of those identities. Those who had transitioned reported higher rates of knowledge: most or all—50 %, some or a few—34 %, no one—16 % (Grant et al. 2011, p. 52). Thus, like their LGB counterparts, trans and gender nonconforming persons' open identity decisions changed with different people and in different environments.

Finally, in addition to respondents explicitly informing coworkers about their gender identity/nonconformity, the study found a group of respondents were "visual nonconformers." That label was based on respondents' answers to the survey question: "People can tell I'm transgender even if I don't tell them." The data showed that others often made these judgments on respondents' physical characteristics, voice, mannerisms, and gender-coded beliefs about appropriate male/female roles (Grant et al. 2011, p. 27). Those visual nonconformers were more likely to suffer discrimination and violence at a rate similar to that experienced by their open lesbian or gay counterparts.

These data on openness of trans and gender nonconformity raise an intriguing possibility: that gender identity visibility at work may vary over time according to where trans persons are in their physical, psychological and social transition process. As Badgett (1996) noted, racial and other visible minority identity in the workplace is different from sexual orientation minority identity, which may be and is often hidden. Thus, disclosure and openness are facets of workplace experiences for LGB people that others may not face. As subsequently discussed workplace data illustrate, trans and gender nonconforming workers may hide or time their gender transition or expression and minimize, resign themselves to, or capitalize on the visibility that results. Finally, post-transition, some respondents report being completely accepted in their proper gender at a new workplace, and may not be seen or identify as trans at all (Grant et al. 2011). Thus, they may move from a hidden identity (like their LGB colleagues) to one that is visible (like their coworkers with racial minority identities), and post-transition perhaps travel through to invisible again.

Interestingly, the literature on bisexual persons and their coming out process includes issues not usually faced by lesbians or gay men, but with analogues in trans persons' experiences. One complication of declaring one's bisexuality to others is the further requirement to explain what that identity means and justify its legitimacy. Some bisexuals report that people conflate that sexual orientation with indiscriminate or uncontrolled sexual behavior—as purely conduct and not true identity. Others insist that the identity is merely a self-delusion or a way station on the path to admitting homosexuality (Tweedy and Yescavage 2015; Chamberlain 2012). One can see echoes of these extra hurdles in a gender nonconforming respondent's description of coming out to health professionals. "I rarely tell doctors of my gender identity. It just seems so hard to explain what "genderqueer" means in a short doctor's appointment..." (Grant et al. 2011, p. 81). Other trans people report dealing with confusion about trans identity or disbelief that the identity is real (Lowe 2015). Although the underlying reasons may be different from the experiences of bisexuals, trans and gender nonconforming people may also face similar skepticism and additional burdens on identity. These supplemental liabilities of disclosure may make it even more difficult for trans and gender nonconforming persons to be themselves at work and may contribute to their negative treatment and experiences.

Accordingly, trans/gender nonconformity data on workplace openness are important, and should be viewed in relation to data on LGB employment experiences. Studies on sexual orientation disclosure at work have demonstrated significant pressure to hide or minimize sexual orientation. Moore (1993) found that well over a third of Americans stated that they did not want sexual orientation minorities to disclose their sexuality. Some might object to "private behavior"/sexuality appearing in the public sphere of the workplace; others may resent the openness of sexual minority persons because it forces them to confront their otherwise latent antipathy towards LGBT persons (Badgett 2001). Other empirical studies confirm these findings, and conclude that legal antidiscrimination requirements play an important but not determinative role in open sexual minorities' identity and workplace experiences (Ragins and Cornwell 2001; Croteau 1996).

Once again, although the data are older, the shift in attitudes about LGBT people has been uneven and inconsistent. Public opinion polls routinely show a significant number of Americans still maintain negative attitudes about LGBT people and gay civil rights, despite advances in these areas in marriage and military service (Gallup 2015; Pew Research Center 2015). Moreover, legal protections against sexual orientation or gender identity employment discrimination remain spotty. There is no federal legislation barring discrimination against LGBT people and most states also lack those provisions (Lambda Legal 2015). Consequently, future studies on trans persons' workplace treatment should see what lessons can be taken from prior empirical data on sexual minorities' employment experiences.

In addition to studies on coworkers' beliefs, LGB workplace reports also include data on sexual orientation minorities' own interactions between identity visibility and legal, jobsite, and social norms. Ragins et al. (2007) found that concerns associated with LGBT visibility and disclosure correlated with psychological strain, work attitudes, and environment and career outcomes. Law and workplace norms influence LGBT identity disclosure and sexual minority employee experiences. Professors Ragins and Cornwell (2001) also speculate that in more hostile environments disclosure may trigger more reported discrimination. Axiomatically, disclosure of one's sexual orientation is necessary for direct sexual orientation discrimination since the protected identity must form the basis for disparate treatment (Badgett 1995; Green 2003). As in other workplaces (Croteau 1996; HCBA 1995; LACBA 1994), a study of court employees found that open LGBT employees often experience more discrimination and negative treatment. Respondents thought that people used sexual orientation to devalue the credibility of some LGBT employees; that openly LGBT employees did not have the same chance of promotion or work assignments as heterosexuals, and that it was harder to be hired if people suspected you were LGBT (Brower 2015).

Accordingly, this chapter reviews the work of Grant and her colleagues to see if they reveal similar consequences for trans visibility at work. If so, are there insights from sexual orientation minority studies that can be used to contextualize and advance research on trans and gender nonconforming persons on the job? Brower (2015) found that open LGB identity is important to integration into the workplace and societal institutions, and to self-worth generally. It forms an additional dimension when studying LGBT persons' experiences that is typically irrelevant in other visibly diverse populations like race (Badgett 1996). Parallel to the effects that visibility has on LGB people's workplace experiences, it also affects the employment treatment of trans persons in multiple ways.

3 Employment Experiences, Workplace Treatment, and Visibility

The data on transgender and gender nonconforming people's employment issues are important. We spend a significant portion of our waking hours at work (Bureau of Labor Statistics 2013). Work forms part of our self-identity and adds to a feeling of dignity and accomplishment (John Paul II 1981; Universal Declaration of Human Rights, Article 23). Because of variations in samples and time periods, direct comparisons between the workplace experiences of LGB persons and trans and gender nonconforming individuals would be inappropriate. However, concordant data patterns are noted where possible.

3.1 Adverse Job Actions

As previously mentioned, there are few legal protections in the U.S. from employment discrimination based on sexual orientation or gender identity. Moreover, even where they do exist, the predominant structure of the laws requires that negative job actions be taken because of an individual's sexual orientation or gender identity in order to be actionable (Brower 2009). Discrimination protections arise from a plaintiff falling within a protected category: race, color, sex, national origin, age, etc. Without knowing (or believing they know) a person's membership in a protected category, an employer or fellow employee cannot disparately treat those individuals based on the protected identities (Green 2003). Accordingly, knowledge of that identity or lack of it is crucial to the jurisprudential foundations of legal protection. Moreover as a practical matter, whether sexual orientation or something else was the reason for an adverse job action is often the factual crux of the case, often determining whether the plaintiff wins or loses (Dawson 2005; Rene 2002).

Where they exist, legal protections for trans workers are based on a parallel paradigm that discrimination must occur on the basis of the employee's trans status (e.g., Macy 2012). The trans survey demonstrated the close relationship between visibility of gender identity/gender nonconformity and negative treatment in the workplace. Nearly one half of survey respondents reported that their transgender identity or gender nonconformity was the reason for an adverse job action: a failure to hire, promote, or job termination. Over a quarter of respondents stated they were fired due to their gender identity/expression (Grant et al. 2011). For example, one respondent noted: "I was highly regarded at my new workplace until one of my old co-workers came in for an interview there and saw me. During his interview he told them all about me. He didn't get the job, but I soon lost mine" (Grant et al. 2011, p. 53). This respondent's statement reflects the correlation between visibility and negative treatment. Once his/her identity was disclosed, respondent was dismissed.

Job losses were compounded by subsequent unemployment or underemployment. Seventy-seven percent of those with job terminations also reported work histories containing underemployment because of their gender identity/expression. One respondent noted:

> I was fired from a good job because I tried to transition on the job. I then lived on menial employment for over 3 years before finally landing another good one that was full-time job and had benefits. At one point, I had an offer of employment withdrawn after the would-be employer found out I was transgender (Grant et al. 2011, p. 67).

Respondents reporting job loss due to bias were currently unemployed (26 %) at nearly four times the rate of their general population counterparts (7 %). Twenty-eight percent of respondents with job loss also reported work in the underground economy or as sex workers. Like the respondent in the following quote, these data suggest once trans people are discriminatorily terminated, they are often unable to find reemployment (Grant et al. 2011, p. 53).

> I was a very respected lawyer before all of this, but lost my practice and clients, and have not been able to attract any new clients or get referrals or even get a job in my field for the past 8 years. Very frustrating because I don't feel any less intelligent or less qualified, but others, both the public and lawyers, perceive me that way (Grant et al. 2011, p. 55).

The data on negative job actions have parallels in LGB employee experiences. Like trans respondents, LGB court employees also reported being passed over for promotions, losing jobs once their sexual orientation identity was known, and facing hiring and job assignment difficulties (Brower 2015). A UK court employee stated: "[I]n short, 15 years ago I was offered the post of Principal Private Secretary of the Lord Chancellor; [I] came out; and the offer was withdrawn." (Brower 2003, p. 40). In each of these reports, job offers were withdrawn once LGBT identity was made manifest. Therefore, if other work experiences are parallel, we should expect to see similar patterns in trans persons' treatment to what we find with LGB workers.

3.2 Workplace Harassment and Abuse

Empirical studies of LGB persons frequently reported workplace harassment (Badgett 1996; Brower 2015; Croteau 1996; Friskopp and Silverstein 1996). Nevertheless, jobsite harassment and mistreatment, including being required to take bias-avoidant actions that adversely affected their welfare or career trajectories, were nearly unanimous experiences for transgender and gender nonconforming people. Ninety percent of respondents reported verbal harassment, breaches of confidentiality, physical and sexual assault, or they reported engaging in deleterious behaviors to avoid negative treatment such as concealing their true gender, postponing transition, or remaining employed in a position that they would have preferred to leave (Grant et al. 2011, p. 56).

Like their LGB peers, the most common negative workplace experience was harassment (Grant et al. 2011, p. 58). However, while the types of harassment were similar, the specifics differed. As might be expected, much workplace harassment of trans and gender nonconforming persons revolved around traditional binary gender divisions and identity. Accordingly unlike most LGB employees' work experiences, access to gender appropriate toilets/restrooms were a particular source of disparate treatment at work for trans and gender nonconforming persons (Grant et al. 2011, p. 61). One respondent noted:

> When one of my colleagues found out I was born female, I was forced to use the bathroom in another part of the building where I worked, because he said that I made the 'real' men uncomfortable with my presence. Now, I look like a bio-male, and the only reason they knew about my status is because a supervisor found out, and spread my business to the other supervisors and friends. I had to walk 5 minutes to another building, which impeded my break times (Grant et al. 2011, p. 60).

Another stated: "At the job I came out at, most were ok and accepting; but the HR manager blocked any attempts for me to arrange a bathroom, even after I pointed to a local law allowing me to use the correct bathroom." (Grant et al. 2011, p. 61).

The effect of coworkers' rigid binary division of gender roles at work played out slightly differently for sexual orientation minorities and trans employees. Forty-five percent of trans survey respondents reported work colleagues "repeatedly and on purpose" referred to them by the wrong pronouns (Grant et al. 2011, p. 61). This interaction was a form of gender policing to force trans employees back to their biological gender. That dynamic was repeated in other work experiences. Over two-fifths of respondents described coworkers asking inappropriate questions about respondents' transgender or surgical status. Nearly one half stated that supervisors or colleagues inappropriately shared confidential information about the respondent. One noted that his/her former employer outed him/her each time a prospective employer called (Grant et al. 2011, pp. 61–62).

In contrast, similar gender policing and workplace harassment of lesbians and gay men were not designed to force them to return and conform to their biological/birth sex. Lesbian and gay male workers' gender identities were consistent with their original sex assignment. Nevertheless, colleagues of some LG workers used incorrect gender markers and pronouns to diminish or ostracize LG persons (Dawson 2005; Rene 2002). That gender policing was more a comment on homosexuality than on gender identity (Brower 2009). In that context, it stressed the perceived cross-gender characteristics/identity of sexual orientation minorities (Brower 2015). For example, in *Rene v. MGM Grand Hotel, Inc.* (2002), coworkers the referred to plaintiff, a gay man, by female pronouns and called him, “muñeca”, Spanish for doll (feminine)—a term which is used to refer to women. In *Dawson v. Bumble & Bumble* (2005), Dawn Dawson, a lesbian, was called “Don” by fellow employees. Despite the incorrect gender markers, there are no indications in either case that coworkers were confused about the actual gender of their gay or lesbian colleagues, Rene or Dawson.

For trans persons, who actually have a gender identity different from their biological birth sex, the goal is to enforce biological sex over gender identity. In a way, these workplace interactions are a schizophrenic conflation of trans, gender nonconforming, and LG identities. Commentators have shown that judges, employers and coworkers often use inaccurate social schemas to attribute cross-gender identity to sexual orientation and vice versa, leading to mistreatment of LGBT employees and erroneous legal decisions (Brower 2009). For lesbians and gay men, whose gender identity is congruent with their biological sex at birth, the goal is to insist that they in fact have a cross-gender identity opposite from their birth sex. For trans or gender nonconforming workers who may in fact have a gender identity at odds with their birth sex, they may be forced into complying with stereotypical and rigid biologically-determined gender roles inconsistent with their identity.

Indeed, it is this aspect of anti-LGBT discrimination—that it is based upon notions that “real men/women” behave in ways that sexual orientation and gender identity minorities do not—which forms part of the underpinnings of recent U.S. Equal Employment Opportunity Commission (EEOC) decisions that sexual orientation and trans discrimination are both covered by Title VII of the federal Civil Rights Act of 1964. The 2015 *Baldwin* decision found that sexual orientation discrimination was based upon the enforcement of traditional gender norms. Accordingly, the EEOC concluded that LGB discrimination is a form of sex discrimination prohibited by Title VII (Baldwin 2015). A similar gender stereotyping rationale was the foundation for an earlier EEOC decision that discrimination against trans persons was also sex discrimination covered by Title VII (Macy 2012). Thus, the intersection of sexual orientation, gender, and gender identity can be seen in negative court decisions conflating these characteristics (Brower 2009) and in recent legal doctrine protecting LGBT persons in U.S. administrative agencies and tribunals.

3.3 Attempts to Avoid Discrimination

Faced with negative workplace actions, a significant number of trans people tried to avoid mistreatment through inaccurate gender presentation or misleading gender identity behaviors. Most study respondents "hid" (71 %) or "delayed" (57 %) their gender transition. Moreover, nearly three-quarters of respondents believed they were obligated daily to conceal their identity for job security. Nearly a third of respondents stated they needed to present in the wrong gender to stay employed. Since the survey did not ask if that mis-presentation was an employer requirement or a self-imposed response to discrimination fears, further research is needed to clarify that issue (Grant et al. 2011, p. 60).

Other responses to job treatment affected work or career progression. Forty-five percent remained in jobs they desired to leave and nearly a third did not pursue raises or promotions. Over two-fifths reported taking new employment to avoid discrimination. Like their LGB colleagues (Brower 2015), earlier negative workplace experiences affected future employee behavior. As expected, those trans or gender nonconforming respondents who had previously lost work because of workplace mistreatment took the most steps to avoid discrimination (Grant et al. 2011).

Inaccurate presentation of gender identity corresponds to work experiences of lesbians and gay men who may falsely present as heterosexual. That similarity portends pessimistic outcomes for trans people in that setting. In reports of LGB people in legal employment—and despite explicit workplace protections for sexual orientation—every jurisdiction studied reported at least one respondent who passed as heterosexual rather than face mistreatment as LGB (NJSC 2001; Brewer and Gray 1999b; Brower 2003, 2005; Moran 2006). One employee stated:

> I am not open about my lifestyle at my job for fear of retaliation and/or job loss. I have appeared in many of the different county courthouses as a part of my State job. I have heard and seen, countless times, gay/lesbian jokes, comments, disparaging looks, mocking behavior, etc. I have seen many instances of discrimination towards gays and lesbians in the New Jersey courts. [...] How surprised all the judges and lawyers I deal with on a continuing basis would be if I was allowed to be open and honest about my life (NJSC 2001, p. 49).

Like trans survey respondents, LGB study participants report hiding or minimizing identity to avoid discrimination. Unsurprisingly, workplace studies also found LGBT workers were less likely to reveal their sexuality when they suffered or witnessed discrimination (Ragins and Cornwell 2001; Croteau 1996; Schneider 1986; Badgett 1996). Hiding had only marginal protective effects, however. At a higher rate than the experiences of their open LGB colleagues but similar to that of trans persons, these closeted LGB employees' narratives express frustration and fear about visible sexual identity and their inability to ameliorate their unequal treatment or to have legal norms and protections address those issues (Brower 2015). Given the data on sexual orientation minorities, future studies on trans persons should focus on the consequences of inaccurate self-presentation in the workplace in order to see if trans researchers can replicate or build on the work of the colleagues on LGB persons. Although gender identity and sexual orientation are distinct, in this context it appears that the workplace dynamics operate analogously.

Further complicating the prognosis for trans people who hide or delay their gender identity, empirical studies demonstrate that even successful passing as heterosexual may produce negative job-related, economic effects for LGB individuals (Badgett 1995; Escoffier 1975; Mohr 1988). Passing may create greater absenteeism or employment turnover (Ragins and Cornwell 2001) and the energies expended to pass as heterosexual diminished productivity or increased stress (Escoffier 1975; HCBA 1995).

Furthermore, the energy required to pass meant some lesbians and gay men sidestepped potential social interactions at work where sexual minority identity may be discovered (Badgett 1996). A gay attorney said:

> I knew that I would lose work if any of the [bosses] found out that I was gay. I did not reveal this fact to anyone except my closest friends at the firm. I was conscious of having to remain somewhat distant to most people. I did not get close to people because in their natural course of conversation most people talk about their spouses and families and I had resolved never to lie by fabricating an opposite-sex spouse… I only spoke about work-related matters, never joined any group of coworkers for a drink, and never went to any firm events except those that were absolutely obligatory, and then I left as soon as possible (HCBA 1995, p. 37).

Related to passing is the phenomenon of covering, being nominally open as LGBT but minimizing the differences between minority and majority sexuality (Yoshino 2006; Carbado and Gulati 2000; Goffman 1963). Open, but covering, LGB employees may not respond to negative comments affecting them (Brower 2005) or may not publicly attend workplace social events with a same-sex partner (LACBA 1994). By underplaying their sexuality, they try to increase the comfort level of their coworkers by allowing others to ignore identity difference (McNish 2006; Kaplan 2006). This phenomenon also occurs in trans and gender nonconforming communities (Rouner 2014).

The earlier data on hiding or delaying gender transition demonstrate that, like passing as heterosexual, downplaying LGBT sexuality is not cost-free (Badgett 2001). Avoiding social interactions that might highlight differences between sexual minority and heterosexual employees may mean that others perceive those LGBT coworkers as standoffish or abnormal.

> [At social events] gay and lesbian attorneys are most likely to feel and be perceived as 'different'—usually attending events without a date/spouse, making it more difficult to enjoy the event and participate fully. As a result, they are often perceived by other attorneys as antisocial or mysterious … not fitting in (LACBA 1994, p. 33).

One employer noted that when LGBT employees concealed their sexual orientation it was nearly impossible for them to partake in workplace culture as peers; minimizing genuine personal interactions interposed barriers between LGBT workers and their colleagues. Over time, those workers may be driven from their jobs, with the consequence that both the employees and the employer lost opportunities (HCBA 1995).

Estrangement from work colleagues and diminished participation in workplace life are particularly significant because engaging in social interactions in parity with heterosexual colleagues is one employment practice that Ragins and Cornwell (2001) found had the strongest inverse relationship to perceived discrimination. Although disclosure was higher when the jurisdiction had gay-protective legislation and gay-supportive policies at work, neither was as significant as inclusive social interactions.

Similarly, not participating equally in these events may mean that LGBT employees fail to develop allies or mentors important for advancement (Ragins and Cornwell 2001; Kantor 1977). In corporations, the lack of mentoring and placement of women where they lacked contacts and experience led to fewer promotions and the glass ceiling (Federal Glass Ceiling Commission 1995). Frank (2004) found a parallel phenomenon with LGBT workers.

One noticeable data point missing from studies on trans persons' workplace experiences concerns reporting negative treatment or efforts to ameliorate that mistreatment. Without appropriate reporting or other attempts to remedy discrimination, it is hard to imagine positive change at an offending jobsite. This pessimism is particularly acute because data on LGB people at work often demonstrate a lack of improvement even after attempts to end the discrimination. Some sexual minority employees did not report anti-gay incidents because they were afraid of being perceived by coworkers as LGBT (NJSC 2001). This fear was given as the reason that over 7 % of California court employees (Brewer and Gray 1999a) and more than 9 % of UK court employees (Brower 2003) who were treated negatively at work did not report it. Some bisexual employees did not complain about mistreatment for fear of being perceived as rocking the boat or as troublemakers (Tweedy and Yescavage 2015), an apprehension echoed by lesbians and gay men. "[N] egative comments/jokes about gay/transsexual people in particular are common at work and you are a troublemaker if you don't keep your head down or join in with the 'joke'—or you are very 'p.c'—and as a result not 'one of the group'" (Brower 2005, pp. 554–555). Other LG employees felt invisible or shunned by colleagues after reporting mistreatment of gay people (Brewer and Gray 1999a). One employee noted that after reporting anti-lesbian harassment to management, the employee "became even more of a pariah. . .[and eventually] resigned under the pressure and strain of the ordeal" (NJSC 2001, p. 54). Another detailed how he or she either kept quiet or even participated in anti-gay comments so as to deflect suspicion that he or she was not heterosexual (NJSC 2001). These data are unfortunate omens for correcting trans persons negative work experiences. Future study will need to confirm or disconfirm whether trans people have similar fears and consequences of forced identity disclosure, ostracism, or other negative workplace actions.

3.4 Experiences Post-transition

Along with increased discrimination risks, researchers on LGB persons have found that disclosure to associates or family may generate a positive effect on lesbians' and gay men's identity creation and on intimate and social bonds (Savin-Williams 1989; Meyer 2003; Eliason 1996). Studies on LGB people have correlated visibility with positive social and economic outcomes and workplace perceptions. Griffith and Hebl (2002) linked openness with lower job anxiety. Open LG workers were more satisfied with that degree of visibility than were more closeted employees (Croteau 1996). Day and Schoenrade (2000) found that open LGBT employees had greater commitment to their workplaces, higher job satisfaction, and lower conflict between home and work.

Similarly, this chapter inquires whether openness about transgender status or gender nonconformity had affirmative or protective effects. One might expect that respondents who were living full-time with their appropriate gender identity had improved employment experiences. Unfortunately, the data and conclusions are mixed. Nearly four-fifths of trans men and women reported feeling more relaxed and noted improved job performance. One said:

> When I started my transition, the place that I was working was very supportive. My boss had a family member who is transgender. I was treated with respect by everyone. I had worked there for many years and everyone assumed that I was gay until then and they knew my partner. I guess they just figured I would still be me. Except for growing facial hair and going bald, I am the same, only better and more free (Grant et al. 2011, p. 64).

Nevertheless, even those respondents who reported their own improved work performance continued to experience rates of workplace mistreatment similar to other, more closeted transgender and gender nonconforming employees. For example according to Grant et al. (2011, p. 64), 51 % of those reporting their job performance increased after transitioning also reported workplace harassment, while the harassment rate for the total survey sample was 50 %—a statistically insignificant difference. This disjunction between individuals' own increased workplace well-being and reduced stress, and their continued mistreatment by others has also been reported in employment studies of sexual orientation minorities (Brower 2015; Croteau 1996). Indeed one study noted that disclosure of LGB identity sometimes just meant that coworkers simply avoided making negative comments, etc. around that individual. The negative behaviors were simply driven underground without changing either the workplace culture or life for other minority workers (Brower 2003).

4 Conclusion

Like their LGB colleagues, transgender and gender nonconforming people face significant harassment and mistreatment at work. Also like their LGB counterparts, visibility of identity and the process of disclosure carries with it significant risks and some benefits. Once employed, most respondents who transitioned recounted increased workplace comfort and improved job performance. However, many respondents could not obtain that advantage because they deferred their gender transition or presented in the wrong gender in order to evade mistreatment. This dilemma of increased openness and attendant mistreatment or bias-avoidant behavior and forced invisibility is also present in other hidden identity situations, like sexual orientation, religion, and sometimes disability (Bond et al. 2009; Bouton 2013; Ragins 2008). The centrality of identity and the impact of visibility sharpen the consequences of those choices for trans and gender nonconforming people.

Many of the workplace recommendations of the trans study by Grant et al. (2011) suggest that what is needed is more and better federal, state, local and workplace nondiscrimination protections and policies to protect trans and gender nonconforming people. Naturally, increased legal and employer nondiscrimination protections are important. However, if studies on LGB workplace experiences provide guidance, persistent mistreatment of trans persons may survive formal workplace policies, legal regimes and even supervisorial commitment to ending discrimination (Brower 2015). Nevertheless, data indicate acceptance at work of sexual minority identity is a significant factor in workplace equality. Further, data on the societal change in attitudes towards LGBT people and their civil rights often correlate with increased openness and the ability of others to know or have a personal relationship with sexual and gender minorities (Herek and Capitanio 1996; Skipworth et al. 2010). Accordingly like their sexual orientation minority peers, transition and correct gender expression in the workplace are not only central to trans individuals' own well-being, but may also contribute to improved workplace environments and productivity for themselves and others, and potential positive societal and cultural shifts.

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Transgender Individuals in Asian Islamic Countries: An Overview of Workplace Diversity and Inclusion Issues in Pakistan, Bangladesh, and Malaysia

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1 Introduction

Workplaces are an essential part of helping individuals realize their sense of self and social belonging (Vries 2012). In a world where dichotomized gender roles are already askew, transgender individuals face particular challenges that have been hitherto underemphasized in the diversity literature. A transgender person is someone who has a gender identity, physiology, and/or enacts behaviors not traditionally associated with dichotomously categorized birth sex in a particular social context (Kenagy 2005). Although some countries have made preliminary legislative progress in relaxing binary gender categories (e.g., Germany, US, India), in others, especially those where legislation is often defined along religious lines (e.g., Asian Islamic countries like Bangladesh, Malaysia, Pakistan), it can still be illegal to be transgender (Cáceres et al. 2006).

Transgender individuals challenge socially accepted sex classifications (i.e., male versus female) and their associated gender-specific roles (Harrison and Lynch 2005). As a result they are often stigmatized, bullied, and sometimes even persecuted (Stotzer 2009). Transgender individuals, therefore, often face serious repercussion by revealing a gender identity that does not conform to expected gender categories prescribed by a particular context (Looy and Bouma 2005). Research shows that individuals who are unable to express their gender identity often face issues such as stress, depression, and health problems that could impair their performance and satisfaction in the workplace (Neal and Davies 2000). This poses challenges for organizations, both in extracting the value from a diverse

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workforce, as well as providing a space for nurturing individuals' psychological safety needs and sense of belonging (Parkes et al. 2007).

In this chapter, we provide a preliminary account of transgender issues and how they manifest themselves in the context of Asian Islamic countries. We focus particularly on the contexts found in Pakistan, Bangladesh, and Malaysia. These three countries are some of the fastest-growing emerging economies in South and Southeast Asia (Moyeen and West 2014). Since diversity and inclusion policies have been shown to be important for fueling economic growth (Roland and Kahrl 2011), understanding and appropriately dealing with transgender issues are important from an organizational policy and management perspective. Unfortunately, the specific challenges facing transgender individuals in these contexts have barely been addressed in policy discussions; in which religious laws still define socially legitimate gender roles (Abdullah et al. 2012; Khan et al. 2009; Owoyemi and Sabri 2013; Peletz 2002; Sabri et al. 2014).

In the following sections, we first clarify the importance of gender identity in the workforce then discuss the general challenges faced by transgender individuals in organizations. Our discussion then focuses on the Asian Islamic view and the specific challenges faced by transgender individuals in Pakistan, Bangladesh and Malaysia. We conclude the chapter with a suggested future research agenda.

2 Importance of Gender Identity in the Workplace

Identifying with a pre-defined sex category is often a standard prerequisite for employment—even if for no other reason than administrative purposes. Thus, transgender individuals are often forced to choose between male or female as an operational basis of gender role expectations. In addition, many jobs tend to be associated, explicitly or implicitly, with specific genders (Gorman 2005) and some job openings (especially low-skilled ones) often specify the sex of the applicant being recruited (Bonoli and Hinrichs 2012). For instance, clerical staff are often female (Gurney 1985), whereas construction workers are often male (Fielden et al. 2000). Thus, to be part of the workplace, transgender individuals have to nominate a "box" which does not necessarily capture their true gender identity. This is further complicated by the fact that, although some transgender individuals identify with a binary sex category, others do not. Such forced gender nominations have significant implications for the ability of transgender individuals to feel part of, and be a productive contributor to, the workplace.

3 Implications of Revealing Transgender Identity in the Workplace

Over the past few decades, the term “coming out” has been commonly used by those studying gender and sexuality issues (Zimman 2009). The term identifies the process an individual goes through when deciding to exhibit himself/herself as a different sex than the one that people have traditionally associated with him/her—in other words, when the individual reveals his/her true and/or desired gender identity (Gagné et al. 1997). Empirical evidence (Gagné et al. 1997) describes coming out as a complex and difficult process. Most research has been primarily focused on the coming out experiences of lesbians and gay men (Zimman 2009), but there is now also an emerging literature concerned with the issues of coming out for transgender individuals.

The transgender literature documents an increased risk of stress, frustration, crime, lack of self-control, and even suicide among transgender individuals who choose to come out (Gagné et al. 1997). Gender role incongruity creates social uncertainty (Himsel and Goldberg 2003) because it violates accepted social gender categories (Schilt and Westbrook 2009). The resulting ostracization affects the ability of transgender individuals to perform at their utmost potential because interdependent others may be reluctant to work with them for fear of negative social contagion (Wiesenfeld et al. 2008). In addition, transgender individuals are less likely to be recipients of organizational rewards and face reduced career opportunities (Elk and Boehmer 2015). In extreme cases this may include abusive supervision, bullying, and even dismissal (Hall 2009). Because of the anticipatory injustice associated with “coming out” (Shapiro and Kirkman 1999; Zimman 2009), transgender individuals face the difficult choice between disclosing their transgender identity for intrapersonal harmony versus the interpersonal backlash from doing so.

Psychological research finds that acts that require willful attempts to deny and conceal one’s “true” or desired “self” consume psychological resources (Inzlicht and Gutsell 2007). When psychological resources are depleted beyond a critical point, individuals experience increased stress, frustration, and loss of self-control, which can lead to an inability to perform organizational tasks effectively (Hall et al. 2013; Meyer 1995; Wiesenfeld et al. 2008). Thus, transgender individuals tend to face higher levels of stress; at times two to three times more than cisgenders (Case and Ramachandran 2012). In extreme cases, their stress leads to burnout, substance abuse, criminal acts, or even suicide (Huebner et al. 2004; Kelleher 2009; Rothe 2011). Yet, many transgender individuals engage in self-denial as a psychological coping mechanism and conceal their preferred transgender identity in organizations because of the fear of stigmatization, discrimination, and prejudice. They act out gender roles that do not necessarily reflect their true gender identity in their interactions with others or in performing their daily organizational tasks, thus leaving themselves open to the psychological stresses associated with denial of their true selves.

In spite of the known problems associated with forcing gender stereotyping and the advantages of diversity in the workplace, our understanding of how policy makers and managers deal with diversity and the inclusion of transgender individuals in the workforce is slight. The discussion in this chapter is, therefore, timely.

4 Global Developments in the Acknowledgement of Transgender Identity

Some countries in the West, such as Germany, the UK, and the US, have begun to acknowledge transgender people as a minority group with specific needs. This is important for the wellbeing of transgender individuals and their performance in organizations (Poteat et al. 2013). As one survey reports, transgender individuals have limited (and, in the majority of cases, no) access to employment (Poteat et al. 2013).

As a result of the high levels of prejudice and discrimination, steps to include issues faced by transgender individuals have become part of a broader human rights framework. For instance, Amnesty International suggests that everyone, regardless of sexual orientation or gender identity, should be given equal human rights (O'Flaherty and Fisher 2008). Consistent with this, some countries such as Germany, Ireland, and Australia (Van den Brink et al. 2015), have started to take commendable strides, with progressive gender recognition acts (Agius 2013). In these countries, transgender individuals have a legal framework that acknowledges non-binary (physiological) transgender identity, which can form the basis of support for the expression of their desired gender identity.

Advances in other parts of the world have been much slower, though there are some notable exceptions. For instance, according to the Japanese Ministry of Health, Labor and Welfare, in 2000 and 2001 the Women and Family Development Ministry announced its intention to look into the needs of the transsexual community, and to provide as much assistance as they could (Terri Chih-Yin 2008). India has also made strides and has acknowledged a "third sex/gender", granting such people the right to vote since 2009 and putting quotas in place for employment in government jobs and educational institutions (Khaleeli 2014; Lerum 2009).

However, inclusion of transgender individuals in the workforce remains a thorny issue in many Asian countries, where religious norms often serve as concrete scripts of gender roles. Asian Islamic countries, in particular, have barely explored the issue (Abdullah et al. 2012; Khan et al. 2009; Owoyemi and Sabri 2013; Sabri et al. 2014). In Asian Islamic contexts, in fact, daily affairs must be conducted in accordance with Quranic verses and Hadith. The Quran and the Hadith dictate tradition, culture, and norms. Norms of behavior towards gender that are based in religious doctrine and teaching are particularly prominent in countries such as Pakistan, Bangladesh, and Malaysia (Anzar 2003). Herein lies an opportunity to highlight key issues and challenges for transgender individuals in organizations in Asian Islamic contexts and allied policy opportunities.

5 The Asian Islamic View Towards Transgender Individuals

Asian Islamic countries are often governed by theocratic legislation (O'Halloran 2015). "Conservative" interpretations of Islam often claim that transgender individuals are sinners who do not have the right to practice Islam (Ishak and Haneef 2014). Transgender individuals are, therefore, often deprived of religious "inner-peace", which often forms an important dimension of social, family, and legal identity in Asian Islamic contexts. In practice, this further translates into transgender individuals being denied education, housing, and employment, for example in Bangladesh. As a result transgender individuals often end up homeless and need to resort begging and/or crime (Rumbach and Knight 2014).

In the following sections we draw on examples of how policy recommendations are being implemented in three contexts and we identify opportunities for improvement.

5.1 Pakistan

According to *Country Reports, 2010*, Hijra is a name given to "transvestites, eunuchs, and hermaphrodites" in section 8, sub-section 6 of the *Pakistan Penal Code*. Regulators and academics depict this group as eunuchs, transvestites, intersex, emasculated, impotent, transgender, and/or sexually dysfunctional. Some scholars have attempted to categorize transgender individuals as belonging to a distinct third gender (Lal 1999). Others, like Nanda (1986) however, posit that it is hard to understand or describe the gender category of Hijras. A BBC report estimates that 300,000 Hijras live in Pakistan (BBC, 23 December 2009). A human rights group in Pakistan, in turn, estimates that approximately 400,000 men "live as women" in the country (Sayah 2010). Hijras do not have the same privileges and/or rights as those who are identified as exclusively male or female. Hijras are often harassed, face prejudice, are discriminated against and, in the majority of cases, are subjected to violence simply because of their gender identity (Lal 1999). The *Country Reports, 2010* claims that schooling, hospital admission, ability to rent or buy property, and even inheritance are often denied to Hijras. Thus, there is no "equal access" for transgender individuals in Pakistan to education and labor opportunities. When attempting to enroll in schools, transgender individuals experience numerous obstacles, such as forming bonds with peers (Cserni and Talmud 2015).

Given the importance of religious participation in Pakistan, the ability to engage in (collective) worship is important and significant for the social wellbeing of individuals (Tabassum and Jamil 2014). However, transgender individuals are often denied access to mosques. Even during the two most important religious celebrations of the year, Eid-ul-Adha and Eid-ul-Fitr, in the country, transgender individuals confine themselves to their homes instead of joining the celebrations.

A survey conducted on Pakistani Hijras found that, although providing for and protecting a child is the responsibility of the child's family in the Pakistani culture, this provision is barely complied with for transgender children (Tabassum and Jamil 2014). Instead, families often turn their back on transgender children and some parents are even relieved when their transgender offspring leave home (Abdullah et al. 2012). Due to discrimination and lack of acceptance by even their closest relatives, transgender individuals in Pakistan seek acceptance and emotional shelter with other individuals facing similar social hardships (Tabassum and Jamil 2014). Older transgender individuals may teach younger ones who join them how to dance at various celebrations (such as marriage ceremony, births, and carnivals) to gain some form of income.

Pakistan's Supreme Court ordered, in 2009, that Hijras must be allowed to identify themselves as a distinct gender in order to ensure their rights in the society (Abdullah et al. 2012; Tabassum and Jamil 2014). However, this order has yet to be implemented and acknowledged (Abbas et al. 2014). This is because religious law is more highly regarded than is state law. Pakistan still has no effective initiatives in place for transgender individuals' identity, social, and labor rights (Abdullah et al. 2012; Nanda 1986).

5.2 Bangladesh

Bangladeshi state legislation is also grounded in Islam, with the Muslim population comprising over 90 % of the total population (Karim 2004). Given the strong religious culture, there is little room for gender identities other than male–female classifications, and transgender individuals are not readily embraced in mainstream society (Khan et al. 2009). Transgender individuals are even denied a legal identity (Stenqvist 2015). The International Centre for Diarrhoeal Disease Research Bangladesh (ICDDRB) conducted an ethnographic study on Hijras, aiming to comprehend the challenges they face. The study concluded that transgender individuals in Bangladesh are excluded from every aspect of society—including not having the right to vote (ICDDRB 2008). The findings highlighted limited access to employment opportunities, struggle to gain daily commodities, and hurdles to livelihood opportunities in terms of social entertainment, housing, income, land, and working conditions.

Transgender individuals in Bangladesh also have no access to education, health, or legal services. Like the circumstances of transgender individuals in Pakistan, those in Bangladesh often find they are marginalized and can only find acceptance among other transgender individuals (Khan et al. 2009).

Transgender individuals often face neglect, physical abuse, and there are even documented cases of transgender individuals being chained and kept confined by their own family members (Khan et al. 2009). Such physical and mental tortures eventually force them to flee from home and find shelter in other places. One individual explained the following situation:

> When my father died I did not go to bury him. If I had gone there, the relatives and others would not take part in the burial.
>
> (Khan et al. 2009, p. 445).

The challenges in the workplace mirror the hardships faced in society. For instance, transgender individuals are often fired once it is revealed that they are transgender. One particular challenge identified is that of sexual abuse in the workplace. For instance, one transgender individual said:

> I have worked in a garment factory for about a year. I could not even go to the toilet, as I was scared that the boys would go there to see me. They always tried to have sex with me. When there was a night shift, the threat was higher. Once my supervisor forced me to have sex with him, and I had no choice but to do it. But when it became public, I was dismissed from my job, as if it was my fault.
>
> (Khan et al. 2009, p. 445)

Due to such adverse experiences in the workplace, transgender individuals earn a living mainly as prostitutes and/or by dancing at marriage ceremonies, celebrations of newly born babies, and/or extortion in local markets (Khan et al. 2009). Voice Bangladesh[1] conducted a survey on 600 transgender individuals in the country. The study reported that 54.3 % of transgender individuals in Bangladesh live with the fear of their gender identity being revealed in the society. The study also revealed that the majority of participants in the survey admitted that they would marry the opposite sex (opposite to their socially recognized sex, e.g., if someone is identified as male in the society, they would marry a female) because of social opposition, religious value judgments, and family pressure. In addition, the research also reported that 56.9 % of survey participants would not change their gender identity even after marriage. To help address some of these issues, some non-profit-organizations, such as Badhan Hijra Sangha and Shustha Jibon, have recently been formed, with the aim of assisting transgender people in terms of health issues and vocational education (ICDDRB 2008).

[1] Voice Bangladesh is a Bangladesh-based activist, rights based research and advocacy organization working on issues of corporate globalization.

5.3 Malaysia

Activists have estimated that there are around 100,000 transgender individuals in Malaysia (Ng, 19 July 2011). The number of transgender individuals in the capital city, Kuala Lumpur, alone is estimated to be 50,000. This estimate translates into more than one out of every 200 individuals being transgender in Malaysia (Lynn 2005). In Malaysia, the term 'transgender' generally refers to those individuals who act inconsistently with their physiological sex (e.g., if a male acts as female) (Teh 2001). The number of female-to-male transgender individuals is smaller than those who are male-to-female transgender (Khairuddin et al. 1987). An apparently increasing number of overt transgender individuals in Malaysia has caught the attention of authorities (Sabri et al. 2014).

A study performed recently, which involved 77 transgender individuals, revealed that, in Malaysia, transgender individuals are severely neglected and discriminated against both at home and in the workplace (Low 2009). Transgender individuals' sexual orientation and identity are widely misunderstood, with claims that such orientations are aberrant and immoral (Owoyemi and Sabri 2013). With minimal levels of acceptance from family members, the majority of transgender individuals are frequently asked to prepare for marriage along with being sent for medical treatment (Teh 2001). Transgender individuals also experience physical abuse and violence—even from authorities—in most places, from educational institutions to local restaurants at which they may be working (Sahri et al. 2014). In addition, conservative religious proponents have claimed that the prevalence of transgender individuals is nothing but the ideological influence of Western thinking and lifestyles (Low 2009).

Some, admittedly controversial, studies concerned with Malaysian samples of transgender individuals emphasize the need to treat transgender issues as a (social-) psychological disorder. For example, Sabri et al. (2014) claim that there are environmental and intrinsic factors which influence the transgender issue and cause transgenderism in society. Intrinsic factors include lack of conquering inbuilt desire, sexual emotion, infant sexual experience, and individual characteristics. Environmental factors include associating with the "wrong crowd", lack of mutual consideration, and distance from religious practices (Owoyemi and Sabri 2013). All these factors, it is claimed can be "cured" through counseling, faith, honesty, trust, advice, enlightenment, and monitoring.

While Malaysian scholars debate whether transgenderism is natural or ideological, the government of Malaysia has been reluctant to give transgenderism social and legal recognition. The Prime Minister of Malaysia, Najib Abdul Razak, warns against the encroachment on freedom and heterogeneity in favor of transgenderism in Malaysia and hints at the government's position to fight against the "scourge" (Malaysiakini 2012). The Prime Minister also strongly opposed transgender identity and rights inclusion in the ASEAN[2] declaration of human rights (Zulfakar

[2] Association of Southeast Asian Nations.

2012). He pointed out that Malaysia rejects transgenderism because of moral values and norms, but, he argues, this does not necessarily mean that the country has a weak human rights standard.

In contrast to the situation in Pakistan and Bangladesh, Malaysia at least provides some means for transgender individuals to earn an income. However, in the majority of the cases, transgender individuals are strongly silenced at the organizational level, they have little job security and fewer opportunities to achieve promotions.

6 Discussion and Future Research Agenda

Our overview shows that Pakistan, Bangladesh, and Malaysia tend to marginalize the transgender community within their societies, and that they do so for many reasons, particularly because of religious beliefs. We believe this topic is important and needs to be addressed, both for the better functioning of organizations, and for the sense of identity of individuals within those organizations. Debates in the diversity management literature revolve prominently around "male versus female" issues in the quest for equity in organizations (Faulkner 2000). Transgender individuals represent "shades of gray" in gender identity that are still poorly understood. Because the needs of transgender individuals remain largely unaddressed, such individuals are left with no appropriate channels through which to address issues impacting upon them, leaving them marginalized, underrepresented, and misunderstood. The anecdotal evidence on transgender individuals in institutions seems to contradict the notion that organizations increasingly embrace different forms of diversity (Lopuch and Davis 2014). This is despite best-practice recommendations that encourage organizations to enable individuals to express their gender identity freely (Riccò and Guerci 2014) because doing so enriches the organization's human capital and, ultimately, work performance (Murrell et al. 2008). In line with such recommendations, we propose that managers in Asian Islamic countries should de-emphasize the sex/gender criteria when recruiting, as well as in day-to-day operations.

The transgender conversation is, though controversial, attracting the attention of academic scholars, media, politicians, and corporations. Many commentators and scholars argue the case for comprehensive empirical and theoretically-informed research in Asian countries. The negative attitudes of the general public and religious proscription highlight the urgency of this line of research. We suggest future research should be conducted from three different dimensions: (a) multi-theory assumptions on the transgender issue; (b) multi-level empirical analysis, in order to examine the effect of social views towards transgender individuals; and (c) social and organizational performance of transgender identity in relation to coming out and not coming out.

6.1 Multi-theory Assumptions

Despite the dearth of research on transgender issues in the context of Asian nations, most empirical and conceptual writing on Western economies is developed on a single theory assumption. Many scholars have been drawn on stigma theory to examine the transgender issue (Inzlicht and Gutsell 2007; Inzlicht et al. 2006). However, we suggest further research should include social identity theory and apply multi-theoretical perspectives to examine whether Westernized theory is consistent and applicable to a similar extent in the Asian Islamic context. Multi-theory approaches may help identify the theoretical distinctions between Western and Asian contexts.

6.2 Multi-level Analysis

The majority of empirical studies on transgender issues mostly build upon single loop statistical analysis (Kelleher 2009), in which scholars only examine the implications of negative attitudes from certain cisgender populations towards transgender persons. However, since transgender individuals are part of a society where organizations play a significant role in changing the environment, we suggest conducting a multi-level analysis in order to examine the effects of multilevel variables. For example organizations, educational institutions (both conventional and religious) and political leaders (especially government policy makers) are nested in society; each may have different views towards transgender issues. Therefore, the different views of all these nested variables could be examined by using a multi-level analysis in relation to transgender issues.

6.3 Social and Organizational Performance

Both theoretical and empirical studies on transgender issues predominantly focus either on the phenomenon of different trans-identities conceptually, or they analyze health effects of discrimination. There is a paucity of empirical research with relation to social and organizational performance of transgender individuals. Thus, we suggest future research to include to what extent transgender individuals contribute to society and organizations, and how significant that contribution can be in conjunction with that of cisgender in both Western and Asian Islamic contexts. A better understanding can help Asian Islamic countries tap into this underemphasized element of their potential human capital.

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Religious Workplaces: The Joys, Trials and Tribulations of LGBT Clergy

Eric M. Rodriguez and Chana Etengoff

1 Introduction

The United States of America was largely founded in an effort to create a protected space for religious and political freedom. While the original language of the Declaration of Independence (1776) focused on the rights of *man* and initially only extended to white men—Congress and the Supreme Court subsequently extended many of these rights and protections to various minority groups. Yet, while significant federal progress has been made to protect individuals from employment discrimination based on race, gender, and dis/ability status—at the time of this writing the Human Rights Campaign (2015) reported that employment discrimination based on sexual orientation is legal in 58 % of the country (29 states) and gender identity related employment discrimination is legal in 64 % (32 states). As of 2015, the more inclusive protections offered by the Employment Non-Discrimination Act (ENDA) remain theoretical as congress has yet to pass this legislation.

However, even with the many protections offered by ENDA, the rights of LGBT religious employees in America remain unprotected by the proposed bill due to a broad religious exemption. While the religious exemption was not featured in the original bill, it was later introduced to address concerns that the proposed bill violated First Amendment religious freedoms (Dabrowski 2014). However, legal scholars have argued that the ENDA religious exemption extends beyond ministerial exemptions outlined by the United States Equal Employment Opportunity

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Commission that "allow religious organizations the freedom to discriminate in the hiring and firing of employees who publicly represent the religious views of the organization" (Dabrowski 2014, p. 1960). Although the American Civil Liberties Union continues to protest the practice of using religion to justify discrimination, their focus is largely upon amending ENDA's religious exemptions to more closely resemble current ministerial exemptions—and the employment rights of LGBT *clergy* continue to be granted or denied at the discretion of individual congregations and denominations.

Although religiously conservative organizations in the U.S. have become the public voice of media coverage regarding America's "culture wars," the current legislative ambiguity has led to a diverse range of religious responses and institutional conflicts among progressives, moderates and conservatives. Debates regarding LGBT clergy rights are particularly challenging to resolve as they are centered at the intersection of both religious and secular politics. In other words, a religious institution's ordination and appointment of an LGBT religious leader requires progressive congregational views regarding both political issues as well as the role of religion in the age of modernity (e.g., historical-critical scriptural interpretation). And while many more conservative religious denominations (e.g., Church of Latter Day Saints, Catholic Church, Orthodox Judaism) have issued statements declaring their support for "secular protections" such as LGBT housing rights or the protection of LGBT individuals from violent acts, same sex sexual behavior continues to be viewed as a sin by these denominations.

While social scientists have begun viewing LGBT individuals as religious and spiritual beings in and of themselves, religiously conservative organizations in the United States (US) continue to advocate that homosexuality is an abomination in the eyes of God (Rodriguez 2010; Rodriguez and Follins 2012). Indeed, recent data suggests that while tolerance towards sexual minorities in such areas as gay marriage, gay adoptions and general attitudes towards homosexuality continues to increase, <19 % of Judeo-Christian congregations in the U.S. allow openly gay or lesbian individuals to assume leadership positions (Whitehead 2013). However, establishing protections for LGBT clergy is imperative if LGBT individuals are to be afforded the equal opportunity to be mentored and supported by religious leaders who join them in the task of "forging sometimes tenuous truces between seemingly irreconcilable principles and beliefs" (Alpert et al. 2001, p. I). Moreover, many LGBT clergy feel that their profession is an integral aspect of their *own* identity and religious/spiritual fulfillment. And, while Jewish and Christian leadership opportunities within LGBT congregations have formally existed since the 1970s, many have voiced concerns that it is dangerous to exile the spiritual and religious voices of LGBT clergy to LGBT congregations—as this leads to the silencing of any protests *within* the larger religious institution. The sociocultural significance of progressive religious institutions, such as the Evangelical Lutheran Church in American and Reform Judaism in the United States is, therefore, paramount as their histories offer a template for the task of religious and sexual reconciliation and the integration of LGBT clergy into denominational life.

In order to help translate the efforts of the progressive religious minority to conservative and fundamentalist stakeholders, it is imperative for scholars across disciplines to study the religious pathways of LGBT clergy inclusion. However, current scholarship is largely focused on compiling personal stories from specific gay or lesbian clergy (e.g., Alpert et al. 2001; Murray 2008; Perry 1990; Robinson 2008; White 1994) and their coming out experiences within their respective denominations. While personal narratives provide important insight into individual experiences, they are unable to provide statistical evidence of dominant trends or the individual and communal outcomes of such experiences. Moreover, the limited social science research related to homosexuality and clergy largely focuses on *heterosexual* (both allied and opposition) clergy's perspectives (e.g., Barnes 2013; Childs 2003; Glesne 2004; Olson and Cadge 2002) or longitudinal, historical accounts of acceptance (or lack thereof) of LGBT civil rights across denominations (e.g., Fletcher 1990; Hazel 2000; Holmen 2013; Rogers 2009). There is currently a need for an interdisciplinary exploration of LGBT clergy workplace experiences—one which acknowledges the role of the individual in negotiating the tension between contemporary cultural experiences and historical traditions.

The present chapter, therefore, aims to introduce a sociocultural framework that can be applied to the study of LGBT clergy workplace experiences by presenting cultural-historical case studies of both progressive Jewish and Christian denominations which allow LGBT clergy to preside over their congregations—the Evangelical Lutheran Church in America (ELCA) and American Reform Judaism. After exploring the religious and political developments leading to the acceptance of gay and lesbian clergy within these congregations, the chapter concludes with a review of the major theoretical approaches that can be applied to future inquiries focusing on broadening our understanding of LGBT clergy workplace experiences.

2 LGBT Clergy in the Evangelical Lutheran Church in America

The Evangelical Lutheran Church in America (ELCA) was established in 1988 with a merger between the American Lutheran Church (ALC) and the Lutheran Church in America (LCA)—forming one of the largest Mainline Protestant denominations in the United States (Nezu et al. 2006; Holmen 2013). At present, the ELCA counts almost 4,000,000 members (ELCA 2015; Pew Forum on Religion and Public Life 2008). Prior to the formation of the ELCA, ALC and LCA Lutherans had quite a progressive history when it came to being supportive of LGBT issues and lay members (see historical timeline in Table 1). For example, "Lutherans Concerned" was formed in the 1970's to provide support for gay and lesbian Lutherans and a series of organizations were created to assist LGBT individuals who felt called into Lutheran ministry. This culminated in the creation of Extraordinary Lutheran

Table 1 Key historical LGBT clergy events in both American Reform Judaism and the Evangelical Lutheran Church in America (ELCA)

Reform Judaism		ELCA	
Year	Key event	Year	Key event
1873	Rabbit Isaac Mayer Wise founded the Union for Reform Judaism	1988	ELCA founded with the merger of the American Lutheran Church (ALC) and the Lutheran Church in America (LCA), creating the largest Lutheran denomination in the USA
1977	CCAR passed a resolution that called for "legislation which decriminalizes homosexual acts between consenting adults, and prohibits discrimination against them as persons."	1989	ELCA Church Council published *Definitions and Guidelines for Discipline* which stated that homosexual genital activity constitutes conduct incompatible with ministerial office
1977	Union for Reform Judaism passed a resolution stating that "homosexual persons are entitled to equal protection under the law" and affirmed their opposition to "discriminating against homosexuals."	1990	Lutheran Lesbian and Gay Ministries (LLGM) created to provide financial support for LGBT Lutheran pastors. Leads to the e*xtra ordinum* ordinations of non-celibate gay and lesbian pastors (Jeff Johnson, Ruth Frost and Phyllis Zillhart) in San Francisco
1988	Rabbi Stacy Offner became the first lesbian Rabbi hired by a mainstream Jewish synagogue (Shir Tikva in Minnesota)	1991	First of many resolutions passed by the ELCA's Churchwide Assembly to welcome gays and lesbians while vows of celibacy remain a requirement for out LGBT clergy
1990	Resolution on Homosexuality and the Rabbinate	1993	Extraordinary Candidacy Project (ECP) formed to provide credentials for LGBT Lutherans called to ministry
2003	First transgender rabbinical student accepted to Hebrew Union College	2001	Church begin an 8 year study process of whether or not to endorse same sex marriage and to allow gays and lesbians to serve as clergy
2003	Commission on Social Action of Reform Judaism issued a resolution on the inclusion and acceptance of the transgender and bisexual communities	2006	Rev. Megan Rohrer becomes the first ordained transgender pastor in the ELCA
2006	Rabbi Elliot Kukla became the first ordained transgender Rabbi	2007	Extraordinary Lutheran Ministries (ELM) created by the merging of the LLGM and the ECP. Mission is to provide support for LGBT Lutheran rostered clergy
2015	Commission on Social Action of Reform Judaism added resolutions on the rights of transgender and gender non-conforming individuals	2009	ELCA votes to allow gays and lesbians in committed relationships to serve as members of the clergy

(continued)

Table 1 (continued)

Reform Judaism		ELCA	
Year	Key event	Year	Key event
2015	CCAR appoints first lesbian leader, Rabbi Denise Eger, stating "It's important for gay and lesbian Jews to have positive religious role models"	2010	ELCA begins conducting "Rites of Reception" to bring 46 removed gay and lesbian pastors back onto the active clergy roster of the church
Currently	Meetings scheduled to ratify "Rights of Transgender and Non-conforming Individuals."	2013	Rev. Dr. R. Guy Erwin elected ELCA's first gay Bishop in the Southwest California Synod

Note: Information compiled from Holmen (2013) and the Central Conference of American Rabbis' digital archive (ccarnet.org)

Ministries (ELM) in 2007 whose mission is to provide financial, moral and social support for LGBT Lutheran rostered clergy.

In 2009, the ELCA reached a landmark decision and the ordination of LGBT clergy was approved at the annual Churchwide Assembly by the exact margin necessary for the resolution to pass (Holmen 2013; Luo and Capecchi 2009; Steinmetz 2009). Getting there was not an easy task, however. An 8 year "study process", beginning with the 2001 task force on human sexuality, aided and led to this decision (Dart 2009). The 2001 task force led to years of debate and a rich proliferation of ELCA writings arguing either for or against the proposed changes (e.g., Childs 2003; Djupe et al. 2006; Glesne 2004; Hazel 2000; Olson and Cadge 2002; Rogers 2009). During this study process, charges of hypocrisy arose within the church—why was it acceptable for laity to be LGBT but not for clergy? This double-standard lasted for years and caused a lot of friction and problems for the newly formed denomination, including LGBT clergy being removed from the church roles and entire congregations being either censored and/or removed from the church (Holmen 2013). Following the 2009 Churchwide Assembly's decision in favor of LGBT ordination, the ELCA atoned for these actions by conducting a series of "Rites of Reception" in 2010 to bring defrocked LGBT pastors and expelled congregations back into the fold (Goodstein 2010; Holmen 2013).

2.1 *Notes on Transgender Clergy in the ELCA*

The ELCA's landmark 2009 decision to allow gays and lesbians in monogamous same-sex relationships to be called as pastors into the church did not just have an enormous impact on gay and lesbian clergy, but on transgender clergy as well. As a result of this decision, in February 2014 the ELCA installed the Reverend Megan Roherer (ordained in 2006) as the first out, transgender lead pastor of a congregation in San Francisco, California (Nahmod 2014). Reverend Roherer's ordination and installation represents an important step forward in advancing the employment rights of transgender clergy and also illustrates the power of the progressive

Christian social justice message—especially when applied by a transgender pastor to the larger LGBT and heterosexual community.

At the same time as the ELCA's landmark decision regarding the ordination of LGBT clergy, the organization also published a *Social Statement on Human Sexuality* which provided explicit support for gender minorities in multiple different places throughout the document (ELCA 2009). For example:

> This church… must work toward greater understanding of sexual orientation and gender identity. It must seek that which is positive and life-giving while protecting from all that is harmful and destructive… This church… recognizes that a positive sense of one's own body supports a healthy sense of one's gender identity… The church will also attend to the need for equal protection, equal opportunities and equal responsibility under the law, and just treatment for those with varied sexual orientation and gender identity (pp. 24, 29 and 33).

This powerful, pro-transgender language is, however, offset by the ongoing double-standard within the church, as the ELCA's Statement on Human Sexuality also acknowledges dissenting, more politically and religiously conservative, viewpoints as being equally valid, thus undermining their support of sexual and gender minorities.

> This church recognizes that, with conviction and integrity: On the basis of conscience-bound belief, some are convinced that same-gender sexual behavior is sinful, contrary to biblical teaching and their understanding of natural law. They believe same-gender sexual behavior carries the grave danger of unrepentant sin… On the basis of conscience-bound belief, some are convinced that homosexuality and even lifelong, monogamous, homosexual relationships reflect a broken world in which some relationships do not pattern themselves after the creation God intended (p. 20).

The ELCA thus leaves open a large loophole where workplace discrimination against transgender (as well as gay and lesbian) clergy is still implicitly permitted at the local and regional level. Moreover, the prejudice underlying this language is not in any way diminished by reframing such anti-LGBT bias as "conscious bound belief."

2.2 Workplace Issues for the ELCA's LGBT Clergy

Workplace issues for LGBT clergy in the ELCA have changed radically as a result of these major policy changes. However, many of the appointment decisions still depend on the individual congregation, with liberal churches (e.g., West Coast, Northeast) being more comfortable with LGBT clergy than more conservative churches (e.g., South). As a result, shades of the ELCA's original double-standard regarding laity's and clergy's sexual identity still appear in the twenty-first century. LGBT clergy in the ELCA are, however, able to mediate these conflicts by relying on two key concepts from Martin Luther to guide them in their ecclesiastical workplaces: Grace and Vocation (Holmen 2013). Sociocultural scholars refer to this integration of religious values into contemporary life as a form of cultural tool use—the process of appropriating and modifying socially constructed and historically situated physical, symbolic, or abstract means in order to effect change (Etengoff and Daiute 2013, 2014, 2015).

Martin Luther's concept of Grace is based on the idea that individuals are not saved because of what they do or not do (i.e., the concept of works), but because God loved humans so much that He sacrificed his only son for our sins. Martin Luther argued that *all* human beings are saved, because Jesus Christ was born, crucified, died and resurrected (McCain 2006)—something an out gay ELCA pastor, known by the first author, referred to as "God's Love at Christ's Expense." Luther's concept of Grace (for all) has become an important tool for more progressive members of the ELCA and LGBT Lutheran ministers to create a more egalitarian and supportive workplace environment regardless of the pastor's sexual orientation or gender identity (Holmen 2013).

The concept of Vocation was also important for Martin Luther as he believed that God could be found in the everyday labors of everyday people. Vocation is a person's "calling, the work that individuals are called to do"—simply defined as how one uses their secular occupation to serve others and (above all) to serve God (McCain 2006). For many LGBT clergy, what they do *is* their vocation—they are called to the ministry to do God's work, regardless of their sexual orientation or their gender identity. An LGBT Lutheran Christian vocation can thus create a powerful and positive counter-narrative to the religious right's anti-LGBT (and arguably anti-Christian) message.

3 LGBT Clergy[1] in Reform Judaism

Sociocultural scholars approach religion as a practice-based cultural phenomenon—individually and communally mediated in response to the variations of everyday environments, social interactions, and sociopolitical contexts such as LGBT rights (Belzen 1999; Etengoff 2011, Etengoff and Daiute 2013, 2014, 2015). Similar to the development of the ELCA, Reform Movement within Judaism gives voice to this multifaceted exchange between the individual, their religious community and sociopolitical contexts (e.g., see historical timeline in Table 1). While the Movement originally began as a splintered minority, it is now the most common affiliation at 35 % of all American Jews—a significant percentage considering that only 50 % of American Jews affiliate with a synagogue at all (Alpert et al. 2001; Pew Research Center 2013). The Reform Movement is also distinct in that it was the first Jewish movement to welcome gay and lesbian community members and clergy (e.g., rabbis and cantors) (Alpert et al. 2001).

[1] In most forms of Judaism, including the Reform Movement, "clergy" includes both Rabbi's and Cantors. Due to space considerations, only the experiences of Rabbi's will discussed here—we leave consideration of LGBT Cantors to future work in this area.

Religious historians largely agree that the American Reform Movement was born out of the newly emancipated and enlightened Jew's desire to bridge the "marginality between his religious culture and secular order" (Steinberg 1965, p. 129) coupled with the synagogue's inability to enforce social sanctions (e.g., fines, communal censure) in nineteenth century America (Steinberg 1965). The Pittsburg Platform of 1885 codified this new movement by reinventing Judaism as a "progressive religion, ever striving to be in accord with the postulates of reason." To this end, only the moral laws (e.g., charity) and those ceremonies that "elevated and sanctified" (e.g., elements of the Sabbath) were retained and all other biblical commandments were viewed as "reflecting the primitive ideas of its own age"—all that was not "adapted to the views and habits of modern civilization" was rejected as it was foreign to the "mental and spiritual state" of the contemporary Jew (e.g., kosher dietary laws, family purity, religious attire, etc.) (Jacob 1985). At its founding, the premise of Reform Judaism was to align Jewish values with the larger social norms and systems of nineteenth century America (Steinberg 1965)—the sociocultural revolution was focused on Judaism rather than upon (secular) society at large. It was only after the moral devastation of the Holocaust that reform rabbis and theologians such as Rabbi Emil Fackenheim, began consciously redirecting the revolutionary focus of the Reform Movement upon global social justice issues—the Reform Movement's primary focus was no longer to emulate the secular world, but rather to heal, mend and repair moral lapses (Rosenthal 2005). The resurrection of the Talmudic and Kabbalistic principle of *Tikkun Olam* [completing God's creation] was born in twentieth century America and the Reform movement gathered under the banner of *Tikkun Olam* to fight for peace, civil rights, environmental reform and LGBT rights (Rosenthal 2005).

However, given the many voices within the movement, it took some time before the progressive *Tikkun Olam* call for action was formally codified as a foundational principle of the Reform Movement. While the Movement did not reference the term in their first post-Holocaust platform of religious principles in 1976—*Tikkun Olam* became unequivocally revived in 1998 with the "Ten Principles of Reform Judaism" and "social and action and social justice" was reaffirmed as "a central prophetic focus of traditional Reform belief and practices" (Rosenthal 2005, p. 237). The statement defines *Tikkun Olam* as "increasing the spiritual dimensions of our material existence in ways that can repair our shattered world [via public and private initiatives] to work for the cause of the poor and oppressed as the Torah commands us, and for the protection of the earth. . .to help redeem the new century in modernity, striving to transform it into a realization of Israel's great messianic hope for the establishment of truth and justice, for moral and spiritual discipline, compassion and integrity, and at long last, a world repaired, a world at peace" (Union of American Hebrew Congregations 1998). The Ten Principles list *Tikum Olam* as the third principle, preceded only by the reaffirmation of monotheism and the need to integrate Jewish values into modern society (Union of American Hebrew Congregations 1998). The last principle noted reaffirms the "equality of all people of God. . .regardless of gender, age, belief, physical condition, or sexual orientation [as they] are all created in the image of the Holy One" (Union of

American Hebrew Congregations 1998). Moreover, the document concludes with the Central Conference of American (Reform) Rabbis' (CCAR) promise to help all children and people of God "fulfill their divine potential to contribute to a world transformed." This overarching theme of social justice was later reiterated in an abbreviated form in 1999 at the CCAR's Pittsburg Convention (i.e., the Pittsburg Principles, see Alpert et al. 2001).

3.1 Reform Judaism and LGBT Rights

The gap between the evolution of post-Holocaust social justice thought and a codified social justice policy was particularly relevant to the Reform Movement's stance on LGBT rights. For example, a 1981 CCAR "responsa" regarding the "Homosexual in Leadership Positions" vacillated between acknowledging the discrimination faced by homosexuals and the Reform Movements' emphasis on civil rights (e.g., 1977 CCAR resolution to decriminalize homosexuality) on the one side and biblical prohibitions and the traditional role of the leader on the other side. The responsa ultimately concluded that "overt heterosexual behavior or overt homosexual behavior which is considered objectionable by the community disqualifies the person involved from leadership positions in the Jewish community. We reject this type of individual as a role model within that Jewish community. We cannot recommend such an individual as a role model nor should he/she be placed in a position of leadership or guidance for children of any age (CCAR 1981)." While the original question only stated that the individual was a "known homosexual" and "quiet open about their homosexuality"—the implication was clear; a disclosure of a non-heterosexual identity was viewed as an admission of morally deviant behavior.

A little less than a decade later, the implied CCAR prohibition against religious leaders' sexual orientation disclosure was explicitly revoked in the 1990 Resolution on Homosexuality and the Rabbinate (full text can be accessed via CCARnet.org's digital archive). The Resolution began with the acknowledgment that "...the inability of most gay and lesbian rabbis to live openly as homosexuals is deeply painful..." (CCAR 1990). Moreover, the committee urged "that all rabbis, regardless of sexual orientation, be accorded the opportunity to fulfill the sacred vocation that they have chosen". However, the Resolution regretfully admitted that a rabbi's sexual orientation disclosure remained "a personal decision that can have grave professional consequences", potentially impacting their "ability to serve a given community effectively" (CCAR 1990). The Resolution was further limited as the CCAR could not guarantee the tenure of LGBT rabbis. The resolution ultimately concluded by acknowledging the contradiction between congregants' generally positive views regarding LGBT civil rights and "the unique position of the rabbi as a spiritual leader and Judaic role model [that] make[s] the acceptance of gay or lesbian rabbis an intensely emotional and potentially divisive issue" (CCAR 1990). The controversy within and between Reform congregations regarding LGBT clergy was aired and a call was made for community "education and dialogue" (CCAR 1990).

It was only when the values[2] of *Tikkun Olam* became formally integrated into Reform identity in 1999 and when LGBT rights (e.g., gay marriage) gained more legislative traction in the twenty-first Century that the integration of LGBT clergy within the Reform Movement gained momentum, culminating with the first appointment of a lesbian president to the CCAR in 2015, Rabbi Denise Egger. In addition to this appointment representing the newly found employment protections for LGBT Reform clergy, it also addressed the need for LGBT Reform Jews to have positive religious role models.

3.2 The Rights of Transgender Reform Rabbis

The rights and protections afforded transgender individuals pursuing religious leadership positions within the Reform Movement have only recently begun to evolve. For example, the first transgender rabbinical student was accepted to the Reform Movement's flagship institution, Hebrew Union College, in 2003—followed by the first transgender ordination in 2006. These ordination decisions lead to the 2015 Commission on Social Action in Reform Judaism, a joint instrumentality of the Union for Reform Judaism and the CCAR, on the inclusion and acceptance of transgender and bisexual individuals (full text can be accessed via CCARnet.org's digital archive). The commission focused on the disparity between sexual and gender minority rights with the statement that "while progress has been made in bringing greater equality and acceptance of gays, lesbians, and bisexuals in North American society, too often transgender and gender non-conforming individuals are forced to live as second-class citizens" (Commission on Social Action in Reform Judaism 2015). The commission then continued by acknowledging that "the non-discrimination statement of the Rabbinical Placement Commission does not yet require that congregations and other organizations seeking a rabbi commit to avoiding discrimination on the basis of gender identity." After noting the disparity between religious policies and the Movement's more liberal political model, the commission grounded their call for gender minority inclusion in the biblical principle that all of humanity is created in *b'tzelem Elohim* (the Divine image)—"from this bedrock principle stems our commitment to defend any individual from the discrimination that arises from ignorance, fear, insensitivity, or hatred. Knowing that members of the transgender and gender non-conforming communities are often singled out for discrimination, high rates of violence, and

[2] The Reform Movement's traditional exchange between secular and religious values was embodied by the committee's review of medical and psychological studies regarding the origin of sexual identity, legal literature, and documents "prepared by Christian groups grappling with the status of homosexuals and homosexuality within their own denominations with a specific focus on the question of ordination" (CCAR 1990).

even murder, we are reminded of the Torah's injunction, "do not stand idly while your neighbor bleeds" (Leviticus 19:16)." Moreover, many within the Reform Movement believe that there is more to be done to protect gender minority rights within the Movement and follow-up meetings continue to be scheduled. To date, there have been over 12 resolutions regarding LGBT rights within Reform Judaism addressing issues of LGBT clergy, transgender conversion, same-sex marriage and same-sex congregations.

The above review of the Reform Movement's and Evangelical Lutheran Church's policies regarding LGBT clergy offer an exemplar of how larger political movements and religious values interact—creating social revolutions in each domain. Sociocultural psychologists refer to this process as cultural mediation—and scholars such as Vygotsky (1978) root this understanding of human development within the Marxist principles of an individual's power to create social change. While the media continues to emphasize the religious Fundamentalists' and Conservatives' unyielding responses to the needs of spiritual and religious LGBT individuals, sociocultural and positive psychologists have embarked upon the study of how the seeming contradictions between ancient religious and contemporary humanitarian values can be reconciled and integrated (e.g., Etengoff and Daiute 2014, 2015; Rodriguez and Ouellette 2000; Rodriguez and Vaughan 2013). Emerging studies of LGBT-friendly faith communities and the process of religious and sexual identity integration therefore offer a progressive model for change as they acknowledge the complexity of addressing LGBT clergy's employment rights within religious congregations.

4 Theoretical Considerations and Suggestions for Future Research

Both the ELCA and Reform Judaism permit LGBT clergy in monogamous relationships to serve in ministerial positions. However, as progressive as these two denominations are, both explicitly state that the decision to hire an out LGBT clergy-person is left entirely up to an individual congregation. What does this mean from an employment perspective? What theories best address the unique individual, organizational and community workplace issues faced by LGBT clergy serving in progressive congregations? Space considerations do not allow us to consider the full spectrum of theoretical possibility. Other than Vygotsky's social change theory (1978) which we have already mentioned, we limit our discussion here to two theories that we find particularly applicable to the topic at hand: Coming Out Growth (Seligman and Csikzentmihalyi 2000) and empowerment (Perkins and Zimmerman 1995).

4.1 Coming Out Growth

Coming Out Growth (COG) is a term that falls under the auspices of Seligman and Csikzentmihalyi's (2000) three-pillar model of positive psychology (character strengths and virtues, subjective experience and positive institutions). COG is defined as the self-perceived growth directly attributed to the unique experiences and identity development of sexual and gender minorities (Rodriguez and Vaughan 2013). Thus turning "coming out" from the difficult, stressful process that is typically presented in the social scientific literature into an opportunity for personal advancement, increased self-confidence and improved psychological health. The coming out process can thus be reframed as an opportunity for LGBT individuals to become more honest and authentic, both internally and relationally.

COG can also be understood as a form of Stress Related Growth (SRG); the idea that stressful life events can potentially lead to positive developmental outcomes such as enhanced self-esteem and improved coping abilities (Vaughan and Rodriguez 2014). Within the context of the development of a stress-related growth measure for sexual minorities, Vaughan and Waehler (2010) identified five domains of growth that contribute to forming a healthy sexual minority identity: (1) mental health/wellbeing, (2) authenticity/honesty, (3) social/relational gains, (4) identity-related growth, and (5) advocacy/generativity. Combined together, COG, SRG and these five general domains of growth provide a powerful foundation with which to explore the workplace experiences of LGBT clergy as pivotal contexts for individual and cultural development.

For example, Holmen (2013), in his book titled Queer Clergy, discusses the significance of the "Ministry of Presence"—the cultural impact (i.e., social/relational gains, advocacy/generativity) of openly LGBT pastors and lay members (i.e., authenticity/honesty). In the early days of Lutherans Concerned, the visibility of LGBT pastors and lay members (i.e., coming-out), was a powerful avenue for advocacy that directly led to the ELCA's 2009 landmark decision to ordain LGBT pastors. Alpert et al. (2001) make similar arguments regarding the positive impact of the first gay and lesbian rabbis' sexual orientation disclosures in the 1970s—at both the individual (i.e., mental health/wellbeing and identity-related growth) and communal (i.e., social/relational gains, advocacy/generativity) levels. LGBT clergy's visibility gave them power, and their new found power enabled them to reshape their respective movements into a more inclusive religious environment for LGBT people of faith—leading to a safer workplace for LGBT clergy.

4.2 Empowerment

The community psychology theory of empowerment is an underutilized theory in the social scientific study of LGBT people of faith, which is puzzling as this theory can inform our understanding of LGBT clergy's experience at both individual and organizational levels. Empowerment is defined as a psychological mechanism whereby people take back control of their lives (Perkins and Zimmerman 1995). Empowerment operates on three distinct levels: individual (e.g., priest/clergy), organizational (i.e., ELCA, CCAR), and communal (e.g., individual congregations) (Perkins and Zimmerman 1995). Within these three levels, psychological researchers make a distinction between empowerment values, empowering processes, and empowered outcomes. According to Zimmerman (1996), empowerment values are an orientation whereby professionals work with and for communities seeking empowerment rather than simply advocating for them. Empowering processes refer to the community's agentive development of skills, the accumulation of resources, and the establishment of social connections. Lastly, empowerment outcomes are the assessments of empowerment interventions (Zimmerman 1996).

Maton and Salem (1995) uncovered four key characteristics of empowered organizations: (1) a strength-based belief system that inspires group and individual growth; (2) dynamic and meaningful role opportunities accessible to members of various strengths (3) an overarching peer-based support system that provides a strong sense of community while relying on an array of economic and social supports; and (4) talented and inspiring leaders that are accessible and committed to both the organization and its members (Maton and Salem 1995). This framework is particularly relevant to the study of religious communities, as Maton and Salem (1995) note: "[Religious organizations] represent potentially important local communities in which individuals, through active participation with others, can gain power, resources and achieve primary personal goals" (Maton and Salem 1995, p. 632).

Based on Maton and Salem's (1995) four characteristics of empowered organizations, both the ELCA and American Reform Judaism can be viewed as empowered organizations (or even empowered communities) that attempt to assist LGBT self-actualization by (re)connecting religious and spiritual LGBT individuals to the word of God. Moreover, the empowerment model speaks directly to how LGBT clergy have reclaimed their religious vocations in the face of both explicit and implicit anti-gay discrimination from many in the ELCA and Reform Judaism. By becoming a Lutheran pastor or a Reform rabbi, LGBT clergy became empowered and empower others to integrate their sexual, gender and religious identities into a new positive whole that is more than the sum of its parts.

5 Concluding Thoughts

While the religious right dominates the media discussion around religion and sexuality in the United States, it is actually the more progressive denominations that are trailblazing the way to allow LGBT clergy to serve God in their own way. However, despite the substantive changes that have been made by more progressive Judeo-Christian groups, the experiences of LGBT clergy is a drastically understudied area. Yet, the need for further research regarding LGBT clergy workplace experiences is imperative as LGBT clergy's employment rights vary widely between and within denominations—due to both legal loopholes and institutional policies. Thus elements of discrimination still remain, even in progressive congregations. Perhaps these experiences of discrimination and invisibility are most acute for bisexual clergy as bisexuals who marry same-sex partners tend to get covered under gay and lesbian issues, while bisexuals who marry opposite-sex partners can potentially "pass" as part of a heterosexual couple. Unfortunately, the lack of information in this chapter regarding bisexual clergy's experiences is reflective of the cultural silencing of the issue across denominations—and further work is needed to understand the distinct experiences of this community.

America's diverse sociocultural landscape surrounding issues of religion and sexuality presents a rich opportunity for researchers to understand LGBT clergy's experiences from a variety of perspectives, including workplace and employment issues. In addition, multiple theoretical perspectives lend themselves to the study of LGBT clergy workplace experiences in progressive Judeo-Christian denominations, such as Vygotsky's sociocultural theory (1978), Coming Out Growth (Seligman and Csikzentmihalyi 2000) and Empowerment Theory (Perkins and Zimmerman 1995). When these theories are applied together, the appointment of LGBT clergy can be understood as a case study on how individuals can agentively mediate powerful institutions, thereby impacting their own as well as their community's empowerment and development. This framework is accessible to both qualitative and quantitative researchers—both of which are needed to supplement the extant historical and autobiographical work. It is critical that both employers (i.e., religious institution) and employees (i.e., LGBT clergy) have access to research that systematically assesses and describes what is actually going on in LGBT clergy's lives in order to understand current and predict future trends.

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Discrimination and Marginalization of LGBT Workers in Thailand

Busakorn Suriyasarn

1 Introduction

Discrimination on the grounds of sexual orientation and gender identity (SOGI) has been recognized in international law, and developments in recent years have led to increased focus on the prevalence of discrimination against lesbian, gay, bisexual, and transsexual (LGBT) persons around the world. While some countries have adopted legal provisions prohibiting discrimination against LGBT persons, most countries have not.

LGBT workers face discrimination in various aspects in the job market throughout the employment cycle. There is a growing concern within governments and international trade union federations regarding violations of the rights of LGBT persons. However, specific information about discrimination against LGBT workers is not available in many countries, in particular developing countries like Thailand.

As part of a series of country studies that examines the discrimination faced by LGBT people at work, the International Labour Organization (ILO) commissioned a study to map the patterns of discrimination faced by LGBT persons in Thailand's world of work. (Other countries in the country study series include Argentina, Costa Rica, France, Hungary, India, Indonesia, Montenegro, and South Africa.)

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2 Research Methodology

2.1 Research Aim and Approach

The research was the first major study in Thailand that focused on discrimination against LGBT workers and therefore was exploratory in approach. It aimed to identify key issues and patterns of discrimination in the employment and occupation of Thai LGBT persons for policy considerations and recommendations. The qualitative research included two components, legal review and field research, and was conducted in close collaboration with the Thai LGBT networks and the ILO tripartite partners.

The legal review involved analysis of existing Thai national laws, regulations and policies that guarantee LGBT rights to equality and non-discrimination, discriminatory provisions thereof, as well as gaps in legal protection for LGBT rights, and recent legislative and policy changes to promote gender equality and LGBT rights.

The field research involved in-depth interviews, focus groups and meetings in four cities with over 80 individuals from LGBT organizations, academics, and representatives of the ILO tripartite partners from the government, workers' and employers' organizations, and civil society.

2.2 Field Data Collection

Field data were collected during June 2012 and February 2013. In-depth interviews and focus group discussions were conducted in four cities, including the capital Bangkok, the city of Chiang Mai and the industrial town of Lamphun in the North, and the city of Pattaya in the East.

Twenty-one (21) in-depth interviews were conducted with 29 individuals. Ten (10) focus groups were conducted with 54 respondents aged 20–54 from various sub-groups within the Thai LGBT community, with 12 email interviews to supplement data from the focus groups. The research respondent profiles are presented in Table 1.

In addition, the author participated in two meetings with a number of LGBT individuals and government representatives and four seminars on LGBT rights.

The personal interviews, focus groups and supplementary email interviews were provided and arranged with the assistance of the following organizations:

- Lesbian organizations: Anjaree Group, Sapaan.
- Organizations supporting gay men and men who have sex with men (MSM): Rainbow Sky Association of Thailand (RSAT), Bangkok Rainbow Organization (BRO), Mplus+.

Table 1 Research respondent profiles

Personal in-depth interviews		Focus group discussions	
Category of respondents	Number	Category of respondents	Number
LGBT activists	12	Lesbian and bisexual women (1 FG)	9
Academics	2	Gay men (2 FGs)	11
NGOs	7	MTF transgender persons (3 FGs)	15
Government officials	3	Trans women (1 FG)	4
Employers' representatives	3	Trans men (1 FG)	3
Workers' representatives	2	MTF transgender sex workers (1 FG)	9
Lesbians (email interviews)	10	Gay male sex workers (1 FG)	3
Gay men (email interviews)	2	(MTF = Male-to-Female)	
Subtotal	41	Subtotal	54
TOTAL	95		

- Transgender organizations: Sisters, Center for Transgenders (supporting transgender sex workers), Thai Transgender Alliance (TGA), Trans Female Association of Thailand (TFAT).
- Foundation for SOGI Rights and Justice (FOR-SOGI).
- Teeranat Kanjanauksorn Foundation (TKF, advocating gender justice).
- The Poz Home Center (supporting people living with HIV).
- Service Workers In Group (SWING, supporting sex workers).
- Women's Health Advocacy Foundation (WHAF).
- People's Empowerment Foundation.

Efforts were made to obtain balanced perspectives from respondents, who came from all walks of life and various educational and social backgrounds. While the focus groups were conducted in four provinces, the respondents came from all regions of Thailand. They ranged from university students and university-educated urban professionals and gender/LGBT rights advocates, to low-income workers and sex workers, to less educated, unemployed/underemployed persons in rural and urban areas.

2.3 National Validation of Findings

The research findings were validated at a national workshop on 4 June 2014, attended by 163 people from various organizations, including over 80 members of LGBT community from across Thailand, 26 representatives of relevant government agencies, and workers' and employers' organizations, over 30 interested academics and individuals from civil society, and around 20 staff members of various United Nations agencies. Many respondents in the research were among the workshop participants.

Workshop participants largely confirmed the research findings. They were asked to give their feedback on the findings in a brief 10-question questionnaire. In total, 90 people returned a completed questionnaire. Seventy-three per cent of the questionnaire respondents identified themselves as LGBT. The majority of the respondents (78 %) said they were not surprised by the findings. Nearly half (43 %) said the findings reflected their own experience and 78 % the experience of LGBT people they knew. As high as 87 % of self-identified LGBT respondents said the findings reflected their own experience and others in their LGBT communities. Some self-identified heterosexual respondents commented that they were surprised by the findings because they were unaware of the problems before, especially the extent of discrimination against trans women (MTF transgender persons).

The research findings also confirmed findings of the national participatory review and analysis in Thailand under the "Being LGBT in Asia initiative" supported by United National Development Programme (UNDP) and United States Agency for International Development (USAID), in particular that discrimination against LGBT people in Thailand starts before employment, that transgender persons face the severest discrimination due to their visibility, and that LGBT people are pressured to hide their diverse gender identities at work or face lack of career progress (UNDP-USAID 2014).

2.4 Data Limitations

The data tend to favor younger, urban, educated LGBT populations. Despite efforts to obtain interviews with older LGBT respondents, most active LGBT organizations tend to involve the younger LGBT generation and most active LGBT individuals who agreed to participate in the study were in their twenties and thirties, and some in their forties. As a result, the information received is somewhat skewed toward younger LGBT persons in the early and middle stages of their career. This was rectified to some extent by supplementary email interviews with older respondents.

As most interviews and focus groups were conducted in large cities, there is a slight skew toward vocational- and university-educated, urban LGBT population in white-collar and non-governmental jobs. This is particularly true for the lesbian group. Supplementary data were added for balance from a master's thesis on "tomboy" factory workers in an industrial estate in a rural province of Lamphun in Northern Thailand.

No concrete good practice examples on promoting employment of LGBT workers and gender diversity by Thai employers were reported by the research respondents. While efforts were made to obtain inputs from representatives of employers' organizations, perspectives of employers are limited in this study.

3 Findings

The research findings are summarized in two parts: 3.1 protection for LGBT rights under Thai law; and 3.2 reality of LGBT discrimination in Thailand's world of work, which includes key observations and patterns of discrimination experienced by Thai LGBT workers in employment and occupation.

3.1 Protection of LGBT Rights Under Thai Law

3.1.1 Equality Protection and Anti-discrimination Provisions

Thai law does not criminalize homosexuality. Sodomy was decriminalized in 1956. However, legal protection of LGBT rights in Thailand has been relatively limited. In general the Thai legal system strictly and explicitly identifies persons in the law only by the male and female genders. Laws and regulations that discriminate against LGBT persons still exist even if there have been some positive legislative progress in recent years to ensure equal rights between men and women and to recognize LGBT rights.

Until very recently there was no Thai law that recognized the rights of persons of diverse sexualities. There is also no specific anti-discrimination law covering employment and occupation. Thai LGBT communities have actively advocated for more legal recognition and protection of their rights with some success.

The two previous constitutions of Thailand (1997 and 2007) guaranteed equality for all persons and between men and women. Section 30 of the Constitution of Thailand B.E. 2550 (2007), abrogated by the 22 May 2014 coup d'état, prohibited discrimination on the ground of sex among the twelve prohibited grounds. LGBT advocates lobbied unsuccessfully due to objections from conservative lawmakers to include "sexual diversity" as a prohibited ground in the anti-discrimination provision. However, they negotiated to have protection against discrimination based on "sexual identity," "gender" and "sexual diversity" annotated as inclusive in the ground of sex in the accompanying Intentions of the Constitution which provided guidelines for application. The Interim Constitution of Thailand imposed by the military junta since 22 July 2014 contains no gender equality protection or anti-discrimination provisions. The latest, military-supported draft Constitution of Thailand expected to be put to a referendum in August 2016 has no mention of gender diveristy, sexual orientation or gender identity.

Persons of diverse sexualities were recognized for the first time in Thai law in the November 2012 National Social Welfare Promotion Commission (NSWPC) Regulation, issued under the 2007 amendment of the Social Welfare Promotion Act B.E. 2546 (2003). The 2012 NSWPC regulation identifies "persons of diverse sexualities" as one of the 13 target population groups requiring assistance to access social services. It gives comprehensive definitions of LGBT identities, including homosexuals (gay men and lesbian women, including *toms*); bisexuals; transgender persons (Thai: *khon kham phet, katoeys, sao praphet song*, *ying kham phet*); intersex persons; and queer persons (Royal Gazette 2012, November 16). LGBT advocates provided extensive input to the drafting of the Regulation which sets out key measures to increase opportunity in employment, education and participation in policymaking, among others.

In recent years gender expressions and identities have become diversely identified in Thai society. Besides common English terms such as "gay", "lesbian," "bisexual," "transgender" and "intersex" adopted into usage in the Thai language with additional nuances, there are many specific Thai terms for various gender expressions and identities in the Thai context:

- "Gay" is used exclusively with men who are attracted to men. Thai women who are attracted to women are not referred to as "gay women," but "*tom*," "*di*," "*les*," or *ying rak ying*, literally "women who love women." Gay men are also called *chai rak chai*, "men who love men." The latter two terms are relatively new.
- "Lesbian" is used to refer to women who are attracted to women but is generally not favored by Thai "women who love women" because it is perceived to carry a negative connotation that lesbians are mentally abnormal. However, many lesbian women refer to themselves simply as "*les*."
- "*Bi*" is an informal Thai term for "bisexual" used as in English, although few Thais openly identify themselves as bisexual.
- "*Tom*," from English "tomboy," refers to a woman with a masculine gender expression/identity who is attracted to women, often but not always, a "*di*."
- "*Di*," from English "lady," refers to a woman with a feminine gender expression/identity who is attracted to women, often but not always, a "*tom*."
- "TG," shortened from "transgender," is a new term of self-identification among Thai transgender activists and members of the male-to-female (MTF) trans community.
- "*Katoey*" is an old but still widely used Thai term referring to a person who was born male but has a feminine appearance, expression and behavior more consistent with that of a female person. The term has historical meaning as "hermaphrodite," which medically means a person who has both male and female sexual organs, and historically used to mean either a MTF or female-to-male (FTM) transsexual person. In current usage, *katoey* refers exclusively to MTF trans persons. Some MTF trans women do not favor this term and find it derogatory, while those who take pride in their unique, in-between gender identity of *katoey* embraces it.
- "*Sao praphet song*," literally "woman/women of the second category," refers to *katoeys* and trans women. This term is widely acceptable to MTF trans persons.
- "*Tut*," from *Tootsie*, the Dustin Hoffman film, is equivalent for the English term "fag," or "faggot." This adopted term is widely used but highly pejorative for gay men, *katoeys* and MTF trans people, although some gay men among the

younger generation may embrace it and use it subversively. However, in general usage it is best avoided.

- "*Phet thi sam*," literally "the third gender," refers collectively to individuals who are not heterosexual. This term is generally not favored by Thai LGBT people, as it is perceived to reinforce gender hierarchy.
- "*Khon kham phet*" is the direct translation of "transgender person," used for both MTF and FTM.
- "*Ying kham phet*" is the Thai term for "trans woman."
- "*Chai kham phet*" is the Thai term for "trans man."
- "*Phet kam-kuam*" is the Thai term for "ambiguous sex" of intersex persons.

The Gender Equality Act B.E. 2558 (2015) (*Royal Gazette* 2015, March 13) was the first major Thai law that guarantees protection from gender discrimination for LGBT persons as follows:

> 'Unfair gender discrimination' refers to any direct or indirect action or non-action which is an unfair distinction, exclusion or restriction of any right or benefit because the person is male or female, or has a *gender expression different from his/her birth sex* [my emphasis]. (Sec. 3, para. 1)

While the Act is recognized as an important milestone for LGBT rights in Thailand, its content concerns mostly with the establishment and duties of two gender equality commissions tasked with promoting gender equality and reviewing gender discrimination complaints. The Act has received mixed reception from Thai LGBT activists, many of whom expressed concerns about Section 17 which may provide a legal loophole to allow discrimination against LGBT persons if done to provide protection and safety or according to religious principle or national security (Yingcharoen 2015).

Traditionally Thai law protected only women and children from sexual violence. In the last decade, there has been a move towards a more inclusive definition of sexual rights and wider protection to also cover men and people of diverse sexualities. The Criminal Code Amendment Act (No. 19) B.E. 2550 (2007) has expanded the definition of rape to cover raping of people of all genders and all types of sexual penetration, and imposes more severe penalties (up to 20 years imprisonment) on offenders in all forms of rape and sexual abuses. However, concerns remain about effective law enforcement and law enforcement officers' insensitivity for rape victims, especially transgender persons.

In employment and occupation, the Labour Protection Act B.E. 2541 (1998) and No. 2 amendment B.E. 2558 (2008), which provides protection for workers in the private sector, contains provisions that guarantee equal treatment for male and female workers (Sec. 15) and equal pay for work of equal value (Sec. 53). The Labour Protection Act also prohibits sexual harassment against all workers including men (Sec. 16). The Act does not apply to central, provincial and local administration, and state enterprises under the law governing state enterprise labor relations. The Ministry of Labour Regulation on Thai Labour Standards, Social Responsibility of Thai Businesses B.E. 2547 (2007) prohibits discrimination against workers on the basis of sex as well as personal sexual attitude.

3.1.2 Discriminatory Provisions

Discriminatory provisions persist in some laws, regulations, and administrative rules. Some discriminatory provisions have been addressed, while others remain.

Until 2012 transgender/transsexual males were still officially described as "mentally ill" as the basis of an exemption from mandatory military conscription. The wording "permanent mental disorder" was commonly recorded on the reserved military service exemption document, known as Sor Dor 43, for exempted trans persons but who are still required to report for compulsory military draft along with all 21-year-old Thai males. Sor Dor 43 is often required for Thai men in job applications as proof of military service or exemption thereof, resulting in many MTF trans persons with such a document being rejected or deterred from applying for formal jobs.

Thai LGBT networks heavily lobbied the Ministry of Defense to discontinue certifying the Sor Dor 43 documents with the "mental disorder" wording. The military agreed in March 2006 but refused to revise previously issued papers. The real change came in September 2011, following a court order in a case filed by a 27-year-old transgender person against the Ministry of Defense in 2006 for the use of such wording. The Central Administrative Court issued a landmark ruling ordering the Ministry of Defense to stop labeling transgender persons as having a "permanent mental disorder" and correct the wording on the plaintiff's Sor Dor 43, stating that such a wording was "inaccurate" and "unlawful." On 11 April 2012 Ministerial Regulation No. 75 B.E. 2555 (2012) was issued under the 1954 Military Service Act to use the term "gender identity disorder" in military service exemption for transgender persons. Exempted transgender persons can now request a new Sor Dor 43 with the new wording. This was progress, but the new wording "gender identity disorder" continues to stigmatize as a form of psychological abnormality.

Ambiguous language in laws and regulations sometimes lead to discrimination resulting from arbitrary interpretation and application of the law, limiting the opportunities of transgender people (and other population groups, in particular persons with disabilities). One key example is the Civil Service Act B.E. 2551 (2008) which defines a disqualification for civil service applicants on the basis of "being morally defective to the extent of being socially objectionable" (Sec. 36, B (4)).

3.1.3 Gaps in Legal Protection

Thailand is known for world-class medical skills in sex reassignment surgeries and a high visibility of transgender people in society, yet ironically the Thai legal system fails to recognize transgender identity. Sex reassignment surgeries are legally permissible for those aged 18 and above, but transgender persons who have had sex change are not allowed a legal change of their gender. Legally Thai citizens are either male or female according to their sex registered at birth. At present only intersex persons with ambiguous or both male and female sexual organs can apply for a legal title "correction," after a medical procedure has been completed to keep either male or female sexual organs.

Thai law also allows only a man and a woman to be legally married. Thailand's Civil Code stipulates that only persons with a legal marital status can be considered a legal heir of the spouse. Without legal recognition of the union, same-sex partners in Thailand are deprived of many legal spousal entitlements and benefits and the capacity to conduct legal transactions as legal spouses, for example, the right to co-manage spousal assets, tax benefits, alimony, social security benefits for spouses through the employer and the state, life insurance benefits (Preechasilpakul 2013).

3.2 Reality of LGBT Discrimination in Thailand's World of Work

3.2.1 Persistent Stigma and Discrimination of LGBT Persons in Thai Society

The overwhelming majority of respondents in this research believe there is no real acceptance of LGBT people in Thai society due to persistent and prevalent prejudices, misconceptions and lack of understanding about SOGI rights. Thai LGBT persons face stigma and many forms of discrimination in education, at work and in life. Some are rejected by their own families.

Different groups of LGBT respondents experience varying degrees of social acceptance, but those with visibly different gender expressions, in particular transgender persons—*katoeys, sao praphet song*, trans women and trans men—as well as *toms* and intersex persons face the strongest and most extensive discrimination and exclusion by mainstream Thai society. While there is more social acceptance for LGBT people now than in the past, the perception that Thailand is an LGBT heaven is more an illusion than reality. One extreme example is a sign in front of a restaurant in Pattaya that says "*katoeys* are not allowed," along with dogs and durians, the local pungent fruit.

The respondents in this research generally characterized Thai society's acceptance of LGBT people as: "It's OK, as long as they are not my children." Their observation from the research is to some extent supported by two national polls conducted in 2013 and 2015, each with 1250 respondents nationwide (SE $\leq$ 1.4). The poll results indicate that while Thais are generally open and accepting of LGBT friends and colleagues and, to a lesser extent, family members, they are much less willing to support LGBT legal rights. Nonetheless, there are slight increases in support for the right to a legal gender title change for transgender persons and for legal same-sex partnership (see Table 2 below).

Another survey conducted with 868 LGBT people from eight provinces in 2012–2013 revealed that 27 % experienced violence in the family, with the highest percentage (38.4 %) among MTF trans, and most did not report violence to

Table 2 NIDA Poll—acceptance of LGBT at work and in family in Thai society (2013, 2015)

Poll question	Answer	2013 (%)	2015 (%)
LGBT friends and colleagues	Can accept	88.49	88.72
	Cannot accept	8.79	10.00
	No answer/Not sure	2.72	1.28
LGBT family members	Can accept	77.56	79.92
	Cannot accept	17.25	16.80
	No answer/Not sure	5.19	3.28
Transgender persons should have the right to a legal gender title change	Agree	43.53	53.20
	Disagree	42.01	39.44
	No answer/Not sure	14.46	7.36
Legal same-sex partnership	Agree	52.96	59.20
	Disagree	33.84	35.04
	No answer/Not sure	13.18	5.76
Add alternative gender(s) besides male and female in all official documents	Agree	–	59.36
	Disagree	–	35.12
	No answer/Not sure	–	5.52

Source: NIDA Poll, "What does Thai society think of the third sex?" http://goo.gl/ix2Qaj. Accessed 5 August 2015

authorities (Samakkeekarom and Taesombat 2013). MTF trans also reported sexual harassment and rape or attempted rape during reserved military conscription and training.

3.2.2 Hetero-normative Pressure and Exclusion of Trans People

Discrimination and exclusion against LGBT people is an extension of the larger gender inequality that still exists in society based on heterosexual normative values, which perpetuate and reinforce the distinction and expectations of masculine and feminine gender roles and behaviors. Those who do not conform to traditional gender norms are censured, marginalized or excluded for being different. These norms are reinforced by social conditioning at home, at school and at work, and sanctioned through laws, rules and regulations. For example, the male versus female school and work uniforms have been a source of difficulties for many Thai trans people, as increasingly covered by Thai media in recent years.

While Thai society can be said to tolerate transgender persons who have had a full transformation to the preferred sex, there is less tolerance for those whose gender identity is ambiguous, "in between," neither "man" nor "woman." Trans people tend to be the target of the strongest discrimination and violence among all LGBT populations.

3.2.3 Discrimination at All Stages of Employment, Starting from Education

The majority of LGBT respondents in the research have experienced discrimination in many aspects and stages of employment, starting from education and training, to access to employment, career opportunity and advancement, as well as in access to pension and other social security benefits.

MTF trans more than other groups reported being pressured at home and by teachers to choose "soft" subjects and fields of study (such as communication, humanities and social science) and discouraged from others, often high status, fields such as teaching, psychology, medicine, and engineering. Transgender university students, both MTF and FTM, are sometimes barred from examination and training courses due to strict dress code.

A MTF trans trainee teacher in Northern Thailand was not allowed by her university to wear a female student uniform during her teacher's training after 4-year university course work. (Thailand is one of the few countries in the world where university students are required to wear uniform.) Although the school where she applied for teacher's training accepted her as a trainee teacher in a female uniform, the university objected citing the university's dress code, arguing that a trainee teacher must be an appropriate role model for school pupils, and if she insisted on wearing the female uniform she would not be allowed to graduate and become a teacher. With the intervention of a local NGO and the National Human Rights Commission, the matter was resolved. The university gave a special permission to allow her to wear a female uniform during her training (Suriyasarn 2015, Box 4.2, p. 49).

Some trans respondents reported having been denied scholarship due to their transgender identity. Some gay male and trans students experienced harassment and violence, from verbal abuse to bullying and physical assaults from peers as well as teachers, resulting in school dropout or change of school, even attempted suicide.

A feminine gay male was bullied and physically assaulted by classmates when he was a technical school student in Bangkok. He studied industry logistics, a male-dominated field, and received top marks in class. In his first year he was chosen as the school's representative in a competition. His classmates were unhappy because they felt that industry logistics was a 'manly' field. One day he was ganged upon by eight classmates who tried to undress him to take pictures and make a video clip to post on the school web board, which at the time featured clips of *katoey* students forced undressed by fellow students. He fought back and screamed until a teacher came to rescue him. The classmates told the teacher they were "humiliated" that a *katoey* was chosen to represent them. The classmates were punished but the bullying worsened. Finally he moved to a new school and changed his major to business (Suriyasarn 2015, Box 4.7, p. 66).

Many gay research respondents revealed that they hid their sexuality while they were high school students and not associated themselves with gay or *katoey* classmates in fear of being found out and subsequently teased or bullied.

A 2014 study on bullying of LGBT students in Thai schools, which surveyed 2070 students in five provinces in Thailand, of which 11.9 % self-identified as LGBT, confirmed high prevalence of bullying of LGBT students. The study revealed that 56 % of students self-identified as LGBT reported having been bullied in the past month, and 25 % of students who did not identify as LGBT reported being bullied because they were perceived to be transgender or same-sex attracted. The bullying ranged from verbal abuse (e.g., face-to-face and online name calling), physical abuse (e.g., slapping, kicking), social exclusion, and sexual harassment, which included public sexual humiliation (e.g., placing victims into sexually humiliating positions, mimicking rape). *Toms* were the least liked group, with recent emergence of anti-*tom* hate groups (Mahihol University, Plan International Thailand, UNESCO 2014).

3.2.4 Least Access to Job Opportunities for Trans and 'Toms'

While masculine gay men and feminine lesbian women have comparable access to jobs as heterosexual men and women, MTF trans, lesbian tomboys and trans men face the biggest barrier to access to jobs, especially in public institutions and large private companies. Several trans respondents (referring to MTF trans, self-identified trans women and trans men in this research) said they were asked intrusive questions about their sexuality in job interviews, and denied jobs at the interview stage once their legal gender title was known to be different from their outward appearance. Trans job applicants are also commonly given psychological tests not given to other applicants.

A self-identified trans man in his late twenties, a respondent in this research, said he was unemployed for 2 years after university, despite graduating with honors. He struggled with having to wear skirts to job interviews and being asked questions about his sexuality, e.g., "why did you choose this sex, why do you want to become a man, which toilet will you use?" He said one job interviewer told him, "We are open-minded here but we still have rules. Can you wear the female uniform to work?" He was eventually hired by a bank but only worked there for a brief period before leaving the job due to anti-LGBT slurs from co-workers. He became an international LGBT activist.

Trans people feel almost completely excluded from employment in the civil service which enforces strict sex-specific dress codes. For trans people to gain employment in the civil service, they must observe the dress code at work according to their birth sex. Not many are willing to do so. A MTF trans social worker related her experience applying for a job with the government:

> I had to cut my hair short and dress as a man to apply for the job because I was afraid I would not be considered otherwise. After having worked for a period I still kept my hair

> short but I started telling my direct superiors [of my real gender identity]. They acknowledged it and I started dressing as normal, as a woman (Suriyasarn 2015, p. 52).

Transgender identity is also a problem for some employers in the private sector. In a case that went to the Labour Court in Bangkok in 2007, a MTF transgender person was already hired by the Thailand country office of a multinational company but the hiring was retracted because of her "cross-dressing" (Suriyasarn 2015, Box 4.3, p. 54). Recent positive changes in new acceptance for transgender workers in some jobs (such as flight attendant, elected local government official) remain exceptions rather than a real change on a larger scale.

Interestingly, most MTF trans respondents in this research said the improvement of wording in the military exemption document has no significant impact on their employment opportunity because the real obstacle in getting mainstream jobs is the mismatched physical appearance and legal identity.

3.2.5 Ghettoization of Employment for Trans People

Often denied jobs in the formal sector, most trans people, including those highly qualified, are left with limited stereotypical job choices where they are more accepted, in entertainment as cabaret performers or beauty pageants, in the beauty industry as make-up artists and sale persons in cosmetic department, and in a few service jobs such as public relations. Many MTF trans resort to sex work. Trans in poor rural communities also find themselves at the margin of the rural informal economy as unpaid or poorly paid family workers, irregular hired laborers, home-based workers at the bottom of the manufacturing supply chains, or even as spiritual mediums.

At a workshop on human rights with 27 mostly university-educated trans contestants in the world-famous Miss Tiffany beauty pageant in Pattaya in April 2013, the contestants shared their experience in employment discrimination: "We were often denied jobs because we were judged as abnormal, different, and less valuable than women and men, but in truth we have no different capacity and can also be doctors, prosecutors, judges, etc." (Suriyasarn 2015, p. 55).

3.2.6 Differential Preference for Tomboy Factory Workers

During the past decade or so *toms* have become workers in demand by factories in the manufacturing industry which have traditionally employed a large number of women. According to a 2011 master's thesis (Chailangka 2011), *toms* have become desirable workers because they are perceived to have combined feminine and masculine qualities ("nimble" and "detailed oriented" like women and "strong" like men).

3.2.7 Gay Workers Staying in the Closet for Job Security

Many gay and lesbian workers tend to play heterosexual roles to avoid possible rejection, gossips and anti-LGBT comments that can amount to a hostile work environment (unless they work in an LGBT-specific organization). Generally, homosexual men and women hide their sexuality in the early stages of their career and only come out later after they feel some security in their job. This largely depends on the workplace culture and the profession. Non-heterosexual gender identity is perceived to damage credibility in leadership and in some traditional high-status jobs, for professions such as lawyers and judges. A lesbian respondent in this research who was a Muslim and worked as a lawyer said that she hid her sexuality at work for fear of losing her professional credibility in the male-dominated field and in particular among her Muslim colleagues. She explained:

> In the Muslim culture, being a lesbian would mean excommunication . . . The locals would say [lesbianism] is a sin and satanic (Suriyasarn 2015, Box 4.4, p. 59).

3.2.8 Unfair Treatment at Work for Trans and 'Toms'

Access to toilets is an issue for both MTF and FTM transgender employees. Often neither male co-workers nor female co-workers like *katoeys, sao praphet song* or *toms* and trans men to use their restrooms. Very few workplaces in Thailand have special restrooms for trans people.

Trans and *toms* face more discrimination at work. They are often not fairly treated in terms of recognition for their work. Although *toms* are accepted in some jobs such as factory and construction and some enjoy job promotion, others are pressured to resign from their job as a result of harassment and unfair treatment, feeling their work is not fairly valued and compensated (Suriyasarn 2015, Box 4.5, p. 61). Incongruous legal identity also poses an obstacle in career advancement to managerial positions for some trans employees (Suriyasarn 2015, Box 4.6, p. 62).

3.2.9 Hostile Work Environment, Sexual Harassment and Violence

Many members of all LGBT groups in the research reported having experienced various forms of gender-based harassment and violence at school and at work, from verbal harassment in forms of mild teasing, taunting, gossip, slurs and insults, to groping and more serious forms of physical and sexual violence, including bullying, physical assaults and rape.

Many MTF trans and feminine gay respondents reported having experienced being called the pejorative term "*tut*," Thai for "faggot." The word *katoey* itself is sometimes also used as an insult, and large, unfeminine, or heavily built trans are often called *"katoey kwaay*," "buffalo trans" (buffalos are seen as large and stupid in Thai culture). Many LGBT respondents have experienced strong judgmental comments from people in various situations, often described as "*phit phet,*" meaning "sexually abnormal" or "sexually perverse." They have also been told that theirs was a "wasted life."

Hostile work environment commonly experienced by LGBT respondents in the research involves gossip and slurs, insensitive jokes, sexual comments or intrusive questions about their private lives and sexuality. Some reported having experienced their co-workers telling jokes about trans and *toms* being raped or gang raped. Some lesbian respondents complained about male co-workers watching pornographic films at work and making suggestive comments about lesbian sex acts.

While MTF trans respondents reported harassment and violence more than other groups, lesbians are also subject to sexual violence. Some respondents reported rape and attempted rape of tomboy lesbians by male friends and co-workers, rape and attempted gang rape of intersex persons because of their ambiguous gender identity, and rape of trans detainees in male prisons. There have also been media reports of rape and murder of lesbians that fit the definition of hate crime but are not recognized as such by the Thai police, as noted by the International Gay and Lesbian Human Rights Commission (IGLHRC 2012).

3.2.10 Opting Out of Mainstream Jobs

Due to repeated rejection, hostile work environments, limited freedom of gender expression at work, and limited career advancement opportunities, many LGBT respondents in the research said that LGBT people tend to opt out of formal employment in large public or private organizations to seek jobs where they can express themselves more freely in smaller enterprises and non-government organizations, or they set up their own business. Others choose jobs that allow them to go outside of the workplace such as sales or become freelance workers in various fields such as computer programming, architecture, interior design, etc.

3.2.11 Lower Job Security and Limited Access to Social Protection and Services

Many in the Thai LGBT community find themselves in the informal, often lower-paid jobs which afford them less job security, often with lower pay and fewer benefits. Even gay men do not have job security like heterosexual men.

A real estate manager was fired after 5 years on the job for being gay. He became aware that he had been fired when a notice was posted on the company's public notice board, stating the reason of his termination that he was "a person with two genders [gay] who abused his power and tried to gain acceptance from others." The manager filed a lawsuit with the labor court for unlawful termination. With intervention from the National Human Rights Commission the case ended in a settlement with the employer offering him an apology and 8-months severance pay (Suriyasarn 2015, Box 4.8, p. 74).

Most LGBT respondents do not feel a strong sense of job or life security, in a large part due to the lack of the legal right to marry. Hence they cannot access many benefits and rights enjoyed by heterosexual couples, such as joint bank loans. Poor LGBT people with lower education and social status in the rural areas struggle to sustain their livelihoods amid strong cultural prejudices and have little access to regular employment, credit, capital, and social security. There is a phenomenon of *katoeys* in rural areas in Northern Thailand reinventing themselves as spiritual mediums as a strategy to sustain their livelihood, gain respect and build a support network within their own community (Suriyasarn 2015, Box 4.9, p. 76).

Many LGBT respondents complained about discrimination in access to public health services, with trans people having the most difficulties due mostly to prejudices and insensitivity towards trans identity and inflexible hospital rules (e.g., MTF patients must be treated as male). Gay men and trans persons are also presumed to have a "risky lifestyle" with a higher risk of contracting HIV and are often refused insurance or required to pay higher insurance premiums.

3.2.12 Double Stigma and Discrimination for LGBT People Living with HIV (PLHIV)

There is no law in Thailand prohibiting discrimination in employment on the grounds of HIV status. PLHIV have been found to be denied employment or not to be eligible for promotion, more often due to discrimination than poor health. Although there have been significant improvements in access to antiretroviral treatment, PLHIV continue to face problems with involuntary HIV screening and confidentiality being violated by employers and hospitals, despite codes of practice. According to The Poz, an NGO supporting gay men living with HIV in Bangkok, HIV-screening in job application remains common in factories, businesses in the service sector including retail, hospitality (hotels) and sales, as well as in major businesses and state enterprises. Violation of confidentiality and gossip often result in the employees leaving the job.

3.2.13 Discrimination and Harassment of Transgender Sex Workers

Transgender sex workers are routinely harassed and extorted by police in red light districts popular with foreign tourists in Bangkok, Pattaya, Chiang Mai, and Phuket. Compared to freelance female sex workers, freelance or street-walking transgender sex workers are much more vulnerable to being arrested and "fined" for solicitation. Police often cite "bad image" (for Thai tourism and culture) as the reason for cracking down on transgender sex workers. Transgender sex workers in this research said they were perceived to make "more money" and hence have more to pay "fines."

3.2.14 Increasing But Limited Social Dialogue

So far there has been limited discussion on labor issues among LGBT organizations but even less among government, workers and employers organizations, although discrimination in employment is one of the major complaints within the LGBT communities. No LGBT organizations in this study work actively to promote labor rights for LGBT people, and LGBT rights are not a priority issue in employers' and workers' organizations. However, LGBT organizations have recently begun to coordinate with some government agencies on LGBT rights issues, specifically on legal same-sex partnership and access to social services.

3.2.15 No Dedicated Agency to Tackle Employment Discrimination

The National Human Rights Commission of Thailand (NHRC) has served as the *de facto* agency that LGBT organizations turn to in times of need, including when the grievances concern labor rights. However, the NHRC has limitations in resources and mechanisms to ensure timely and effective redress. There is as yet no dedicated agency that specifically addresses discrimination in employment and occupation in the country.

4 Conclusion and Recommendations

Recent positive legislative changes mean LGBT rights are finally on the road to recognition in Thai law after more than a decade of advocacy. However, major gaps still exist in legal protection for LGBT people in Thailand: notably, no legal recognition of transgender identity or marriage equality for same-sex couples. Persistent stigma and prejudices, lack of understanding about SOGI rights combined with gaps in legal protection, have led to extensive discrimination in many areas of life and various aspects of employment and occupation for Thai LGBT people. While discrimination, exclusion and marginalization are particularly acute for transgender persons, Thai LGBT people as a population group do not yet enjoy the full range of fundamental rights and equal opportunity and treatment and as a result are unable to reach their full potential.

Full rights cannot be exercised and full participation is not possible, unless society accepts all members as equal before the law and entitled to the same human and workers' rights. The gaps in legal protection of SOGI rights require further policy mobilization to include LGBT in the full protection against discrimination under Thai law, including in the forthcoming constitution and the Labour Protection Act. Importantly, transgender persons must be allowed a legal gender title change and same-sex partnership legally recognized.

The lack of anti-discrimination legislation specific to employment and occupation can be remedied by seeking useful guidance in international instruments, in particular the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Good practice examples from other countries are worth considering, such as establishing an Equal Employment Opportunity Commission as an advisory and monitoring body with effective implementation mechanisms to ensure equal opportunity and treatment for all workers.

Effective action against discrimination of LGBT in the workplace involves responsive laws, policies and mechanisms, responsive human resources and practices, as well as more education and social dialogue towards a better understanding about LGBT rights and acceptance of LGBT people as full and equal members of society. More cooperation from all key stakeholders is needed.

The government, LGBT communities, educational institutions at all levels, media, and civil society, all have a role to play in promoting awareness and understanding about gender equality and diversity and LGBT rights in school, at work, in the media and in society at large. Workers' and employers' organizations need to step up measures to prevent and eliminate hostile work environment and violence to ensure safe workplace for workers of all sexual orientations and gender identities, while law enforcement and the judiciary also need better understanding about LGBT and SOGI rights.

Concrete qualitative and quantitative data about LGBT and SOGI rights are fundamental to program and policy actions to bring about societal change. This research is part of the first steps to build such a knowledge base in Thailand. Thus far there is insufficient information about LGBT workers in the informal economy. Further research is needed about this group of workers, especially in the poor, rural areas. More information is also needed on good practices and perspectives of companies and of employers and workers' organizations on LGBT discrimination, to promote social dialogue that focuses on discrimination against LGBT people in employment and ways to prevent and redress it.

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Silence Speaks in the Workplace: Uncovering the Experiences of LGBT Employees in Turkey

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1 Introduction

Today, employees with diverse backgrounds and unique characteristics who are often associated with major sources of change, creativity and innovation (Frohman 1997) may potentially provide invaluable contributions to their organizations. However, they might also be subject to unfair, unequal treatment and discriminatory behavior in the workplace due to their minority status. In the given circumstances, these employees feel compelled to remain silent in the face of various concerns and issues. The notion, conceptualized as “organizational silence” in the literature, is likely to pose a serious challenge to the development of the pluralistic organization that appreciates differences among employees and encourages the expression of multiple ideas and thoughts (Morrison and Milliken 2000).

Minority groups are, indeed, more likely to be vulnerable to being silenced by the rest of the organizational members who hold the majority and power in organizations. Among minority groups in organizations, LGBT employees are the most silenced and the least studied subjects, particularly within the Turkish work context. In a study focused on voice, silence and diversity, Bell et al. (2011) described LGBT employees as invisible minorities who provide valuable focal points that can be used to examine employee voice mechanisms. They examined

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the negative consequences of LGBT silence in the workplace and discussed the ways their voices might be heard. Bowen and Blackmon (2003) also argued that the fear and threat of isolation are particularly powerful for members of sexual minorities.

Previous research on organizational silence conducted by Morrison and Milliken (2000) and Pinder and Harlos (2001) was built on the assumption of the heterosexual work environment without an adequate emphasis on the availability of non-heterosexual employees. Only Bowen and Blackmon (2003) focused on the dynamics of silencing sexual minorities at work by using "spiral of silence", as proposed by Noelle-Neumann (1974). Hence, this chapter aims to unveil the major factors leading to LGBT silencing in the workplace, considering the paucity of research directly investigating employee silence from the viewpoint of LGBT individuals based on their unique experiences and own stories.

Given the fact that the literature on LGBT studies is predominantly based on Anglo-Saxon contexts, there are calls for further research (Priola et al. 2014; Tatli and Özbilgin 2011; Syed and Ozbilgin 2009) to explore under-represented territories to compare and contrast the existing findings, mostly generated by the USA and UK with different contexts, and this chapter sheds some light on silencing at work from the viewpoint of LGBT individuals, being one of the most under-researched minority groups in Turkey. Thus, the chapter contributes to both fields of diversity management and organizational silence by highlighting the voices of LGBT people in order to be heard in the scholarly arena. It represents one of the few empirical studies to challenge the silence around LGBT workers' experiences in Turkey.

2 Relevant Literature and Previous Research Evidence

The fear and anxiety against differences in the socio-psychological sense and the discourse of "unlike us" portray "others" as a potential target through biases and stereotypes. As evidence of this situation, widespread discrimination against LGBT employees has been well documented in various academic publications (Barclay and Scott 2006; Day and Schoenrade 2000; Croteau 1996; Ragins and Cornwell 2001; Fassinger 2008). Bowen and Blackmon (2003) addressed the issue of self-disclosure of sexual minorities at work, and how LGB employees are silenced by the organizational dynamics within the framework of the theory of spirals of silence based on Noelle-Neumann (1974). Spiral of silence is defined as a process experienced by an individual when he/she realizes that there is a lack of public support for the idea that he/she has been defending (Noelle-Neumann 1974, p. 44). Those who are willing to express their own ideas are obliged to self-censor based on the fear of isolation. Accordingly, employees are more likely to tell a lie or choose to remain silent given the lack of support from their work colleagues or perceived resistance against raising different voices. In other words, people avoid raising their voices openly and honestly due to the threat and fear of isolation. This spiral of silence eventually limits constructive discussions for organizational change and development.

Bowen and Blackmon (2003) focused on fear and the threat of isolation that hinder LGB employees from coming out and publicly acknowledging their sexual orientation. Brinsfield (2009) indicated that employees tend to remain silent in the workplace due to the fear of retaliation. Ryan and Oestreich (1998) highlighted in their study that even though employees themselves are self-confident, they hold the view that speaking up might pose a risk for them (Premeaux and Bedeian 2003). Moreover, Detert and Edmondson (2006) pointed out that silence caused by fear influences not only employees at the lower level but also those at the middle and senior levels. The lack of legal protection in some national contexts, the relative lack of organizational equality policies and trade union support, the widespread negative attitudes toward homosexuality and the deeply rooted heterosexist culture in organizations may result in more silence for LGBT employees than for other minorities (Bell et al. 2011, p. 139) and exacerbate the climate of silence (Priola et al. 2014, p. 2). As an example, LGBT people in Turkey are still in jeopardy each time they want to disclose their sexual orientation or gender identity due to overt hostility towards them, which is a powerful indicator of the first-wave research agenda where blatant abuse of LGBT workers forms the central issue in question (Colgan and Rumens 2015; Ozturk 2011). For instance, transwomen in Turkey are subject to violence and discrimination by the state apparatus as well as by society at large and they have severe difficulties in securing jobs, other than becoming a sex worker (Szulc 2011).

In previous literature, the issue of silence points out that employees are silenced based on the fear of not being able to gain promotion or losing their jobs (Morrison and Milliken 2003; Milliken et al. 2003; Detert and Edmondson 2008; Dutton et al. 2002). For example, Woods and Harbeck (1992) conducted in-depth phenomenological research of twelve lesbian physical education tutors' work experiences in relation to their identities as lesbians and teachers. All respondents in this research indicated that they would lose their jobs if their sexual orientation was revealed, and that female physical education teachers are negatively stereotyped as being lesbian. They frequently engaged in identity management strategies designed to conceal their lesbianism, such as passing as a heterosexual, self-distancing from others at school, and self-distancing from issues pertaining to homosexuality.

The disclosure of one's sexual orientation is a critical decision and a cumbersome process for sexual minorities in the workplace which eventually brings both positive and negative consequences (Chrobot-Mason et al. 2001; Ozeren 2014). Woods and Lucas (1993) argued in their book, *The Corporate Closet,* that gay individuals mainly adopt three different strategies to manage their gay identity in their professional working life, which are, counterfeiting, avoiding and integrating. In the counterfeiting strategy, an individual creates a fictitious heterosexual identity for himself/herself; in the avoiding strategy the individual tends to avoid sharing any personal information consciously; and lastly, in the integrating strategy the individual discloses his/her sexual identity and manages the consequences of their decision. Moreover, it should be kept in mind that this type of separation in managing one's sexual identity does not seem to be relevant for transgender employees since concealing gender identity for them is almost impossible (Barclay and Scott 2006; Chrobot-Mason et al. 2001). They have specific and unique concerns and issues with respect to their career development during the transition process, and organizations cannot adequately address how to deal with transgender employees undergoing a transition in the workplace (Davis 2009).

In their study of discrimination experienced by lesbian employees, Levine and Leonard (1984) made a crucial distinction between formal and informal discrimination in the workplace. Formal discrimination refers to firing or not hiring someone due to their sexual minority status, being passed over for promotion and raises and being excluded from benefits, such as partner benefits and family leave. Besides, lesbian employees felt negative discrimination during the hiring process and currently employed lesbian employees are forced to resign or leave their jobs. On the other hand, informal discrimination consists of behaviors such as harassment, loss of credibility and lack of acceptance and respect by co-workers and supervisors (Bell et al. 2011; Croteau 1996).

It has widely been argued in the literature that the presence of LGBT friendly workplace policies, perceived organizational support, the possible treatment of work colleagues towards LGBT employees when they are out at work certainly influences the disclosure or non-disclosure decision of sexual minorities (Griffith and Hebl 2002; Bowen and Blackmon 2003; Huffman et al. 2008). Also, Chrobot-Mason et al. (2001) indicated that a supportive organizational climate has an impact on the coming out of sexual minorities. Bowen and Blackmon (2003) claim that if LGB employees feel they are not supported by their colleagues, they will not be able to openly raise their voices. In other words, if LGB employees do not feel they are safe regarding support from their heterosexual colleagues or think there is possible resistance to their voices, they remain either silent or tend to show fake reactions. The latter tactic brings some psychological costs, for pretending to be heterosexual generates tremendous anxiety over possible sanctions as well as severe strain from pretending to be what they are not.

3 Methodology

A qualitative research method was adopted to gain an in-depth understanding of the silencing of LGBT employees in the workplace. The exploratory design was employed in particular since the notion of employee silence has not been subject to investigation before from the perspective of sexual and transgender minorities in Turkey, therefore, the current study can be considered as a preliminary attempt for subsequent researches in this field.

In order to gain greater and more exploratory insights into the research topic, the method of focus group discussions was found to be the most appropriate and useful way to obtain qualitative data that provide detailed descriptions of experiences/ beliefs and different views of the participants (Morrison-Beedy et al. 2001). Lincoln and Guba (1985) suggest four criteria for establishing trustworthiness of focus group data: credibility, dependability, transferability, and conformability. For this study, to establish the trustworthiness of the focus group data by addressing these four criteria, the techniques suggested by Morrison-Beedy et al. (2001) and Shenton (2004) were also used. Two focus group discussions were conducted, each with five participants, to gather the full range of views and experiences with regard to how they are silenced at work, which forms of silence are the most influential, their sexual identity management strategies, and overall perceptions on equality and inclusiveness in their current or previously employed organizations. Each group session was carried out with a moderator (the first author). Focus groups were conducted at the venue of the Black Pink Triangle Association in Izmir on July 9th, 2014. A moderator guide was developed comprising focus group ground rules and primary open-ended questions. Each focus group discussion took two and half hours, resulting in five hours of tape recording which formed the database for this study.

Data in the study were analyzed via the descriptive/interpretative and inductive approaches used in qualitative research (Marshall and Rossman 2006). Each interview was tape recorded and transcribed verbatim. Transcripts of the audiotapes were proofread and corrected. Each transcript was repeatedly read to enable complete familiarity with, and immersion in, the data. The next stage was to code and analyze the participants' statements using narrative, interpretative and deconstructive analytical techniques, and then discuss the codes for each group to arrive at meaningful themes. The same process was used for each focus group and then across the groups to detect the commonalities and salient patterns across the data. As a result, the major themes of LGBT silence at work were identified.

Research on LGBT issues is a sensitive area of research in Turkey and the "hidden" nature of the LGBT population in organizations raises a number of methodological issues. In order to overcome these challenges, LGBT participants were reached and recruited via the fifth largest civil society organization on the LGBT movement in Turkey, which is the Black Pink Triangle Association in Izmir. A number of access routes were used to contact LGBT employees including e-mails, internet sites, invitations via social media and word of mouth. Thus, snowballing sampling was employed to ask each LGBT respondent whether he/she could bring a friend from the same community to the focus group discussion. Since the visibility of the LGBT population is a major concern in Turkey, only ten participants were reached and they were split into two different focus groups. Both discussions were conducted on the same day (July 9th, 2014) at the same venue; the first one started at 14:00H and the second at 17:30H. This is, in itself, an interesting research finding and illustrates the hidden nature of much of the LGBT population even in the city of Izmir that is often called "the most modernized and westernized part" of Turkey. In order to ensure the confidentiality and anonymity of participants, pseudonyms were used throughout. The demographic profiles of participants are presented in Table 1.

Table 1 Participants' profiles in focus group interviews

	Participants' demographic information							
Pseudonyms	Age	Education	Total work experience (years)	Work experience in the current org. (years)	Occupation	Position in the current organization	Sexual orientation	Sex and gender identity
Ali	30	Bachelor (currently a Master's student)	5	3	Musicology	Project expert and LGBT activist	Gay	Male/ Cisgender
Kemal	32	High school	4	3	Employee in a civil society organization	Project coordinator	Gay	Male/ Cisgender
Mustafa	26	Bachelor	3	Unemployed	Art assistant	None	Gay	Male/ Cisgender
Manolya	32	Vocational school	12	3	Sex worker	Human rights and trans activist	–	Trans-woman
Arda	30	Bachelor (currently a Master's student)	10	0	Assistant director	Working freelance in movie production sector	Gay	Male/ Cisgender
Sevgi	35	Bachelor	16	12	Radiology technician in a hospital	In charge of radiology unit in a hospital	Lesbian/ Bisexual	Woman/ Cisgender
Feride	24	High school	3 months	3 months	Sex worker	Sex worker	–	Trans-woman
Deniz	25	Bachelor	1	1	–	Customer representative in a maritime firm	Queer	Queer
Nazan	23	Bachelor	3	1	–	Responsible for administrative affairs in a university dormitory	Lesbian	Woman/ Cisgender
Can	22	Bachelor	3	1	Salesperson	Employee in a book store	Gay	Male/ Cisgender

4 Findings

This section focuses on emerging themes from the research on LGBT people at work in Turkey from the viewpoint of employee silence. Three major dimensions of employee silence (defensive, acquiescent, and pro-social) were found as being relevant and meaningful in explaining how LGBT individuals are silenced at work. Thematic findings are presented below along with the salient statements of the participants, based on the focus group interviews.

4.1 Defensive Silence

Participants are inclined to exhibit silence as an intentional, conscious and proactive behavior in various ways in order to cope with the fear of losing their job, position or status. The participants underlined that they found various kinds of jokes and implicit remarks in the workplace so stressful and psychologically painful that they sometimes have to remain silent due to a fear of being an object of derision and being stigmatized at work. This form of silence adopted by the participants is called a "defensive silence" that includes withholding relevant thoughts, information or ideas for the purpose of self-protection based on the fear of negative labeling and exposure to social isolation. For the purpose of this study, it was preferred to use the label "defensive silence" rather than "quiescent silence" to avoid any possible confusion with the several other meanings of quiescence (such as compliance or agreement) in line with Van Dyne et al. (2003).

> A friend of mine is a transwoman who is currently working as a hostess in an airline company. She entered this job by declaring that she is a biological woman. Actually, she physically looks like a biological woman. She believes that if her "real" identity is understood by others, especially by the employer, she will be dismissed immediately. Her company does not know anything about her past life at all. . . .I think that a transwoman can be employed in a public sector with a woman's identity rather than her transwoman identity. (Arda)
>
> I have been the subject of derogatory remarks and jokes because they were questioning me whether I had a girlfriend or not. Since I didn't have a girlfriend for one and half years, they were teasing me, such as "are you a faggot?" (Can)
>
> We were discussing an issue, should LGB individuals come out, unlike heterosexuals? This is not a personal choice for us. Indeed, in working life you (let's say as a LGB person) don't generally have the chance of coming out with your real identity. Theoretically, you may come out. But practically once you are out at work, you are likely to be dismissed, subject to discrimination or you are forced to resign. (Deniz)

A lesbian physician chooses to remain silent about her sexual orientation because she thinks that her lesbian identity poses a significant risk or threat to her career if she reveals her true identity in the workplace. As can be seen from the participant statements below, LGBT individuals have a fear of negative labeling and exposure to social isolation.

> I keep myself secret at work; nobody except a few friends knows my lesbian identity. You know, as you might guess, there there's a lot of gossip and tittle-tattle in the hospitals. I am not "out" at work because of my position as I don't want everyone to talk about my sexual identity. I know some of my gay friends in the hospital who experience problems at work due to their sexual orientation. (Sevgi)
>
> There is a lot of gossip about me at work because of my transgender identity. I was working at a bar of the hotel and became successful in selling drinks to customers. Then the other employees started gossiping, as in, I am absolutely having sex with other men so that I receive great tips. In fact, I didn't have a sexual relationship with anyone during my working experience in this hotel. Because I knew that, although I didn't participate in this kind of behavior, they were talking behind me as if I did. If I really had had sex with someone in the hotel, I couldn't imagine what they would say about me? (Manolya)

In some cases LGB participants are silenced since they have a fear of becoming a target if they expressed their sexual orientation once they are out in the workplace.

> I believe that if there were conflict with my boss or colleagues at work, they would use my sexual orientation against me and make some implicit remarks about my sexuality. Assume a heterosexual did exactly the same thing with me, for example, he made a mistake, and in this case, the straight guy wouldn't be subject to a conversation about his sexuality. So why am I? How would I overcome such arguments related to my sexual orientation? Therefore, many LGBT people generally have to remain silent and closeted. (Mustafa)

One of the reasons why participants are silenced is due to their fear of being unable to be promoted. As can be seen from the following quotation, a gay male participant expresses his deep concerns and worries related to his promotion decision. He thinks that although he deserved to get this promotion, he was precluded due to his sexual orientation.

> I remained closeted in my former workplace. However, something was still understood. I worked there for one and half years. During this time, I didn't have any girlfriends and this situation was found very strange by the others... There was a vacant position in warehouse administration. A woman secretary had left the job. They recruited a new person for this position. Usually when a new position arose, they tried to fill this position from within the company first. But this time they preferred a new job candidate from outside. For instance, I had enough relevant experience, and did the internship as well as the secretary, but they didn't choose me. I know that the real reason was my sexual orientation. (Can)

The statement below shows how a lesbian physician is worried about being perceived as a "threat" by her heterosexual colleagues working in the same hospital. In line with this situation, she is constantly trying to regulate and control her own behavior in order to avoid any possible "misunderstanding" in the eyes of her heterosexual counterparts.

> When I have a short break while sitting in the hospital yard, if I look at a woman by chance for a few seconds or more, as everyone does, I have the feeling I am bothering her. I usually use the same dressing room with all the women physicians together and they don't know my lesbian identity, but I think to myself, do I disturb them or do they feel uncomfortable? I feel under pressure about doing something wrong or giving the wrong impression to my colleagues. Therefore, I always have a need to control myself. (Sevgi)

Based on several gay participants' statements, it is argued that gay males sometimes tend to adjust their behavior according to the context they are engaged in. This situation can also be explained by the degree of self-monitoring whereby an individual observes, regulates and controls how well he or she is fulfilling the social expectations of his/her role within a particular context (Clair et al. 2005, p. 87; Snyder 1979). Accordingly, high self-monitors are likely to conform to societal expectations whereas low self-monitors are likely to emphasize self-expression in spite of those societal expectations. Especially for those with high self-monitoring, they are more likely to adapt and alter their behavior based on the context and/or societal expectations.

> In my previous job, I was working in a coffee shop. I was not out at this job. I guess I pretended to be heterosexual. Nevertheless, I was sometimes unable to hide my gay identity. From my gestures, customers thought that I could be gay. Once, they did ask me whether I was a gay, I immediately refused to define myself as a gay. I replied saying, "what are you talking about?" Well, I think I was trying to conform myself to the prevailing circumstances and behave how they expect me to behave. (Kemal)
>
> Finding a job as a homosexual person is so difficult that LGBT individuals have to mask their real identities, pretend to be heterosexual, and try to behave in a masculine way as if he is gay, otherwise he will suffer oppression. If he can conceal his identity (as much as he can), he will do so in order to survive in his employment. (Manolya)
>
> A transwoman can still work but in line with the societal expectations. Our society accepts and labels us as sex workers as one of the very few professional options we are allowed to do. Almost all career paths are closed to transwomen other than becoming a sex worker. If you are lucky and you really have a good voice and if somebody is supporting you, perhaps you can become a singer in a third class night club (laughing). . . There are just a few exceptions: celebrities such as Bülent Ersoy in Turkey. Ironically, she never identifies herself as a transwoman, instead, just a woman. However, for "normal" jobs, as you can understand, such as a teacher, doctor, lawyer, it is almost impossible to see a transwoman. (Manolya)

Conversely, some participants disagree with the idea or implicit assumption about themselves to behave necessarily in line with the societal expectations. Those individuals who adopt "integrating" or "accepting self" as an identity management strategy reveal their sexual identity status at work and manage the consequences of this decision. People with high self-esteem and low self-monitoring tend to accept their sexual minority status which entails embracing their identity openly in ways that make it clear to others (Griffin 1992; Woods and Lucas 1993).

> I don't need to conceal my sexual identity. . . I am myself and a gay man as you can see. . . I really don't care whether I should look more masculine or behave like a heterosexual man. People around me should accept my existence as a gay man. (Mustafa)

Several participants exert extra effort to separate their work and life domains as an avoidance strategy to manage their sexual minority status at work. This involves actively eluding any references to personal information and maintaining strong boundaries between personal and business lives (Woods and Lucas 1993). In these cases, employees tend to create LGB friendly spaces in their private lives whereas they conform to heteronormativity in the workplace. They engage in silence about their sexual orientation in order not to face any discriminatory and repressive treatment they are most likely to experience at work. The evidence of these fictitious lives, also addressed by a lesbian participant below, is consistent with

Levine and Leonard (1984, p. 702) who argued that most lesbian employees tend to cope with discrimination by living a dual life; at work they "pass for heterosexual, complete with imaginary boyfriends and during evenings and weekends with homosexual friends, they let their hair down."

> I am living a dual life, in the hospital and outside the hospital. I have a social life outside but I never bring my work colleagues to my social space where I spend some time with my homosexual friends. (Sevgi)

In another example, a gay salesman adopts avoidance as an identity management strategy, such as maintaining a quiet and reserved demeanor in the presence of heterosexuals and being exposed to degrading, homophobic remarks by colleagues without saying anything. Participants who use these strategies opted not to lie or fight back but simply suffer in silence and be invisible (Della et al. 2002, p. 381).

> I am currently working as a salesman in a bookstore. When a LGBT customer comes to our store, my colleagues, who don't know I am a gay man, point and say to me, "hahaha... look at that guy!" and start making fun of him. (Can)
>
> One of my friends came to the hospital for an examination and I took him to a doctor who is also my friend. The doctor soon turned and asked me "where do you know this guy from, he is gay, what are you doing with him?" Then, in the same examination room, there were also other doctors. Once my friend (patient) entered this room, there were five doctors, each of them was the head of their own division, and they stared at him, and it was so disturbing... I am sure that after we left this room, they began to chat about my friend for a long time. (Sevgi)
>
> I can personally say why are we always expecting homosexuals to come out at work unlike heterosexuals do? For example, do heterosexual employees come out saying "we are heterosexuals." I prefer not to disclose my sexual identity at work. (Arda)

Male dominated workplaces are also likely to increase perceived discrimination, as experienced by the participants. Several difficulties were observed for the gay participants in being open about their sexual identities in hostile and, especially, male dominated work settings. In the eyes of their heterosexual colleagues, their differences and outsider status are constantly asserted and reinforced by comments about their appearance, bodies and physical difference (Wright 2013).

> The cinema industry is really male dominated. There are a few women working in this sector. Especially, the work being done depends on physical strength. Under these circumstances, we were very marginalized as we were perceived as "skinny", "weak" and "homo". (Mustafa)
>
> The field of theatre is also so masculine. Most men in the theatre with whom I worked made me feel like I potentially had a sexual desire towards all of them, which was so disgusting... It was such a male dominated arena that swearing, using bad, masculine words were highly common without considering the presence of women on the scene. Actually, women in this sector were accustomed to such words and they were calling themselves, for example, "where is this fucking bitch, does she know what time it is now?..." Under these circumstances, I tried to put forward my masculine qualities as well. (Kemal)

Similarly, the participants exert significant effort to "fit in" with the heterosexual norms imposed by male dominated workplaces. The acceptance of LGBT people in such hostile work settings is closely related to what extent they are able to conform to heteronormativity permeating the organization. Thus, the self-presentation at work through dress, appearance, gestures, posture, tone of voice and behavior is a major concern for the participants seeking to fit into this environment.

> As long as you, as a gay man, do not constitute a “threat” to others, they can accept you waggishly. I mean “threat” as a gay person should not hit on someone in the workplace since it is usually unwelcome, unlike what heterosexual people do. It is so stressful even to think about a possibility of a gay man falling in love with someone in the workplace, especially male dominated ones...If you adapt yourself to living with the rules of such a heterosexist environment, they will accept you. They will probably say “we are very tolerant and not discriminating towards anyone as long as he (the gay person) conforms to our rules.” (Arda)
>
> In my ex-workplace, they treated me like a heterosexual. To be honest, I also tried to conform to this situation since I had to spend all day with my colleagues. I didn’t want to create a conflict all the time, hence I simply pretended to be heterosexual. (Kemal)
>
> In the workplace, as a homosexual person, you can normally discuss everything with your friends whom you are out, but for other people you should limit your conversation, and your discourses become restricted by the heteronormativity dominating the workplaces. (Nazan)

In several other cases, as described below, participants were silenced through social isolation by the group members and they were not allowed to participate in several group activities. Hence, they experienced a feeling of exclusion in the workplace, as well as a worry of decreasing social communication.

> We were shooting a movie scene of rolling a car down the street and all the men were ready to push the car. I came towards them to participate but they said “look you, stop!” I stopped there for a while without saying anything. For me, it was a feeling of exclusion from my colleagues although we were all doing the same thing. They didn’t see me as a “real” man, psychically so strong and masculine in heterosexist terms, that they did not include me. It was a feeling of shame but I got used to it. (Arda)
>
> I was previously acting in a theatre. In acting, physical contact is considered to be very important. However, neither female actresses nor male actors were willing to be closer to me while acting. I remember once, a woman actress had a fiancée. We were acting together. I learned one day her fiancé allowed her to act closely with me (such as “you can touch him as he is not actually a real man”), since I was perceived as “almost” a woman in his eyes. What shocked me just a few days later, her fiancé changed his mind as he learned that gay men have also masculine characteristics and they are “somewhat” men and he warned his fiancée to stay away from me. (Kemal)
>
> I think that discrimination occurs on a more subtle level in terms of putting psychological pressure on the shoulders of homosexual employees who are out in the hospital, such as not being invited to a dinner, leaving them alone during lunch or not being able to communicate with them closely and easily. (Sevgi)

LGBT employees are particularly vulnerable to bullying and harassment at work and, hence, they can suffer from discrimination.

> A friend of mine living in İzmir is a lesbian woman who works in a coffee shop. She was being harassed by her boss and she was working overtime and doing the most difficult tasks in her job. Whenever her homosexual friend came, she felt she was being watched by her boss as he was staring at her. She was really under great pressure and finally she had to resign from her job. (Mustafa)
>
> In my previous workplace, I heard about a LGBT individual who used to work there before but it was a terrible experience for him because he was out. They made life

unbearable for him, such as tagging him with nicknames. In fact, he was bullied at work. (Can)

I also found it hard at a job in a resort hotel. At first I was sexually harassed by coworkers and almost all hotel employees at all levels (laughing...) When I complained to the general manager, they put me in a very distant place within the hotel, the bar, and it seemed that it was an isolated location... There were only three of us in our new location, but the other two guys were still watching and staring at me, which I found very irritating. As the time passed, I got used to my new location, especially, the hotel customers found me very interesting to talk to since I guess they were coming to the bar not only to have a drink but also to chat with me... I was selling more drinks than expected and the hotel administration was very happy. If I were a straight person, I am sure that customers wouldn't show such an interest. (Manolya)

4.2 Acquiescent Silence

Several participants hold the belief they will not be able to change anything by raising their ideas, concerns or any information related to their sexual orientation as they have already accepted their defeat against the status quo in the organization. They avoid expressing their views because they simply assume that they will not be able to create any difference in their organizations, even if they speak up. Under these circumstances, they feel a sense of resignation and adopt mainly a passive approach in the form of "employee acquiescence".

I am really exhausted struggling with my boss and colleagues to change their ideas about my sexual identity. I know very well that whatever I say to them, it does not make any difference. I totally disengage and do not have any willingness to exert any effort to get involved in any discussions since I am aware of the fact that it never works. (Ali)

Well I think I am not motivated enough to come out at work. If I come out one day, my supervisor and some of my colleagues will absolutely judge me. No way out! I am sure. There are rules of the game you have to obey, whether you like or not. I have to accept. As far as I can see, there is no LGBT-friendly company in Turkey. Companies don't care about us. We are totally ignored not only by companies but also by trade unions. So I cannot rely on unions. Have you ever seen a LGBT member in a union in this country? If yes, I am sure very few exist. Frankly speaking, I am not Don Quixote as I cannot fight against these huge mental barriers. Silence is inevitable. (Deniz)

4.3 Pro-Social Silence

Individuals who adopt pro-social silence behavior withhold many ideas, information, or opinions with the goal of benefiting other people or the organization—based on altruism or cooperative motives (Van Dyne et al. 2003, p. 1368). Consistent with this view, the lesbian physician plays a partner role for her male colleague to protect him in a pro-social way in order for him to overcome the challenge of promotion.

One of my friends, who is a medical doctor, came to me one day and asked me to do a favor for him. He said that he was alone, single and needed a partner, a girlfriend, a fake one

> (laughing)... I was kindly asked to become a fake girlfriend, actually his fiancée for a temporary period. He was gay but totally closeted. He thinks if his sexual orientation is understood by the senior professors in the department, the associate professorship for which he had already applied could be under great risk. I pretended to be his fiancée in the hospital. We continued this so-called fake relationship for 6 months due to his fear about the promotion, but then we gave up completely. (Sevgi)

5 Conclusion

This chapter reveals the daily workplace experiences of LGBT workers via focus group interviews drawn from a sample of ten participants in the city of Izmir, Turkey. It seeks to understand how LGBT people are silenced and in which ways they can manage and cope with their sexual and gender identities at work. Defensive silence due to fear and threat of isolation, acquiescent silence due to giving up hope of change, and pro-social silence due to withholding ideas in favor of other people or their own organization, were identified as the main emerging themes of silence based on the participants' accounts. Discussions took place about the various reasons behind their decisions to engage in silence at work, which are, the risk of being exposed to social isolation or exclusion, the fear of dismissal and career obstacles, as well as the fear of being an object of derision and stigmatized at work, bullying, prejudicial reactions and direct formal discrimination (e.g., job termination and not being able to gain promotion). In addition to the direct formal discrimination, there were also other ways to marginalize LGBT people in the workplace, for example, unwanted jokes and innuendos. "Silence" is one of these more subtle forms of discrimination experienced by the LGBT individuals in their everyday work activities. In line with Ozturk's (2011) study similarly carried out within the Turkish context, this chapter also illustrates that most LGB workers have to remain in the closet and very few of them are able to come out safely at work. This situation can be better explained by the heteronormativity permeating through the workplaces that still remain entrenched and largely unchallenged (Öztürk and Özbilgin 2015). A heteronormative culture of organizations may result in silencing of sexual minorities at work.

The major findings addressed in the chapter refer to the first wave of research in Turkey (overt forms of abuse directed at LGBT employees in situations in which legal and institutional protection is generally lacking) that seems contradictory considering the recent significant advances in a number of other countries which have reshaped the legislative landscape in terms of LGBT rights (Colgan and McKearney 2011, p. 625). In other words, sexual orientation and gender identity equality at work in Turkey continues to lag far behind the goals of the second research wave agenda (defined as: where LGBT employees have recognition in the public sphere and, as such, the research focuses on how effectively these rights are put into practice) (Ozturk 2011), as pursued by some EU member states, particularly the UK. The participant statements provide critical reflections that point out the prevalent assumptions of hegemonic masculinity that is culturally embedded and strongly influences the perceptions of homosexuality in Turkey (Ertan 2008).

Consistent with this view, and with evidence put forward by this study, LGB individuals are likely to remain in the workforce as long as they conceal their true sexual orientation at work and even outside the workplace. In the case of transgender individuals, due to their visibility, they have to overcome the additional challenges derived from the heteronormative work environment, unlike their heterosexual or LGB colleagues. Most transgender people in Turkey remain outside the formal employment sphere and they are compelled to become sex workers to maintain their survival. The findings highlighted in this chapter potentially offer HR managers and organizational policymakers a greater awareness of the harmful effects of silencing LGBT employees on work outcomes, as well as several voice mechanisms; once they are applied to sexual and gender minorities, it may provide strategies for the inclusion of LGBT employees.

The main conclusion derived from this in-depth exploratory investigation based on the narratives of LGBT participants is as follows: the over-whelming cultural norms based on heteronormativity within Turkish society, the absence of legal protection, and the relative lack of organizational equality policies and trade union support contribute to silencing LGBT individuals at work. Thus, the effective way of tackling the sexual orientation and gender identity discrimination issue in Turkey urgently calls for holistic change in cultural norms, social institutions, and legal frameworks, as well as in organizational and trade union policies.

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LGBT Employees in the Hungarian Labor Market

Judit Takács

1 Introduction

Same-sex activity between consenting adults was decriminalized in Hungary by 1961. After the political system change, social attitudes towards homosexuality became somewhat more permissive than before (Takács 2007). However, there have been several manifestations of institutionalized discrimination against lesbian, gay, bisexual and trans (LGBT) citizens, including the different age of consent for same-sex and different-sex partners before 2002, the present lack of legal institutions such as same-sex marriage or any forms of joint adoption by same-sex couples, the lack of legislation on gender recognition and disproportionately low funding for gender reassignment treatments for transgender persons, and most recently an exclusionary definition of family—being based on marriage and the relationship between parents and children—in the fourth amendment to the Fundamental Law in 2013. In present day Europe, Hungary belongs to those homophobic societies where the acceptance of the freedom of LGBT lifestyles is not at all well developed, an aspect which can play an important role in the functioning of social exclusion mechanisms affecting gay men and lesbian women (Takács and Szalma 2011; Takács 2015).

In the present Hungarian labor market context there are only very few visible signs that lesbian, gay, bisexual or trans workers exist at all. These include the LGBT Employees Resource Groups that are established in a few multinational companies (such as IBM and Morgan Stanley), and LGBT employment related cases of the Equal Treatment Authority. Even though the existing Hungarian equal treatment legislation provides an appropriate legal framework for protecting LGBT

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people from workplace discrimination, there can be serious problems with its practical implementation. Most LGBT employees are not aware of their rights, and only very few workplaces have diversity policies or anti-discrimination codes of conduct, which are not only theoretically but also practically in place.

Since the establishment of the Equal Treatment Authority in 2005 there has been a low but steady number of complaints submitted by LGBT people (annually about five cases): most of the cases were submitted by gay men, a few by trans people and very few by lesbian women. There are many more complaints submitted on other grounds, mainly on the grounds of disability and Roma ethnic origin (annually 50–80 cases), and motherhood (annually 30–50 cases) (EBH 2015). Most complaints are employment related and typically harassment cases; this is also true of the LGBT cases. In employment discrimination cases most complainants typically turn to the Equal Treatment Authority after they have already left the workplace where they had been victimized, or when they get to the state that they are ready to leave and look for another job.

Several studies conducted with LGBT respondents point to the problems deriving from their social invisibility. Previous research findings indicate that those "lesbians and gay men who have escaped social condemnation have, more often than not, lived a life hidden from public view, altering behavior, avoiding certain places and people in an effort to retain an outward 'air' of heterosexuality... In contrast, those who have lived openly have often faced social, political, economic and religious condemnation, sometimes receiving the blame for acts or events that are unrelated to their sexual orientation" (Rivers and Carragher 2003, p. 375). Others refer to the life strategy based on the decision to remain hidden in privacy—as a form of "unbearable comfort" (Švab and Kuhar 2005), which can also have high personal costs—in order to avoid negative experiences and discrimination.

Discrimination against LGBT people can remain hidden in many instances because coming out of invisibility is a very critical process for most LGBT people, involving risks of being ostracized in a heteronormative social environment. However, if disadvantages are not made socially recognizable, it is very hard to articulate interests and defend rights. The hidden nature of discrimination against LGBT people can also be explained in part by the lack of appropriate responsiveness and incentives on the institutional level. Institutions may exist but function inefficiently and this can also contribute to the fact that certain forms of discrimination remain hidden.

The level of legal and social invisibility of trans people seems to be especially high. For example, in contrast to the EU level protection that provided gay, lesbian and bisexual people with the prohibition of discrimination based on sexual orientation in the employment directive, trans people are not protected explicitly from discrimination based on gender identity or gender expression. Although the case law of the European Court of Justice has recognized that gender identity is covered under sex discrimination (Case P v. S. and Cornwall County Council 1996) and the Gender Directive mentions gender reassignment in its recital (Recital 3 of the Directive 2006/54/EC of the European Parliament and of the Council of 5 July

2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) states that the principle of equal treatment "also applies to discrimination arising from the gender reassignment of a person"—Transposition of Recast Directive 2006/54/EC 2011), the awareness of this protection is extremely limited amongst trans people, decision-makers and society in general.

2 European Data on Sexual Orientation and Gender Identity Based Discrimination

There is comparative European data available on sexual orientation and gender identity based discrimination in the Special Eurobarometer (2008, 2009, 2012) large scale general population surveys, conducted in 2008, 2009, and 2012 within all European Union member states (more precisely: data on gender identity based discrimination can be found only in the last survey). Additionally, an online survey with a huge (N = 93.076) self-selected sample of persons aged 18 years or over, with self-identification of being lesbian, gay, bisexual or transgender, was conducted in 2012 in 27 EU member states and Croatia by Gallup Europe with the active cooperation of ILGA-Europe (the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association) and its member organizations. The results of this survey serve to illustrate certain trends as well as their local variations regarding the discrimination experiences and perceptions of LGBT people in Europe. For example, awareness of a law that forbids discrimination against persons because of their sexual orientation when applying for a job characterized only 31 % of the Hungarian respondents, while the average rate was 56 % among the European respondents (FRA 2014).

Figure 1 provides an overview of the perceived prevalence of sexual orientation based discrimination within 20 selected European countries, including Hungary, according to the results of the Eurobarometer surveys conducted in 2009 and 2012. The figure shows the proportion of the "very widespread" and "fairly widespread" answers to the question on how widespread or rare sexual orientation based discrimination is in a given country.

Figure 2 presents 2012 data from the same countries on the perceived scope of sexual orientation as well as gender identity based discrimination (by showing the proportion of the "very widespread" and "fairly widespread" answers to the questions on how widespread or rare sexual orientation and gender identity based discrimination is in a given country). However, caution is advised when interpreting these results: we should keep in mind that these are perceptions that can reflect more the levels of discrimination-awareness (largely depending on the specific socio-cultural norms and practices of the examined societies) than the actual scope of discrimination. According to the Hungarian findings there was hardly any change regarding the perceived prevalence of sexual orientation based

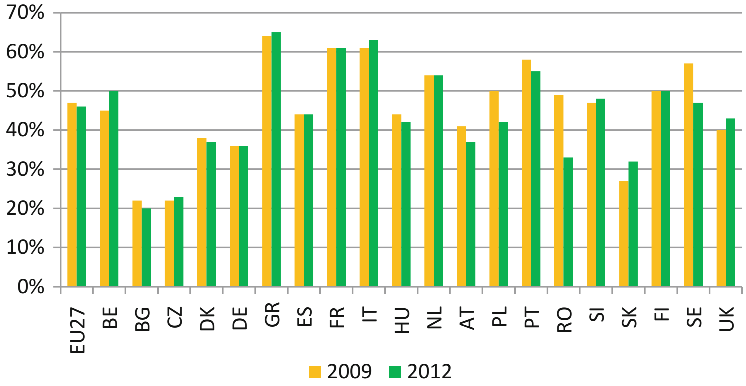

Fig. 1 Perceived prevalence of sexual orientation based discrimination (2009, 2012). *Source*: Special Eurobarometer 317, 393 (2009, 2012)

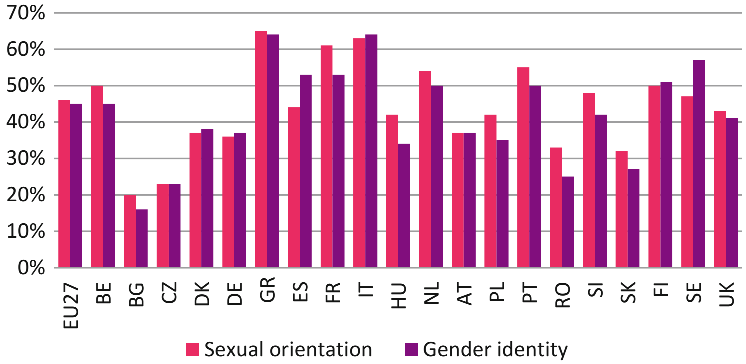

Fig. 2 Perceived prevalence of sexual orientation and gender identity based discrimination (2012). *Source*: Special Eurobarometer 393 (2012)

discrimination during the examined period: in 2009 44 % of Hungarian respondents thought that it was (very or fairly) widespread, and in 2012 this rate decreased to 42 %. On the other hand, gender identity based discrimination was perceived to be less widespread (34 %) than sexual orientation based discrimination in 2012. However, the latter result can equally signal the lower prevalence of gender identity based discrimination and the lower level of awareness regarding this kind of discrimination in comparison with sexual orientation based discrimination.

Figure 3 provides an overview of the perceived prevalence of discrimination according to eight grounds: ethnic origin, age in two dimensions (being older than 55 and younger than 30), disability, gender, gender identity, sexual orientation, and religion or belief. In Hungary discrimination of older people was seen as the most widespread form of discrimination: 75 % of Hungarian respondents expressed this view, which result was the highest among the examined European countries.

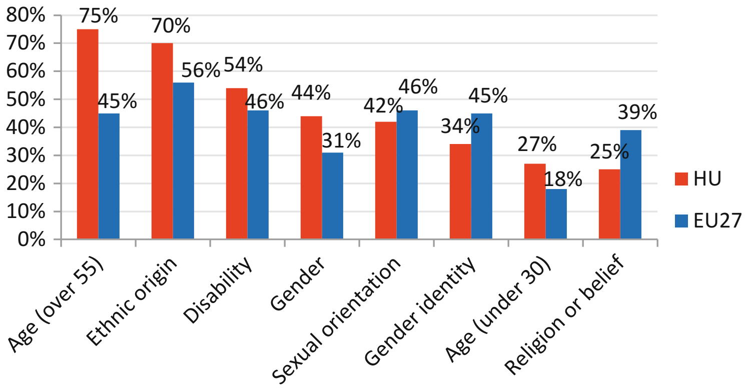

Fig. 3 Perceived prevalence of discrimination on different grounds (2012). *Source*: Special Eurobarometer 393 (2012)

Discrimination on the grounds of ethnic origin was also perceived to be prevalent in Hungary (70 %), followed by disability (54 %), gender (44 %) and sexual orientation (42 %) based discrimination. It was the first time in 2012 when discrimination on the grounds of gender identity and younger age (being under 30) was examined in the Eurobarometer survey: in Hungary more than a third (34 %) of respondents thought that gender identity based discrimination was widespread. 27 % of Hungarian respondents regarded discrimination based on young age as widespread, while 25 % had the same view about discrimination on the grounds of religion or belief. The average values of the European results were lower than the Hungarian ones regarding discrimination on grounds of older age (45 %), ethnic origin (56 %), disability (46 %), gender (31 %) and younger age (18 %), while regarding discrimination on grounds of sexual orientation (46 %), gender identity (45 %) and religion or belief (39 %) the European results were the higher ones. However, it should be pointed out again that these results can equally reflect different levels of discrimination prevalence as well as awareness about discrimination on the basis of the examined grounds. In any case, in comparison with the European findings the Hungarian results reflect lower levels of discrimination prevalence or discrimination awareness.

Figure 4 summarizes the rates of respondents who reported having lesbian, gay or bisexual friends or acquaintances in selected European countries in 2008 and 2012 (by showing the proportion of the "Yes" answers to the questions "Do you have friends or acquaintances who are homosexual?" in 2008 and "Do you have friends or acquaintances who are lesbian, gay or bisexual?" in 2012), while Fig. 5 summarizes the rates of respondents who reported having transsexual or transgender and lesbian, gay or bisexual friends or acquaintances in 2012 (by showing the proportion of the "Yes" answers to the questions "Do you have friends or acquaintances who are transsexual or transgender?" and "Do you have friends or acquaintances who are lesbian, gay or bisexual?").

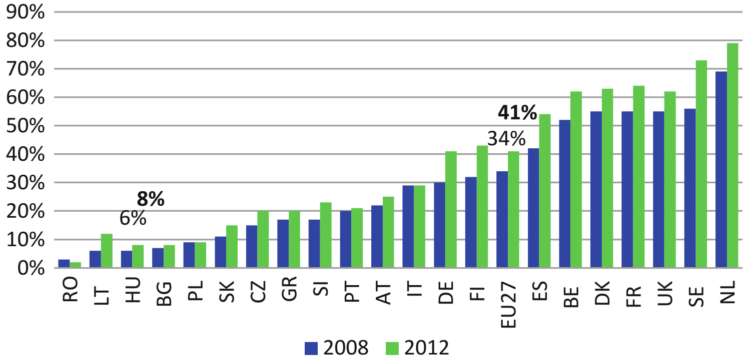

Fig. 4 Having homosexual/lesbian, gay or bisexual friends or acquaintances. *Source*: Special Eurobarometer 296, 393 (2008, 2012)

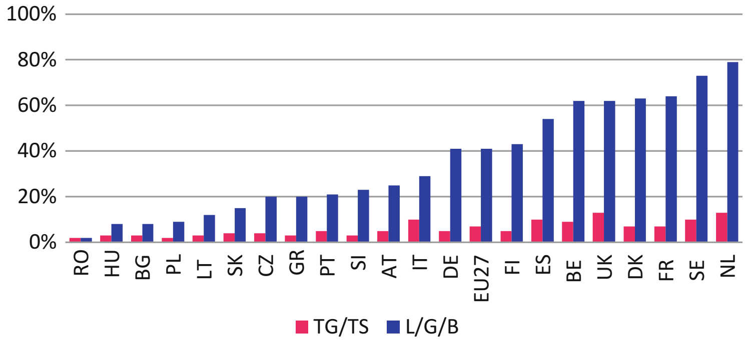

Fig. 5 Having transsexual/transgender and lesbian, gay or bisexual friends or acquaintances. *Source*: Special Eurobarometer 393 (2012)

According to the Eurobarometer findings, direct social contact with citizens from social minority groups can have a positive effect on discrimination awareness: thus a higher level of sexual orientation based discrimination awareness can be expected in countries where people have more gay, lesbian, bisexual, transsexual or transgender friends and acquaintances. In 2008 only 6 % of Hungarian respondents reported having homosexual friends or acquaintances, while the EU27 average was 34 %. By 2012 there was a slight increase in both rates: in Hungary 8 % of respondents reported having lesbian, gay or bisexual friends or acquaintances, and the European average was 41 %.

On the basis of these results, it can be assumed that in Hungary, similarly to other post-socialist countries such as Romania, Bulgaria and Poland, there is very low level of awareness regarding sexual orientation based discrimination in comparison with other Western and Northern European countries. Regarding transsexual or transgender friends and acquaintances, the figures are even lower than in the case of having lesbian, gay or bisexual friends: in 2012 only 3 % of Hungarian respondents

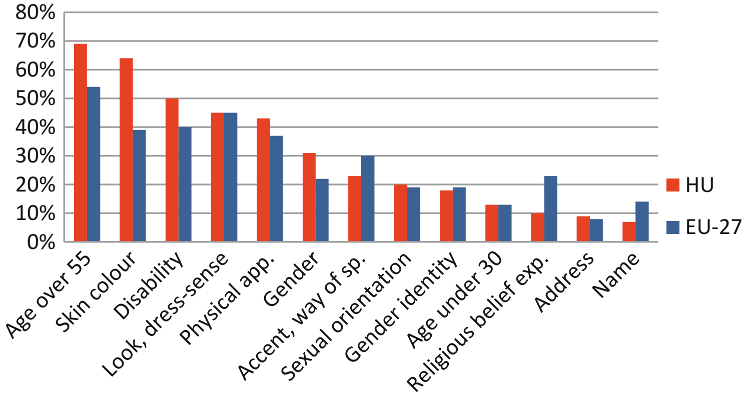

Fig. 6 Perceived potentially disadvantageous factors for job applicants in Europe and Hungary (2012). *Source*: Special Eurobarometer 396 (2012)

reported having transsexual or transgender friends, while the European rate was 7 %.

In the 2012 survey, three aspects of equal opportunities in employment were examined: factors that can put job applicants at a disadvantage; support for measures to promote diversity in the workplace; and perceptions about whether enough is being done to promote diversity. In order to test perceptions of equal opportunities in access to employment, respondents were asked which factors might put job applicants at a disadvantage if a company had to choose between two candidates with otherwise equal skills and qualifications (The question was the following: "When a company wants to hire someone and has the choice between two candidates with equal skills and qualifications, which of the following criteria may, in your opinion, put one candidate at a disadvantage?"). These factors included the job applicant's age (being over 55 or being under 30), look (manner of dress or presentation), disability, skin color or ethnic origin, physical appearance (size, weight, face etc.), way of speaking (accent), expression of a religious belief (such as wearing a visible religious symbol), gender, sexual orientation, gender identity, name, and address. Figure 6 provides an overview of the Hungarian and the European results of 2012. It shows that 19 % of the European and 20 % of the Hungarian respondents thought that the candidate's sexual orientation would put a job applicant at a disadvantage, while 19 % of the European and 18 % of the Hungarian respondents thought the same regarding gender identity.

Figure 7 compares the results of the same question from 2009 to 2012. However, in 2009 smoking was still included among the potentially disadvantageous factors, while in 2012 three new factors were added: age over 50 and age under 30 replaced "age", and it was the first time that gender identity was included into this question. Regarding sexual orientation in 2009 16 %, while in 2012 20 % of the Hungarian respondents thought that being gay or lesbian would put a job applicant at a disadvantage. Regarding gender identity in 2012 18 % of the Hungarian

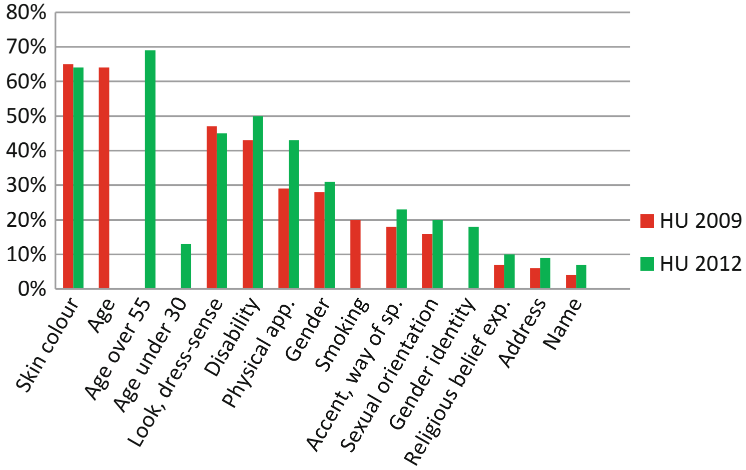

Fig. 7 Potentially disadvantageous factors for job applicants—Hungarian data from 2009 to 2012. *Source*: Special Eurobarometer 317, 396 (2009, 2012)

respondents thought that being transgender or transsexual would put a job applicant at a disadvantage.

Additionally, both in 2009 and 2012 the surveys included questions on the perceived effects of the economic crisis on discrimination in the labor market as well as policies promoting equality and diversity. In 2009 37 % of the European and 40 % of the Hungarian respondents thought that the economic crisis would contribute to an increase of discrimination on the basis of sexual orientation in the labor market. In 2012, 36 % of the European and 40 % of the Hungarian respondents thought that the economic crisis was indeed contributing to the increase of this specific form of discrimination, while 41 % of the European and 39 % of the Hungarian respondents thought the same regarding gender identity based discrimination.

In 2012 the majority of the European respondents (54 %) and 61 % of the Hungarian respondents shared the view that due to the economic crisis, policies promoting equality and diversity are regarded as less important and receive less funding. Respondents were also asked to rate the effectiveness of efforts made in their country to fight all forms of discrimination: in Hungary the majority view (53 %) was that the measures to fight all forms of discrimination were ineffective, and only 11 % thought that these measures were very effective, while European respondents seemed to be more satisfied with the developments in this field (only 31 % of them said that the efforts to fight discrimination were ineffective, and 22 % reported that they were very effective). Regarding sexual orientation and gender identity based discrimination only 10 % of Hungarian respondents agreed that enough is being done to promote diversity in their work place as far as sexual orientation and gender identity are concerned, while about every fifth respondent (21 and 22 %) disagreed with this statement. Additionally, 9 % agreed that “there is no need to promote diversity" concerning sexual orientation and 6 % expressed the same view regarding gender identity.

On the basis of the results of the Special Eurobarometer surveys, Hungary can be described as a country characterized by a moderate level of awareness of sexual orientation and gender identity based discrimination, where most people do not have direct social contact with (openly) LGBT people. In the context of the workplace, sexual orientation and gender identity were not seen as being potentially very disadvantageous factors for job applicants. At the same time most Hungarians think that there is not enough being done to promote diversity in their work place as far as sexual orientation and gender identity are concerned, while being convinced that due to the economic crisis, policies promoting equality and diversity are regarded as less important and receive less funding.

3 The Potential Misfit Between LGBT People and Their Workplace Environment

A useful theoretical paradigm describing the links between the individual and the environment is the Person-Environment Fit Theory (Edwards et al. 1998) that proposes that stress arises from a misfit between individuals and their environment. Thus we can assume that if the sexual orientation and gender identity expression of LGBT people does not match with the heteronormativity—and, in some cases, the expressed homophobic and transphobic climate—of many workplaces, it can lead to experiences of minority stress on the part of LGBT employees (Waldo 1999). The concept of minority stress is based on the premise that LGBT people in a heterosexist social environment are subjected to chronic psychosocial stress related to their stigmatization. Minority stressors include internalized homophobia, the internalized negative attitudes that LGBT individuals can have about their own sexuality and gender identity expression; stigma consciousness, related to expectations of rejection and discrimination; and actual experiences of discrimination and violence that can range from hearing an anti-gay joke to being physically hurt (Meyer 1995, 2003; Kelleher 2009). LGBT-specific minority stressors were shown to affect the mental and physical well-being of LGBT people, and predict negative health outcomes from a young age (Kelleher 2009; Berghe et al. 2010; Ingram and Smith 2004). Similar to experiences of young LGBT people at school, the sense of belonging to a workplace, referring to feelings of being accepted, respected, integrated, and supported within a given environment (Osterman 2000), can be reduced by manifestations of "occupational heterosexism" (McDermott 2006, p. 195).

Concerning the negative work-related experiences of LGBT people, it was shown that "the bulk of the evidence from studies by economists and others fits the hypothesis that lesbian, gay and bisexual people face employment discrimination in the labor market in the United States and in some other countries" (Badgett

2006, p. 161). Nowadays, when the beneficial effects of paid employment on health, compared with those of unemployment and economic inactivity, are widely recognized (McDermott 2006), there is increased attention paid to factors that can hinder the employment prospects of potential employees. Regarding the situation of LGBT people in the labor market, there is growing empirical evidence indicating that the perception of being LGBT can be a factor preventing even mere entry into the labor market: for example, Weichselbaumer (2003) examined discriminative practices in hiring lesbian women in Austria, and Drydakis (2009) showed that gay men have poorer market hiring prospects in Greece than their heterosexual counterparts.

In a Hungarian LGBT discrimination survey, conducted in 2007 ($N = 1122$) more than a third (36 %) of respondents reported negative experiences in relation to the workplace, spanning a wide spectrum of phenomena including not getting promoted, being dismissed or not even getting the job in the first place (Takács et al. 2008). Workplaces were often described as having a heteronormative climate, where everyone is assumed to be heterosexual. International research findings also indicate that the risks of being out as an LGBT person in the workplace can lead to increased levels of workplace discrimination and stress, the loss of advancement opportunities and less positive regard by co-workers (Brenner et al. 2010). On the other hand, while coming out can lead to more external stressors, such as victimization, it can also decrease internal stressors by contributing to the development of a more positive self-image (DiPlacido 1998), and may bring increased psychological well-being and less discordance between vocational and non-vocational life spheres (Brenner et al. 2010). Other studies found that "out" employees were characterized by higher job satisfaction, more commitment to their organization, less conflict between work and home, and they also perceived top management to be more supportive of their rights (Day and Schoenrade 1997; Griffith and Hebl 2002). Additionally, it was also emphasized that being out can potentially lead not only to higher levels of individual performance but also to a higher level of organizational performance (Powers 1996). For example, higher levels of organizational success can be achieved by increasing specific "organizational citizenship behaviors" (OCBs), especially "helping behaviors" on behalf of as well as towards LGBT co-workers, reflecting "voluntary efforts intended to help others or prevent the occurrence of problems in the workplace" (Brenner et al. 2010, p. 324).

According to the findings of a focus group research-based Hungarian qualitative study on homophobia and transphobia, conducted in 2010, participants agreed that it is easy to avoid discrimination if one's sexual orientation related issues are kept in secret (Takács and Dombos 2012). However, it was also recognized that this self-constrained silencing itself constitutes discriminating disadvantage. Some participants reported on experiences of LGBT people internalizing the majority's (hetero) normative perspectives and in this context coming out was interpreted as a form of self-protection from minority stress and unnecessary loss of energy. This approach was based on the recognition that while secrecy can contribute to the maintenance of one's social integrity by helping to avoid stigmatization, at the same time it can also have serious negative consequences, including stress deriving from information management and leading a double life.

According to the results of the most recent Hungarian LGBT discrimination survey, conducted in 2010 (N = 2066) more than half (56 %) of LGBT respondents reported that people almost never or only very rarely assume their LGBT identity, while only 2 % of them said that they are almost always assumed to be LGBT (Dombos et al. 2011). Comparable results were shown by another Hungarian survey where 60 % of LGB respondents (N = 200) reported that most people would never guess that they are lesbian, gay or bisexual, while it was only 6 % of male respondents and 11 % of female respondents who said that they are often identified as lesbian or gay (EBH 2011). These findings can empirically support the assumption about the limited social visibility of LGB people: as most of them are hard to recognize by their bodily features or appearance at the first sight, most of the time it is up to them whether they share the information on their sexual orientation and/or gender identity with others, and dare to risk being excluded from the ordinary functioning of heteronormative society. It seems to be a common experience of LGBT people that they can come out in different ways to different degrees in different social contexts—but in 2010 most (85 % of) LGB respondents agreed with the statement that one cannot lead a complete life without being open about their sexual orientation (Dombos et al. 2011).

Regarding economic activity, Hungarian LGBT surveys tend to show relatively high levels of employment and low levels of unemployment. These features can reflect the sample composition, where people from Budapest and those with higher levels of education tend to be over-represented. In 2010, for example, 58 % of the LGBT respondents were employed, 11 % were self-employed or had only odd jobs, 22 % were studying, and 6 % were unemployed (Dombos et al. 2011)—while the average rate of unemployment among the Hungarian population aged 25–54 was around 10 % (KSH 2012). At the same time, the labor market situation of trans people seemed to be much worse than the average within the LGBT sample: their unemployment rate was for instance double (12 %) in comparison with that of the others. This tendency was also reflected in the fact that 62 % of trans people reported on experiencing at least 3 months long unemployment period in their life, while only 39 % of cisgender respondents had the same experience.

The available Hungarian research findings suggest that most trans people are in a very vulnerable situation in the Hungarian labor market. According to a representative of the TransVanilla Transgender Association (interviewed by the author in December 2012) “if a person’s appearance does not fit into any genders, it will put the person at such a disadvantage that cannot be compensated for. Trying to get a job by a recognizable transgender person in the Hungarian labor market is mission impossible”. Trans people can face serious educational disadvantage due to problems of fitting into the traditionally gender-conform school environments. Gender non-conformity or “gender atypicality” has been shown to be associated with increased risk of victimization, harassment, and even suicide of LGBT youth in the international literature (Remafedi et al. 1991; D’Augelli 2003). Educational disadvantage, often manifested in high levels of early drop-out rates, can lead to limited career opportunities. In some cases transsexual people can get into such a desperate situation, that the only work that is available for them is prostitution, but this is not typical in Hungary.

Transsexual people—especially during their transition period—can face specific difficulties as gender re-assignment treatments can take longer periods of time, when transsexual employees have to stay away from their workplace, and longer leaves are typically not regarded favorably by employers. In this respect transwomen (MtF) can face more problems, as a transman activist explained (in an interview conducted by the author in December 2012): for transmen (FtM) it takes about half a year of hormone treatment that the outside world would see him as a "real man", while for transwomen to reach "convincing" transition results can be more complicated. Giving a convincing gender performance can be crucial in certain jobs: participants of a trans focus group interview (conducted in November 2012 by the author) reported on hiring problems they have encountered in relation to not having the "right voice", the "right look", and the "right name", or the combination of any of these. Those who started their gender transition in a workplace complained that co-workers still call them by their old name, or they don't want to see them in the changing room or using the toilet that would accord with their new gender.

In comparison with LGB employees trans people can have specific claims about what makes a workplace trans-friendly, such as having gender-neutral toilets and dressing rooms that can be used by everyone, not just "gender-neutrals". These demands are not always easy to reconcile with specific claims voiced by women's groups about what can make a workplace safe for women, such as providing separate, safe facilities for them. However, it should be noted that in the present-day Hungarian labor market context the introduction of gender-neutral toilets and dressing rooms does not seem to be an urgent priority either. Another very important issue for trans people is having effective protection of their right to privacy in order to avoid any irrelevant disclosure of their gender history or their former name to the employer and other co-workers. For example, in 2011 the Hungarian Office of Health Authorization and Administrative Procedures found that forcing a transwoman to reveal her trans identity through her pharmacy license was a violation of human dignity (to become a Certified Pharmacist one needs to apply for an official 'pharmacy license', with which one can lead a pharmacy in Hungary). The case arose because the Office of the Chief Medical Officer of State refused to issue a new license with just the woman's new name, insisting that her birth name should be included on the license thereby forcing her to reveal her trans identity every time she produced it. The Office of Health Authorization and Administrative Procedures ordered the Office of the Chief Medical Officer of State to issue a license without reference to the woman's birth name and gender (ILGA 2011).

Similar to the rest of society, interpreting issues related to sexual orientation and gender identity as a private matter is widespread also among LGBT people. However, at a closer look it is not difficult to see that private matters can often turn up in everyday discussions in the workplace environment, too: LGBT respondents reported that discussions at the workplace frequently cover issues such as

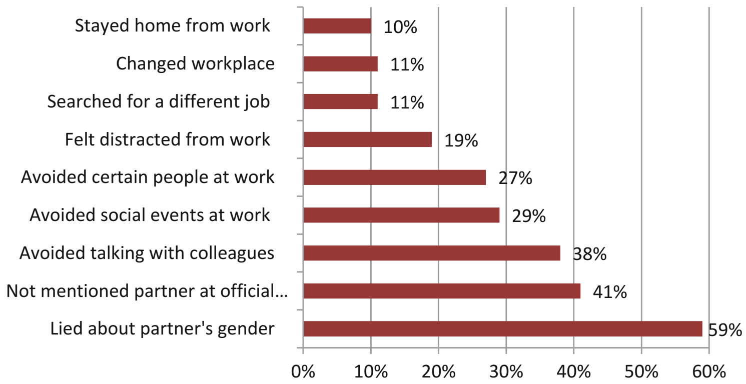

Fig. 8 Negative experiences at the workplace. *Source*: Hungarian LGBT discrimination research—2010 (Dombos et al. 2011)

relationship matters (82 %) or leisure programs such as weekend programs (89 %), or even sex (63 %). Consequently, it is in fact very hard to avoid talking about private matters at the workplace. Thus if one wants to hide the details of one's personal life, it is not enough to keep silent about certain topics; one is often forced to invent lies in order to keep the heterosexual cover story intact. For example, 59 % of the LGBT respondents reported on inventing different-sex partners for themselves when talking with co-workers and 41 % avoided mentioning their (same-sex) partner in official documents at their workplace (Fig. 8).

In 2010 13 % of the LGBT respondents reported on personal experiences of discrimination at their workplace. The most common forms of discrimination included rumors going around about their sexual orientation or gender identity (81 %) and perceptions of the workplace climate as homophobic or transphobic (72 %). 31 % mentioned that they did not get a job because of their sexual orientation or gender identity, 32 % were sacked for the same reason, and 41 % reported on cases of harassment and humiliation. LGBT victims of discrimination were not very likely to submit a formal complaint: only 15 % of them did so. However, the submitted complaints were not handled in a very effective way either: only one fifth of the complaints led to thorough investigation and impeachment of the perpetrator(s). 21 % of the respondents reported that their employer had some sort of equal treatment policy, such as an equal opportunity strategy or code of conduct with anti-harassment clauses, but not all of them included sexual orientation and gender identity as protected categories.

The importance of employment discrimination was reflected by the fact that more than 80 % of all LGBT respondents thought that working towards ending discrimination at the workplace should be one of the main goals LGBT NGOs should prioritize on. Respondents had to evaluate the importance of fifteen issues including same-sex marriage; making the (existing) registered partnership legislation closer to that of marriage; making childbearing easier; eliminating workplace discrimination; eliminating discrimination at school; covering the costs for gender re-assignment treatments (GRT) by public health insurance; clarifying the legal conditions of gender recognition; combating violent anti-LGBT attacks; struggle against hate speech; struggle against HIV/AIDS; development of health awareness; increasing the level of general social acceptance; increasing the level of self-acceptance; increasing diversity within the LGBT community; organizing LGBT-friendly leisure programs.

Gender recognition refers to the legal recognition of a person's gender reassignment, which entails the following stages: the applicant submits a request to the Ministry of Public Administration and Justice asking for a change of gender and name. The request has to be supported by forensic documents stating that the applicant "suffers from transsexualism" according to criteria set by the WHO's International Statistical Classification of Diseases and Related Health Problems under "F64.0". The request is submitted for a supporting opinion to the Ministry of Human Resources—dealing with issues of public health—and the ministries involved have 30 days to deliver a decision. If authorized, the local registrar is ordered to amend the birth registry within 8 days and accordingly alter the gender and name of the applicant. With the birth registry amended, the applicant is fully recognized in his/her new gender. This procedure is consistently applied but not codified thus there is a fair chance of arbitrariness in its application.

Legislation in force since December 2006 puts gender reassignment treatments (GRT) in the category of treatments only partially funded by public health insurance: a government decree sets fees at 90 % of the cost of the treatment, thus by the National Health Insurance Fund covers only 10 % of the costs of gender reassignment treatments; however, the actual cost paid for treatments can vary significantly between health care providers and on a per patient basis as well. Since there are no established funding protocols, it is not clear 90 % of what to pay, prices are often negotiated on an individual basis.

Table 1 provides an overview of the results according to sexual orientation categories, and shows that 83 % of lesbian women and gay men, 77 % of bisexuals, 84 % of questioning people and 87 % of heterosexuals (who were included into the LGBT sample because of their—transsexual or other trans—gender identity) expressed the view that eliminating workplace discrimination is one of the most important goals LGBT NGOs should strive for. Table 2 provides an overview of the results according to gender identity categories: the same views were expressed by 96 % of transsexual people, 89 % of other trans respondents (who identified with both or neither of the two gender categories), 82 % of the gender non-conformist respondents (whose attributed and preferred gender identities overlapped, however they did not identify completely with their assigned gender roles), and 81 % of cisgender respondents (most of whom were lesbian women and gay men).

Another recent Hungarian survey, focusing on equal treatment awareness of the general population as well as people with disabilities, Roma and LGBT people, found that, in regard to employment-related discrimination experiences, there are differences between female and male respondents within the examined LGBT population (EBH 2011). Female LGBT respondents reported higher levels of disadvantage in the fields of recruitment and selection, as well as promotion,

Table 1 Organizational priority issues of LGBT people according to sexual orientation categories

Priorities—according to sexual orientation	Lesbian/Gay (%) N = 1652	Bisexual (%) N = 513	Questioning (%) N = 152	Heterosexual (%) N = 40
Violent attacks	90	87	84	91
Social acceptance	89	86	85	82
Self-acceptance	88	87	90	78
HIV/AIDS	87	88	84	87
Hate speech	86	82	80	74
Discrimination at school	85	79	85	92
Discrimination at work	83	77	84	87
Health awareness	75	79	78	74
Registered partnership—marriage	68	61	65	48
Having children	68	60	64	61
Internal diversity	65	61	65	68
Leisure programs	61	59	70	56
Same-sex marriage	60	56	59	52
Gender recognition legislation	46	50	48	70
GRT financing	29	34	34	57

Source: Hungarian LGBT discrimination research—2010 (Takács and Dombos 2012)

Table 2 Organizational priority issues of LGBT people according to gender identity categories

Priorities according to gender identity categories	Transsexual (%)	Other trans (%)	Gender non-conform (%)	Cisgender (%)
	N = 75	N = 91	N = 143	N = 2188
Discrimination at school	98	91	77	84
Discrimination at work	96	89	82	81
Violent attacks	96	94	83	89
Gender recognition legislation	89	70	48	45
Social acceptance	89	94	80	88
Self-acceptance	89	92	80	88
Hate speech	87	92	74	85
GRT financing	85	53	20	29
HIV/AIDS	83	89	89	87
Health awareness	81	87	77	75
Having children	80	70	66	66
Internal diversity	74	78	57	64
Registered partnership—marriage	72	69	64	66
Same-sex marriage	66	74	63	60
Leisure programs	66	74	63	60

Source: Hungarian LGBT discrimination research—2010 (Takács and Dombos 2012)

Table 3 Realization of equal treatment practices at the workplace

Realization of equal treatment practices at the present (or last) workplace (%)	LGBT all	LGBT women	LGBT men
Recruitment, selection	34.5	28	42
Training	35.5	33	38.5
Promotion	31.5	26	37.5
Work contract type	37	33	42
Work conditions	36	33	40
Work tasks	34.5	29	41
Waging	42	34	51
Harassment	25	21	29
Dismissal, discharge	32.5	24	42

Source: Hungarian Equal Treatment Awareness Survey—2010 (EBH 2011)

Table 4 Non-realization of equal treatment practices at the workplace

Non-realization of equal treatment practices at the present (or last) workplace (%)	LGBT all	LGBT women	LGBT men
Recruitment, selection	32	33	31
Training	31	30	32
Promotion	36	36	36
Work contract type	28.5	30	27
Work conditions	29	30	28
Work tasks	31	34	28
Waging	28	29	27
Harassment	37	37.5	36.5
Dismissal, discharge	30.5	33	28

Source: Hungarian Equal Treatment Awareness Survey—2010 (EBH 2011)

work tasks, wage levels, and dismissal and discharge. Tables 3 and 4 provide a detailed overview of the findings, and show that in the view of LGBT respondents the most problematic areas of employment-related discrimination are promotion and harassment. It should also be mentioned that none of the respondents reported on having diversity trainings and communications addressing sexual orientation and gender identity, or Employee Resource Group for LGBT employees, or any (other) openly LGBT employees at their workplace.

Additionally, it should be pointed out that social security services—such as medical care, pension entitlements and other benefits such as parental leave—are available to LGBT workers living in same-sex registered partnerships on the same terms as they are for heterosexual married couples. Act No. XXIX of 2009 on Registered Partnership and Related Legislation and on the Amendment of Other Statutes to Facilitate the Proof of Cohabitation (RPA) was adopted by the Hungarian Parliament in May 2009 and came into force on 1 July 2009. The RPA finally created a family law institution for same-sex couples. The aim of the RPA was to provide a constitutionally acceptable institution for same-sex couples: the law establishes a general equivalence between marriage and registered partnership with a few notable exceptions. The so-called general reference rule in Article 3 (1) stipulates that unless the RPA otherwise provides or explicitly excludes the application of it, the rules governing marriage shall be applied to registered partnerships as well. The RPA specifies three areas where this general reference rule is not applicable: (1) registered partners cannot jointly adopt a child, registered partners cannot adopt each other's child, and the presumption of paternity is not applicable to registered partners; (2) the rules on bearing each other's name cannot be applied; and (3) registered partners cannot take part in assisted reproductive services. At present there is no Hungarian research data available on the labor-market situation of same-sex registered couples, partly because of the relatively low number of same-sex registered partnerships: between July 1, 2009 and December 31, 2014 altogether 296—206 male and 90 female—same-sex couples entered into registered partnership (KEKKH 2015). The very low number of female same-sex registered partnerships can partly be explained by the institutional discrimination regarding the impossibility of assisted reproduction for women living in a lesbian partnership (See: Article 167 of the Hungarian Health Care Act—No. CLIV. of 1997).

4 Coping with Discrimination: Conclusion

In many cases Hungarian LGBT workers chose to keep their sexual orientation and/or gender identity hidden for fear of negative consequences. Clearly, many LGBT people fear discrimination and harassment if they come out; and the experiences of many open LGBT workers do suggest the fear is often well founded. The very limited visibility of Hungarian LGBT employees also means that employers and other labor market institutions often have the impression that they do not have any LGBT people working for or around them, and thus they do not have to deal with these issues. For many Hungarian employers and employment organizations, LGBT people are always somewhere else: in other workplaces or even in other countries.

In the present Hungarian context it is especially important to focus on potential good practices that would lead to an enabling environment for coming out as LGBT in the world of work. There are very few good practice workplaces in present day Hungary, where diversity and tolerance for LGBT persons is actively promoted. Thus it was very timely that in 2010 the Hungarian Business Leaders Forum published a leaflet on "Lesbian Gay, Bisexual and Transgender Co-workers at the workplace", which included the following recommended components of developing LGBT-friendly workplaces:

- Formal commitment of the management to diversity and acceptance of LGBT employees (which should be reflected not only in formal mission statements or diversity policies but also in their personal communication);
- Equal Opportunities Plan inclusive of the grounds of sexual orientation and gender identity;
- Re-examination of internal (HR) files and official documents to eliminate discriminative practices towards LGBT employees (with special focus on recognizing same-sex partners);
- Code of Conduct inclusive of anti-discrimination measures on the grounds of sexual orientation and gender identity;
- Diversity trainings (to make all employees aware of these developments);
- Support for LGBT Employee Resource Groups (where LGBT employees and their friends can meet, and LGBT-related employment issues can be discussed in an organized setting).

The recognition that workplaces characterized by a non-homophobic or a non-transphobic climate can provide advantages for all, and creating LGBT-friendly workplaces can actually have more benefits than costs was reflected by the "Nyitottak vagyunk" (We're open) initiative. In 2013 just a few weeks before the Budapest Pride March the We're Open campaign was launched by three companies (Google, Prezi and espell), encouraging other groups to join them: "Being open is a good thing. As open companies, we regard it as a fundamental corporate value that our employees and our partners are judged solely on the basis of their actions and their work performance, and without regard for their sex, age, sexual orientation, national or ethnic background, political convictions, physical abilities, or other characteristics. Our openness—to new ideas, innovative solutions, to one another and to the world—is one of the keys to our success. We know that there are lots of you out there who share our values. Nyitottakvagyunk.hu (We're open) has been created for those companies, organizations and communities that would like to join us in a commitment to openness and to inspire others to do the same" (Nyitottak vagyunk 2013).—The "We're open" initiative conveyed several important messages in the world of work in Hungary: not only did it serve as a great example of solidarity with LGBT people but it also pointed to the advantages of providing equal opportunities at the workplace from the business case perspective, which can serve as an inspiration for others, too.

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Gay Men and Male-to-Female Transgender Persons in Chile: An Exploratory Quantitative Study on Stigma, Discrimination, Victimization, Happiness and Social Well-Being

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1 Introduction

In 2012, Chile passed an antidiscrimination law to protect and guarantee equal treatment by the state for gay men, lesbians, bisexuals, and transgender individuals (LGBT), among others. Despite this law, the LGBT population is still discriminated against in different contexts and situations. Recent studies reveal a high prevalence of events involving violence against the LGBT population (MOVILH 2015a). For example, a recent study conducted by the Homosexual Liberation Movement [MOVILH being the Spanish acronym] (2013) indicates that 74.5 % of the subjects interviewed report experiencing at least one discrimination event due to their sexual orientation or gender identity during their lifetime, and 30.4 % in the past month. The same study reveals that 40.2 % of participants were discriminated against in public places, and 23.4 % at their work place or school. Another study carried out in Santiago in the context of the Chilean LGBT Pride Parade in 2007 indicates that about 80 % of the LGBT subjects interviewed report discrimination and aggression. Mockery, insults, and threats are the most frequent situations reported, and the places most often indicated are their own neighborhood, religious environments, and school. The high levels of discrimination reported are not only found in Chile, as similar data have been reported in questionnaires administered in Brazil (Assis et al. 2006), Colombia (Brigeiro et al. 2009) and Mexico (Brito et al. 2012).

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In Chile, compared to gay men and lesbians, MtF transgender individuals are the least favored and the most exposed to stigmatization, discrimination, and victimization (Barrientos and Cárdenas 2014; Barrientos et al. 2010). MtF transgender individuals are often socially excluded from neighborhoods, families, and other social structures (Pinto et al. 2008). Their unfavorable social status could be explained by the greater stigmatization to which they are subjected, compared to gay men and lesbians (Barrientos and Cárdenas 2014), given their greater social visibility. MtF transgender individuals are usually characterized by high unemployment rates and scarce access to education and professional training processes (Barrientos et al. 2010; Clements-Nolle et al. 2006). Thus, these subjects are often connected to sexual work as their main economic activity (Barrington et al. 2012). Sexual work has effects on health and results in greater levels of stigmatization, as the profession itself is stigmatized. Considering the violence to which LGBT populations are subjected in the Chilean context, and the need to design policies to resolve the health, education, and work problems of these populations, interest in learning about the demographic and social characteristics of homosexual and transgender individuals is increasing. However, few studies in Chile describe and characterize these populations, and even fewer examine their quality of life (Barrientos et al. 2014).

Specifically, studies on the quality of life of gay men and lesbians reveal a positive association between stigma, discrimination, victimization, and mental health indicators (Barrientos and Cárdenas 2013). Other studies support these results in MtF transgender individuals (Barzagan and Galvan 2012; Bockting et al. 2013; Clements-Nolle et al. 2006), providing evidence of the effects that the perception of a context as threatening can have on people's health (Meyer 1995, 2003).

Although great advances have been made in understanding the negative effects of homophobia and transphobia on victims' physical and mental health (Burgess et al. 2007; Herek et al. 1999; Warner et al. 2004), few studies have documented this association in the Latin American LGBT population (Ghorayeb and Dalgalarrondo 2011), and even fewer in the MtF transgender population. Therefore, it is relevant to examine the possible impact of violence against the LGBT population on its physical and mental health, paying attention to positive indicators.

To address the lack of contextualized studies on sexual minorities in Chile and the eventual impact that stigma and discrimination could have on different aspects of their lives (personal, social, and work), this paper examines sociodemographic characteristics, levels of perceived stigma and discrimination, and levels of well-being, in a convenience sample of self-identified cisgender gay men and male-to-female (MtF) transgender individuals.

2 Method

2.1 Sample and Procedure

A type of Respondent-Driven Sampling (RDS) was used for gay men. A profile of the target gay men group was defined, and then seeds fulfilling this profile were selected. Three demographically diverse initial participants were non-randomly selected as seeds in each city (Arica, Valparaiso, and Santiago), with input from key informants in each city as the starting point for recruitment. Criteria for seed selection included: gay men with many network connections in each city, city of residence, age (three seeds from three different age ranges: 18–29, 30–44, and 45 or older), and written informed consent. After completing the survey, each seed was instructed to invite three gay men who met the eligibility criteria to participate in the study. If the seed was acquainted with a possible participant, the research team contacted him for the study. This new seed was provided with a brief description of the project. This process was repeated in four waves until the desired sample size was achieved (RDSAT 6.0.1 function "Estimate Number of Waves Required" for equilibrium data, making it possible to approach a sample size that is pseudo-representative of the hidden population).

In the case of the MtF transgender sample, snowball-type sampling was used. Participants were contacted in each city. To do so, the key informants were MtF transgender individuals who belonged to MtF transgender organizations with many network connections in each city. Eligibility criteria included self-identification as a MtF transgender, being over 18 years old, city of residence (Arica, Valparaiso, and Santiago), and written informed consent.

The final sample consists of 437 participants between 18 and 75 years old ($M = 32.22$ and $SD = 10.22$), 325 gay men (74.4 %) and 112 MtF transgender individuals (25.6 %). Gay men's ages range from 18 to 64 years old ($M = 30.82$ and $SD = 9.81$), while MtF transgender individuals' ages range from 18 to 75 years old ($M = 36.22$ and $SD = 10.37$). The questionnaires were collected from May to July 2011 in Arica (21.2 %), Valparaiso (33.8 %), and Santiago (45 %).

2.2 Instrument/Questionnaire

The instrument consists of three sets of questions designed to: (a) collect sociodemographic data, (b) measure the levels of stigma, discrimination, and victimization, and (c) measure the levels of happiness and social well-being of the sample.

2.2.1 Sociodemographic Measures

The sociodemographic measures include “Age” (later re-categorized into 3 age groups: 18–29, 30–44, and 45 or older), “City of residence” (Santiago, Valparaiso, or Arica), “Educational level” (seven response categories ranging from incomplete primary school to a university degree studies), “Socioeconomic status” (measured with ESOMAR from the World Association of Market Research (Adimark 2014), which combines educational level and the occupational category of the head of the household to which the participant belongs in one matrix), “Religiosity” (measured with the question “Do you consider yourself a religious individual?” and a scale measuring the importance given to religious ideas and one’s religious community). In addition, some questions were asked about testing to detect HIV/AIDS, the diagnosis (positive or negative), and the time the individual had lived with the virus.

2.2.2 Stigma and Discrimination Measures

Victimization events (Barrientos et al. 2010). A 10-item scale examines aggression events experienced by gay men and MtF transgender individuals attributed to their sexual orientation and gender identity. Respondents were asked whether they had ever experienced one or more of ten different victimization events in their lives. The scale includes physical, verbal, and psychological violence events. Response options are dichotomous (yes/no). In addition, the importance given to the situations experienced is examined: How much have you been affected by this event? Likert-type response options range from 1 (almost nothing) to 6 (a lot). A moderately high internal consistency was obtained for this application (Cronbach alpha 0.97).

Discrimination events (Barrientos et al. 2010). A 10-item scale examines aggression events experienced by gay men and MtF transgender individuals attributed to their sexual orientation and gender identity. Respondents were asked whether they had ever experienced one or more of ten different discrimination events in their lives. The scale includes discrimination in the family, at school, and in public places, among others. Response options are dichotomous (yes/no). In addition, the importance given to the situations experienced is examined: How much have you been affected by this event? Likert-type response options range from 1 (very little) to 6 (a lot). High scores on this scale indicate high levels of discrimination. A high internal consistency was obtained for this application (Cronbach alpha 0.97).

Subjective Index of Stigma and Discrimination (or SISD for its acronym in English,) (Barrientos and Cárdenas 2014). A 6-dimension self-administered scale was used that included statements with which the participants had to agree or disagree. The scale consists of 23 Likert-type items, and responses range from 1 (“completely in disagreement”) to 5 (“completely in agreement”), grouped together to represent the 6 indicators that make up this part of the scale. The Cronbach alpha for this application was 0.86.

2.2.3 Happiness and Social Well-Being Measures

Subjective Happiness Scale The Subjective Happiness Scale designed by Lyubomirsky and Lepper (1999) was used. It was adapted and validated for the Chilean population by Vera-Villarroel et al. (2011), with good reliability indicators (Cronbach alpha 0.87). The version used consists of four Likert-type items whose final score is obtained by adding up the scores obtained and dividing them by the total number of items (Lyubomirsky and Lepper 1999). Response options range from 1 ("Unhappy") to 6 ("Very happy"). A moderate internal consistency index was obtained for this application (Cronbach alpha 0.65).

Social Well-Being The Social Well-Being Scale designed by Keyes (1998) was used. It was translated by Blanco and Díaz (2005) and validated in the national population by Cárdenas and Barrientos (2013), with good reliability indicators (Cronbach alpha 0.87). The version used consists of 33 items distributed in 5 dimensions: Social Integration, Social Acceptance, Social Contribution, Social Actualization, and Social Coherence. Likert-type response options range from 1 (completely disagree) to 6 (completely agree). High scores indicate good social adjustment. Suitable psychometric properties are obtained for the total scale (Cronbach alpha 0.89) and for its dimensions: Social Integration, $\alpha = 0.63$, Social Acceptance, $\alpha = 0.83$, Social Contribution, $\alpha = 0.38$, Social Actualization, $\alpha = 0.64$, and Social Coherence, $\alpha = 0.86$.

2.3 Statistical Analyses

Statistical analyses were conducted by using the software package SPSS 20.0 for Windows. To provide a description of the sample, means and standard deviations were calculated for each variable. Next, several t-tests were conducted to compare the scores of the two samples (gay men and MtF transgender individuals) on measures of stigma and discrimination, levels of victimization, discrimination, happiness, and well-being. Analyses included effect size calculations (Cohen's d) in G*Power 3.1.6 (Faul et al. 2007, 2009).

3 Results

3.1 Sociodemographic Profile

Differential patterns are observed in the socioeconomic profile of the sample (Table 1), showing that MtF transgender individuals are in a more unfavorable position than gay men. More than 85 % of MtF transgender individuals must be included in the middle-low or low socioeconomic status, compared to 15.7 % of gay

Table 1 Sociodemographic profile of gay men and MtF transgender samples

Variables		Gay men (%) (*N* = 325)	MtF transgender (%) (*N* = 112)
Socioeconomic status	Very high (A)	4.0	0.0
	High (BC1)	12.0	0.0
	Medium high (C2)	32.9	6.0
	Medium (C3)	35.5	8.4
	Medium low (D)	13.9	72.3
	Low (E)	1.7	13.3
Educational level	Degree	3.1	0.0
	College	22.2	3.6
	Incomplete college/complete technical	35.5	6.4
	Complete secondary/incomplete technical	30.1	20.0
	Incomplete secondary	4.7	33.6
	Complete primary	0.3	26.4
	Incomplete primary	1.2	10.0
Religiosity	Religious	36.1	69.4
	Non-religious	63.9	30.6
Political self-categorization	Left	48.0	53.2
	Center	31.7	30.6
	Right	20.3	16.2
HIV/AIDS tested	Done	84.7	71.2
	Not done	15.3	28.8
HIV/AIDS diagnose	Positive	18.5	16.5
	Negative	81.5	83.5

MtF Male-to-female

men. In addition, none of the MtF transgender individuals have a high or very high socioeconomic status, while 16 % of gay men belong to these socioeconomic groups.

The educational level of the gay men falls into two main categories: “complete secondary and incomplete technical education” (30.1 %) and “incomplete college education” (38.5 %). By contrast, MtF transgender individuals are categorized as “complete primary education” (26.4 %), “incomplete secondary education” (33.6 %), and “complete secondary and incomplete technical education” (20 %), which reveals the lower educational level of this group. Regarding the main work activities reported, 74.7 % of MtF transgender individuals work in sexual commerce. In the case of gay men, the type of work is much more varied.

Moreover, 36.1 % of gay men and 69.4 % of MtF transgender individuals consider themselves to be religious people. Most of the religious subjects from both groups describe themselves as Catholic (78 % and 83.3 %, respectively). Only 19.5 % of gay men and 13 % of MtF transgender individuals ascribe to Christian religions other than Catholicism, mainly Evangelical, with 8.1 % and 7.4 %, respectively.

Regarding their political ideas, most participants opt for the left wing (48 % and 53.2 %, respectively), although an important number of them choose the political center (31.7 % of gay men and 30.6 % of MtF transgender individuals).

Some questions were posed to learn about HIV/AIDS detection tests, their diagnosis, and the time spent living with the virus. Most of the sample had taken the test (84.7 % of gay men and 71.2 % of MtF transgender individuals), while 18.5 % of gay men and 16.5 % of MtF transgender individuals had been diagnosed with HIV/AIDS. Of those diagnosed with the virus, 62.5 % are gay men and 50 % are MtF transgender individuals who were informed of their condition more than 3 years ago. Only a small number had found out about their condition recently (four subjects in each group).

3.2 *Subjective Index of Stigma and Discrimination*

Table 2 shows both groups' results on the SISD total score and on each dimension of the scale. Statistically significant differences are observed between gay men and MtF transgender individuals ($t_{(435)} = -2.48$; $p < 0.05$; $d = 0.26$) on the SISD scores. Additionally, differences are observed in 3 dimensions: disadvantages in the presence of authorities ($t_{(435)} = -2.83$; $p < 0.005$; $d = 0.31$), discrimination at work ($t_{(435)} = -3.78$; $p < 0.005$; $d = 0.41$), and institutional exclusion ($t_{(434)} = -4.25$; $p < 0.001$; $d = 0.46$). These results confirm that the gap between

Table 2 Means and standard deviation in SISD dimensions for gay men and MtF transgender individuals

Dimension	Gay Men (*N* = 325) *M* (*SD*)	MtF transgender (*N* = 112) *M* (*SD*)	*t*	*gl*	*p*	*d*
(SISD) Total score	4.11 (1.05)	4.43 (1.40)	−2.17	156	*0.03*	0.26
Stigma and discrimination experiences	4.79 (1.19)	4.71 (1.62)	0.52	154	0.06	
Disadvantage in presence of authorities	4.21 (1.48)	4.67 (1.53)	−2.83	435	0.005	0.31
Discrimination at work	3.73 (1.41)	4.33 (1.51)	−3.78	435	<0.001	0.41
Expression of sexual or gender identity	3.87 (1.52)	4.18 (1.56)	−1.82	434	0.07	
Institutional exclusion and rights denial	3.58 (1.52)	4.31 (1.65)	−4.08	178	<0.001	0.46
Religious discrimination	4.46 (1.25)	4.30 (1.65)	0.93	155	0.35	

Response options range from 1 to 5. Higher scores indicate more stigma and discrimination
MtF Male-to-female
Significance level: $p<0.05$

the two groups on the total scale and the dimensions mentioned above can be considered significant (even though the mean scores on the SISD (and the mean scores on their dimensions) of both groups must be considered high because values can range from 1 to 5).

3.3 Relation Between SISD, Victimization Measures, Discrimination and Minority Stress, and Measures of Happiness and Social Well-Being

Table 3 shows the high percentage of subjects from both groups who report victimization events due to their gay or MtF transgender condition. Events most frequently reported include mockery and insults. Both groups report that they are used to these events, which have occurred in different contexts since school. In the case of MtF transgender individuals, greater public visibility involves greater

Table 3 Percentages of having experienced victimization and discrimination for gay men and MtF transgender individuals

Victimization events	Gay men (%)	MtF transgender (%)
Mockery	73.2	88.1
Insults	55.8	87.4
Threats	26.7	66.7
Physical aggression attempt	21.6	66.7
Physical aggression	16.6	61.3
Sexual aggression attempt	14.7	46.8
Sexual aggression	11.5	40.5
Blackmail	18.9	40.7
Non-violent robbery	22.4	61.3
Violent assault	13.7	53.2
Discrimination events		
Not hired or fired from work	22.3	57.8
Not allowed to enter or stay in a public place	14.2	49.5
Ill-treated by public officials	25.8	59.1
Not accepted or banned from school	9.3	46.8
Not accepted or rejected by a group of friends	19.8	42.3
Disturbed or harassed by neighbors	32.5	52.7
Not accepted or banned from a social group	10.6	34.9
Not accepted or rejected by the family	18.0	48.2
Not accepted or banned from a religious group	16.1	40.0
Verbal or physical aggression or denial of help by the police	19.3	70.0

MtF Male-to-female

vulnerability to these events, but the number of subjects reporting assaults or robbery (61.3 %), physical aggression (61.3 %), and sexual aggression (40.55) is quite surprising, perhaps because most of the subjects in the sample work in sexual commerce on the street.

Regarding the question about the extent to which these events had caused an impact on their lives, subjects give them relative importance, which is an interesting result to analyze (Table 4). For example, for MtF transgender individuals mockery has a more enduring and profound effect on their lives ($M = 4.55$) than other events that could be judged as more violent, e.g., sexual aggression ($M = 3.55$). In comparing the impact reported by the two groups, mockery, insults, threats, sexual aggression attempts, violent robbery and assault are scored significantly higher by MtF transgender individuals, thus producing a greater impact on their lives. No differences are found in the impact of physical aggression attempts, actual physical aggression, sexual aggression, or blackmail, although the MtF transgender sample has experienced them to a greater extent.

Table 3 shows the percentages of each event for both groups, as well as the mean for the life impact reported. Data suggest a differential impact of each discrimination event, regardless of its magnitude. Thus, the event causing the most impact on gay men could belong to the private context (rejection by the family), while for MtF transgender individuals the events given the highest scores are those from the public context (verbal or physical aggression, being denied help from the police, and being rejected or banned from school). Table 4 shows that, although the MtF transgender group reports a higher percentage of these actions, only two differences are statistically significant: "not being accepted or being banned from school" ($t_{(97)} = -3.45$; $p = 0.001$; $d = 0.65$) and "verbal or physical aggression" ($t_{(145)} = -3.56$; $p = 0.001$; $d = 0.59$). These results confirm the greater exposure and vulnerability of MtF-transgender individuals, due to their greater visibility.

The possible impact of perceived stigma and discrimination on happiness and social well-being will be analyzed below. In analyzing the means of both groups, statistically significant differences are found for happiness ($t_{(434)} = 2.53$; $p < 0.05$; $d = 0.25$), social integration ($t_{(435)} = 2.19$; $p < 0.05$; $d = 0.22$), and social coherence on the scale of social well-being ($t_{(434)} = -4.65$; $p < 0.001$; $d = 0.53$).

Results indicate that the gay men report higher levels of happiness (they are happier and assess their lives as such) and a significantly greater degree of social integration (they assess the quality of their relations with society and the community more positively). At the same time, they report significantly lower levels of social coherence; in other words, they assess the quality, organization, and functioning of the social world more negatively and are more concerned about what happens in the world.

In dividing the groups according to the median on the SISD (gay men = 4.13 and MtF transgender individuals = 4.89), a comparison can be made between participants with high and low scores on happiness and the different dimensions of social well-being. These analyses reveal that, at higher levels of perceived stigma and discrimination, effects are observed in the assessment of the levels of happiness and well-being.

Table 4 Impact of victimization and discrimination events on the lives of gay men and MtF transgender individuals

	Gay men ($N = 325$)	MtF transgender ($N = 112$)				
	M (*SD*)	*M* (*SD*)	*t*	*gl*	*p*	*d*
Victimization events						
Mockery	3.50 (1.56)	4.55 (1.77)	−5.33	337	<0.001	0.63
Insults	3.47 (1.77)	4.25 (1.89)	−3.40	283	0.001	0.43
Threats	3.29 (1.79)	4.14 (2.01)	−2.95	156	0.004	0.61
Physical aggression attempt	3.48 (1.94)	4.41 (1.93)	−2.96	164	0.004	0.48
Physical aggression	3.77 (2.01)	4.27 (1.87)	−1.55	142	0.12	
Sexual aggression attempt	3.11 (1.98)	3.95 (1.99)	−2.40	126	*0.02*	0.42
Sexual aggression	3.28 (2.09)	3.55 (2.07)	−0.77	112	0.44	
Blackmail	3.39 (2.05)	3.54 (2.11)	−0.41	125	0.68	
Non-violent robbery	3.28 (1.87)	4.01 (1.93)	−2.37	151	*0.02*	0.38
Violent assault	3.29 (2.01)	4.05 (1.96)	−2.13	123	*0.03*	0.38
Discrimination events						
Not hired or fired from work	3.61 (1.74)	4.00 (1.95)	−1.32	157	*0.19*	
Not allowed to enter or stay in a public place	2.87 (1.77)	3.52 (2.08)	−1.83	112	*0.07*	
Ill-treated by public officials	3.51 (1.81)	3.91 (1.92)	−1.38	161	*0.17*	
Not accepted or banned from school	2.91 (1.55)	4.11 (1.84)	−3.52	96	0.001	0.65
Not accepted or rejected by a group of friends	3.51 (1.73)	3.87 (1.98)	−1.10	129	0.27	
Disturbed or harassed by neighbors	3.13 (1.58)	3.53 (1.98)	−1.38	108	0.17	
Not accepted or banned from a social group	3.21 (1.73)	3.44 (1.98)	−0.60	94	0.55	
Not accepted or rejected by the family	4.01 (1.84)	3.74 (1.92)	0.84	129	0.40	
Not accepted or banned from a religious group	3.38 (1.77)	3.75 (1.93)	−1.09	114	0.28	
Verbal or physical aggression or denial of help by the police	3.59 (1.82)	4.63 (1.72)	−3.56	145	0.001	0.59

Response options range from 1 to 6. Higher scores indicate greater impact on life
MtF Male-to-female
Significance level: $p<0.05$

Table 5 Means and statistical values on the SISD for high and low groups of gay men and MtF transgender individuals in happiness and social well-being dimensions

Dimensions	SISD	Gay men	t	MtF transgender	t
Social integration	LOW	4.00	−3.54**	3.33	−6.03**
	HIGH	4.32		4.52	
Social acceptance	LOW	3.36	−4.36**	3.20	−4.25**
	HIGH	3.84		4.04	
Social contribution	LOW	3.52	−4.40**	3.24	−3.85**
	HIGH	3.98		4.06	
Social actualization	LOW	3.15	−6.40**	3.13	−3.91**
	HIGH	3.77		3.95	
Social coherence	LOW	2.67	−3.80**	3.30	−2.45*
	HIGH	3.19		3.79	
Happiness	LOW	4.03	−2.84**	3.20	−6.14**
	HIGH	4.35		4.54	

MtF Male-to-Female
*$p < 0.05$; **$p < 0.01$

Results from the group of gay men reveal significant differences on all measures, except victimization. A similar pattern is shown by the MtF transgender group, although no differences are observed in the impact attributed to discrimination events in this group. Table 5 shows the means for happiness and social well-being in subjects scoring above or below the SISD mean, and their respective statistical tests.

These results support the idea that subjects who perceive greater stigma and discrimination due to their sexual and gender identity also report more serious effects on their happiness (they report lower levels of happiness) and social well-being (they assess their contribution to society more negatively). All the comparisons are statistically significant, regardless of whether they are for gay men or MtF transgender individuals.

4 Discussion

This paper represents one of the first attempts to describe and characterize the gay men and MtF transgender population in Chile, thus allowing the construction of a baseline to compare with future research, and formulating and proving hypotheses and creating new lines for future studies. Most previous studies have been designed exclusively to examine homophobia (Cárdenas and Barrientos 2008; Caro and Guajardo 1997). To better understand the specific needs of sexual minorities in areas such as health, education, and work, more data are needed about these populations, beginning with sociodemographic data and those related to the main problems they are affected by: stigma and discrimination. Only by learning more about the characteristics of these populations and the way they experience stigma and discrimination can policies be designed to solve various problems faced by gay men and MtF transgender individuals. This issue is relevant because many studies have shown that the LGBT population is heterogeneous in age, education, or place of residence, and they differ on variables such as violence, health, and access to work (IOM 2011; Kertzner et al. 2009; Meyer 2003).

Results also show that perceived stigma, discrimination, and victimization remain, as reported in previous studies (Barrientos et al. 2010, 2012); MOVILH 2015a), in spite of the fact that studies on the general population reveal that homophobia may be decreasing (MOVILH 2012, 2013). This divergence increases the need to consider the point of view of the victims in order to understand homophobia and its effects (Gómez and Barrientos 2012; Barrientos et al. 2014). In addition, data indicate that MtF transgender individuals are particularly subjected to high levels of stigma and discrimination. Thus, transphobia is a serious problem in Chile. MtF transgender individuals perceive disadvantages in the presence of authorities, discrimination at work, and institutional exclusion, indicating the need to protect the social rights of this population. Moreover, MtF transgender individuals are often poorer and less educated than gay men, lesbians or heterosexual individuals, and MtF transgenders are often involved in sexual work, as shown in this study, so that the discrimination they suffer is multi-layered (De Santis 2009). Therefore, it was very important to include MtF transgender individuals in this study, as empirical data about this population are limited (Barrientos and Cárdenas 2014). As in other studies in the region (Silva-Santisteban et al. 2012), sexual work is the main economic activity of this group, reflecting the lack of opportunities for MtF transgender individuals in Chile. This finding is an indicator of the so-called secondary victimization: forms of discrimination/victimization such as a lack of job opportunities, resulting from victimization processes that are legal or widely condoned.

With regard to the perceived stigma and discrimination, three ambits are noticeable: disadvantages in the presence of authorities, discrimination at work, and institutional exclusion. This study confirms previous findings reported in studies on the LGBT Pride Parade in 2011 (Barrientos and Bozon 2014), particularly those from recent reports on the situation of the country's LGBT population (MOVILH 2015b). For example, violence by police authorities toward the LGBT population in Chile still exists. Although this violence has decreased in recent years, there are still cases of mistreatment by the police and arbitrary detentions. As reported by Barrientos and Bozon (2014), there are security guards in Chile who control the entrances to many public places and are responsible for security in many different contexts (Gobierno Regional Metropolitatno de Santiago 2012). They are often retired police officers or young people who recently finished their military service. These men perform a type of hegemonic masculinity (Connell and Messerschmidt 2005) and often act as guardians of this type of masculinity. Therefore, based on previous studies, because gay men and, especially, MtF transgender people would be expected to show a more atypical gender appearance or behavior that does not conform to the gender role expectations for men, they could experience more victimization than lesbians (Katz-Wise and Hyde 2012).

Regarding discrimination at work, MOVILH (2015a) reports that discrimination events at work still exist. This type of discrimination at work is due to sexual orientation and gender identity. Many subjects report that their rights are violated by the arbitrary and unfair use of the Chilean labor legislation. Chilean law still allows firing based on the company's need, thus hiding the actual reasons for it, such as sexual orientation and gender identity. In addition, discrimination perceived at work by the MtF transgender population could be due to their main type of work, i.e., sexual commerce. Discrimination at work due to sexual orientation or gender identity has scarcely been studied in Latin America (ADEIM et al. 2006). Thus, future studies should examine it more in depth.

Regarding victimization and discrimination events, a study related to the national context (Barrientos and Bozon 2014) indicates that mockery is a common way to express violence toward sexual minorities. This finding is very important and might not be understood outside the Chilean context. In our country, verbal violence is frequent and practiced toward anyone who is different; it is a frequently reported form of discrimination perceived by diverse discriminated groups (Merino et al. 2008). Likewise, anti-gay and anti-transgender language is one of many mechanisms through which heterosexism is enacted; it communicates hostility toward gay men and MtF transgender people and contributes to the establishment of an unwelcoming and unsafe environment for them (Burn 2000).

Results also reveal that gay men particularly report lower levels of happiness, compared to the Chilean general population (Vera-Villarroel et al. 2011). However, compared to similar studies in the country, subjects in the present study report higher levels of social well-being (Gómez and Barrientos 2012). In the case of gay men, this could be because the sample mostly has a middle and middle-high socioeconomic status. They would be part of a more protective context in terms of prejudice (higher educational levels, mainly young people), allowing them access to higher quality services, such as healthcare, which in a country like Chile is private and for a fee. Thus, the characteristics of the gay men sample (middle-high socioeconomic status, high educational level, and mainly young people) may influence the results and produce a bias that future studies should address. This is important because studies indicate that the LGBT population faces several barriers that prevent them from having equal access to health services, a fact that could have a strong impact on their quality of life (IOM 2011). In the case of MtF transgender individuals, the results reveal their great vulnerability and the negative effects of discrimination on their well-being.

This study has several limitations. One of them is the use of self-report measures (Greenwald and Banaji 1995). Hence, future studies on the adaptation of indirect (non-reactive) measurements are needed to allow access to people's internal states and attitudes without directly asking about them. These measurement procedures require quicker and less conscious appraisals that make it more difficult to adjust responses to expectations.

Another limitation could be that the SISD is not specifically for gay men or MtF transgender individuals. A recent study recommends the use of specific measures for gay men, lesbians, bisexuals or transgender people, which, in this study, would involve examining stigma in gay men and MtF transgender individuals as separate constructs (Worthen 2013). This differentiation is relevant and may contribute to increasing our understanding of stigma and discrimination in various populations. Moreover, as gay men and MtF transgender individuals are considered Men who have sex with other Men (MSM) in Latin America and in Chile, they are thought to be similar in terms of some characteristics related to their vulnerability to HIV, which is often the reason for studying these groups in the country and the region (Organización de las Naciones Unidas para la Educación, La Ciencia y la Cultura, Chile, Ministerio de Salud, VIVOPOSITIVO and ASOSIDA 2012). Future studies should separately address the specific needs of these populations.

Moreover, future studies should balance the presence of MtF transgender individuals belonging to a middle-high socioeconomic status because this study could only interview MtF transgender individuals with a low and middle socioeconomic status.

Finally, sampling difficult-to-access populations is a huge challenge for social research. This study used a type of sampling that does not allow the random selection of participants, making it difficult to generalize findings to the whole Chilean gay men and MtF transgender population. Future studies should include other sampling methods for difficult-to-access populations, such as respondent-driven sampling (Mantecón et al. 2008; Cárdenas and Yañez 2012) or sampling based on meeting places and schedules of group members (Salganik and Heckathorn 2004).

Appendix: Subjective Index of Stigma and Discrimination (SISD)

Next, indicate you agreement or disagreement with the statements below. Use the following scale: 1 = "totally in disagreement" and 6 = "totally in agreement".

1. In our society, many homosexuals are often insulted on the street because of their sexual orientation	1	2	3	4	5	6
2. In our society, many homosexuals have been victims of homophobic aggression	1	2	3	4	5	6
3. In our society, many homosexuals are threatened on the street because of their sexual orientation	1	2	3	4	5	6
4. Mocking homosexuals is a common practice at school	1	2	3	4	5	6
5. Many homosexuals have had to leave home at an early age because of their sexual orientation	1	2	3	4	5	6
6. If a homosexual denounces aggression, his account could be questioned	1	2	3	4	5	6
7. The account given by a homosexual individual could be discredited and ignored by authorities	1	2	3	4	5	6

(continued)

8. If a homosexual individual gets involved in an incident, authorities will always tend to blame him because of his sexual orientation	1	2	3	4	5	6
9. I think I could be fired from a job because of my sexual orientation	1	2	3	4	5	6
10. I think I could be rejected for a job because of my sexual orientation	1	2	3	4	5	6
11. If people knew about my sexual orientation, I could be harassed at work	1	2	3	4	5	6
12. I have felt harassed at work or at school because of my sexual orientation	1	2	3	4	5	6
13. If I compete for a job with a heterosexual individual, he/she will probably get the job despite our similar training and expertise	1	2	3	4	5	6
14. In our society, a homosexual individual does not compete for a job in similar conditions	1	2	3	4	5	6
15. I avoid talking openly about my homosexuality at work	1	2	3	4	5	6
16. I would never dare to say that I am a homosexual at work	1	2	3	4	5	6
17. In a society like ours, a homosexual will never be able to express his ideas freely	1	2	3	4	5	6
18. In our society, a homosexual individual may miss a chance to have social benefits because of his sexual orientation	1	2	3	4	5	6
19. I think I could be banned from an educational institution (high-school, tertiary education center, college, etc.) because of my sexual orientation	1	2	3	4	5	6
20. I could be arbitrarily detained by the police because of my sexual orientation	1	2	3	4	5	6
21. Religious discourse is homophobic	1	2	3	4	5	6
22. I have felt discriminated against in my religious community because of my sexual orientation	1	2	3	4	5	6
23. Extremely religious people discriminate against homosexuals	1	2	3	4	5	6

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Experiences of LGBT Microaggressions in the Workplace: Implications for Policy

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1 Introduction

Though strides have been made in the fight for workplace equality for lesbian, gay, bisexual, and transgender (LGBT) identified Americans, LGBT employees are still discriminated against in workplaces in alarming numbers. In 2011, the Williams Institute published a report that included data from the 2008 General Social Survey (GSS), which indicated 42 % of LGB respondents had experienced workplace discrimination on the basis of their sexual orientation in their career (Sears and Mallory 2011). Even more startling are the experiences of transgender employees. A 2011 report published by the National Center for Transgender Equality indicates that 90 % of transgender persons surveyed reported experiencing harassment or mistreatment on the job (Grant et al. 2011).

1.1 Microaggressions

LGBT research in the workplace has primarily focused on documenting overt forms of discrimination and harassment. However, more subtle forms of mistreatment, called microaggressions, also occur. Microaggressions have been described as everyday verbal, behavioral, or environmental indignities, whether intentional or unintentional, that convey hostile, derogatory, or negative slights and insults toward members of oppressed groups (Nadal 2008). In their seminal article on racial

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microaggressions, Sue et al. (2007) classified microaggressions into three broad categories: microassaults, microinsults, and microinvalidations. More specifically, they define microassaults as explicit derogation characterized primarily by a verbal or nonverbal attack meant to hurt the intended victim through name-calling, avoidant behavior, or purposeful discriminatory actions. Within this taxonomy, microassaults are most closely aligned with "traditional" forms of heterosexism. Referring to a colleague as "fag," "dyke," or "tranny" are examples of microassaults. Whereas microassaults are considered more blatant expressions of microaggressions, microinsults and microinvalidations tend to be more subtle. Microinsults are described as communications that convey rudeness or insensitivity and demean a person's identity—these are likely occurring unbeknownst to the perpetrator, but clearly disparage the recipient. For example, if a supervisor repeatedly ignores or fails to acknowledge the ideas and opinions of their LGBT employees, a message of worthlessness is sent. Lastly, microinvalidations are defined as communications that negate or nullify the psychological thoughts, feelings, or experiential reality of the marginalized group. If an employee discloses their sexual orientation to a colleague and in response hears, "Wow, I'm so surprised. You don't look or sound gay!" the message is one that questions the authenticity of the employee's identity and experience.

LGBT microaggression research is in its infancy and has mainly focused on developing a typology of LGBT microaggressions (Nadal et al. 2010; Platt and Lenzen 2013; Sue and Capodilupo 2008), the negative side effects of LGBT microaggressions (Burn et al. 2005; Nadal et al. 2011a, b), LGBT microaggressions in counseling settings (Shelton and Delgado-Romero 2013) and transgender microaggressions in friendships (Galupo et al. 2014). Though the workplace has been identified and discussed as a context where microaggressions occur (Nadal 2011) no empirical research has examined the experience of microaggressions based on an employee's sexual orientation and gender identity in the workplace. The present research seeks to expand on the previous LGBT microaggression research by exploring microaggressions that occur on the basis of sexual orientation and gender identity in the workplace.

1.2 Workplace Discrimination Toward LGBQ Employees/ Workplace Policy

Title VII of the Civil Rights acts protects U.S. employees on the basis of race, color, national origin, religion, and gender; however, there is no federal legislation that protects LGBT employees from workplace discrimination. In the U.S., approximately nine million people identify as LGBT (Gates 2011) making this a civil rights issue that deserves attention. While 20 states and Washington D.C. have adopted workplace non-discrimination policies on the basis of sexual orientation and gender identity and two states have workplace non-discrimination policies based on sexual orientation only ("Statewide Employment Laws and Policies" 2016), the lack of federal policy sends a message of approval or permissiveness toward LGBT employment discrimination.

Workplace non-discrimination policies and their effects on LGBT employees have been studied by a handful of researchers. Badgett et al. (2013) issued a report that identified and reviewed research related to the impact of LGBT-supportive employment policies and the benefits of such policies to individual employees and organizations. Although the number of studies identified was small (36 in total), key findings included (1) LGBT-supportive policies and support from colleagues is associated with greater likelihood that an LGBT employee will feel comfortable disclosing their sexual orientation, which is related to improved psychological health among LGBT employees; (2) LGBT employees who work in organizations with non-discrimination policies report higher job satisfaction; and, (3) LGBT employees who are covered by non-discrimination policies are linked to improved relationships with co-workers and supervisors.

Even with the presence of non-discrimination policies in the workplace, LGBT employees are still at-risk to experience discrimination, particularly in the form of microaggressions, as they may not be covered under conventional non-discrimination policies. There is some evidence to support this. King et al. (2011) explored the presence of racial and gender microaggressions in a random sample of workplace discrimination court cases in federal court. Their findings indicate that all three types of microaggressions appear in court cases; however, only microassaults increased the likelihood of a favorable outcome for plaintiffs. Therefore, further examination of workplace policy and microaggressions is warranted.

2 Methods

2.1 Participant Demographics

Participants were 100 working adults who self-identified as asexual, bisexual, fluid, gay, lesbian, pansexual and/or queer (see Table 1). Of the 100 participants, 13 (13.0 %) also identified as transgender, transsexual, gender variant, or as having a transgender history. Participants ranged in age from 19 to 66 ($M = 34.01$, $SD = 10.82$).

Participants resided in 27 different U.S. states and represented all regions of the continental U.S. Table 1 also includes participant demographics with regard to racial/ethnic diversity and socio-economic status. There was limited racial/ethnic diversity within the sample, with 73.0 % identifying as White/Caucasian and 27.0 % of participants identifying as a racial/ethnic minority. Table 2 provides additional workplace and education demographics.

Table 1 Participant demographics

Sexual orientation	%
Gay	32.0
Lesbian	27.0
Queer	21.0
Bisexual	12.0
Asexual	2.0
Pansexual	3.0
Other	2.0
Fluid	1.0
Gender identity	
Cisgender	85.0
Trans* or Trans* History	13.0
No answer	2.0
Race/Ethnic identity	
White/Caucasian	73.0
Bi/Multiracial	10.0
Asian/Asian American	4.0
Hispanic/Latino	6.0
Black/African American	4.0
American Indian/Alaskan	2.0
Other	1.0
SES	
Lower-middle class	24.0
Working class	13.0
Middle class	40.0
Upper-middle class	19.0
Upper class	3.0
No answer	1.0

2.2 Measures

The present study used a mixed method approach to best capture the everyday workplace experiences of the survey respondents. Using an online survey, participants answered questions regarding their experiences of microaggressions in their workplace. Recruitment announcements, including a link to the online survey, were posted on social media sites including Facebook and Twitter and online study repositories including Social Psychology Research Network and Gay Research.

Survey participants responded to a series of open-ended questions regarding their experience of microaggressions in the workplace. The questions were designed to target the three categories of microaggressions (microassaults, microinsults, and microinvalidations). For each, participants were provided a definition and then asked to provide an example from their own personal experience. Prompts were specific to each of the categories and were framed to make the current workplace context salient.

Table 2 Education and occupation demographics

Education	%
High School Graduate	3.0
Some college	16.0
College degree	33.0
Master's degree	35.0
Doctoral degree	10.0
Other	2.0
No answer	1.0
Primary occupation	
Education, training, and library	35.0
Office and administrative support	11.0
Arts, design, media, entertainment	6.0
Healthcare practitioners and technical	9.0
Community and social service	9.0
Food preparation and serving	7.0
Government and public sector	6.0
Sales	7.0
Computer, IT, or technology	4.0
Business and finance operations	4.0
Legal	2.0
Outness at work (at primary occupation)	
Out to everyone	37.0
Out to some people	26.0
Out to most people	24.0
Out to no one	13.0

Following each of the qualitative prompts, participants were provided a series of Likert-type questions to rate their level of agreement (*strongly agree, agree, slightly agree, slightly disagree, disagree, strongly disagree)*. Participants responded to the following prompts: "Experiences such as these. . ." (1) are offensive to me; (2) negatively impact my mood for the rest of the day; (3) negatively impact my sense of wellbeing; (4) cause me to question how my colleagues view me; (5) negatively impact the relationships I have with coworkers; (6) decrease my job satisfaction; (7) cause me to be less productive at work; and (8) make me think about leaving my current job.

2.3 Data Analysis

For the quantitative data, frequencies were calculated based on the percentage of individuals who indicated at least some level of agreement with each statement (*strongly agree, agree, slightly agree*). Participants who did not provide an answer to the question, or who indicated N/A were not included in the calculation of percentages.

For the qualitative data, we analyzed all examples of microassaults, microinsults, and microinvalidations together in our thematic analysis. We used a recursive thematic analysis (Braun and Clarke 2006) to explore microaggressions in the workplace. Our analysis began with both authors independently coding data looking for themes related workplace microaggressions. The research team met and discussed the coding categories and agreed upon an initial set of codes. Participant responses were then sorted into the coding categories and discussed. The team agreed upon the final coding structure and met several additional times to discuss and choose final representative quotes. Final quotes were chosen to simultaneously exemplify each theme and to ensure that illustrative quotes used best represented the diversity of workplace experience and identities endorsed by the sample.

3 Results

Table 3 presents descriptive findings for items related to how microaggressions impact LGBT employees. Across all three types of microaggressions, the majority of participants agreed that *microaggressions are offensive to me* (89.7–95.3 %), *negatively impact my mood for the rest of the day* (82.4–87.3 %), *negatively impact my sense of wellbeing* (75.9–82.5 %), *cause me to question how my colleagues view me* (75.4–82.0 %), *negatively impact the relationships I have with coworkers* (72.4–83.3 %), *decrease my job satisfaction* (75.4–82.0 %), *cause me to be less productive at work* (50.9–59.0 %), and *make me think about leaving my current job* (52.8–69.4 %).

Table 3 Impact of microaggressions on employees: percentage of participants who agreed with statements

Experiences such as these...	Microassaults (in %)	Microinsults (in %)	Microinvalidations (in %)
Are offensive to me	95.3	89.7	92.2
Negatively impact my mood for the rest of the day	87.3	86.0	82.4
Negatively impact my sense of wellbeing	82.5	75.9	76.5
Cause me to question how my colleagues view me	75.4	83.6	84.0
Negatively impact the relationships I have with coworkers	72.4	83.3	79.6
Decrease my overall job satisfaction	80.3	75.4	82.0
Cause me to be less productive at work	59.0	50.9	51.0
Make me think about leaving my current job	59.3	52.8	69.4

Note: Percentages include those who indicated slightly agree, agree, or strongly agree to each of the statements. Percentages do not include those who indicated 'Not Applicable' or 'No Answer' on the six point Likert Scale

Participants were asked to provide examples from their current job(s) to illustrate how they have experienced microaggressions in their workplace. Thematic analysis revealed three distinct themes for LGBT workplace microaggressions: (1) workplace climate; (2) organizational structure; and (3) workplace policy. The following quotation can be used to briefly introduce the three themes and to understand how they converged as a context for this participant's experience.

> A colleague made a comment about how a transgender inmate who was asking to transfer to a different housing unit was being manipulative. I tried to explain that she may simply not feel safe in a housing unit with young males. My comments were received with stares and shoulder shrugs. The message I got from that was that staff thought she should simply put up with the harassment. Again I found the encounter offensive and upsetting. (Government and Public Sector Occupations, California)

In this case, the participant was in conversation with a colleague who made a derogatory comment or assumption regarding an individual who identified within the LGBT community. Typical to microaggressions, hearing this comment was both offensive and upsetting on a personal level. Past research has established that microaggressions such as these are related to a decrease in sense of personal safety and well-being (Nadal et al. 2011a, b). Given that this interpersonal exchange occurred in the context of the workplace these threats to wellbeing and safety contribute to the experience of a hostile *workplace climate*. In addition, by nature of the *organizational structure*, this microaggression took on increased importance as the participant is limited in terms of what they are able to do for the clients they are collectively charged with serving. The situation is potentially more upsetting given the lack of *workplace policy* around transgender issues, in this case, to create a means for advocating for the individual. In their discussion of microaggressions, participants' experiences spoke to each of these themes as creating a unique experience of LGBT microaggressions in the workplace. This experience was differentiated from their general (non-workplace) experience of LGBT microaggressions, and from the workplace experience of cisgender/heterosexual colleagues.

3.1 "Unwanted and Like a Misfit"*: Microaggressions and Workplace Climate*

The most common theme regarding LGBT workplace microaggressions centered on the way microaggressions contributed to a hostile and/or heterosexist *workplace climate*. Workplace microaggressions were similar in content to general LGBT microaggressions (Nadal et al. 2010, 2012) but they were experienced uniquely because of the significance of their occurrence within the context of the workplace. For example, participants described their coworkers and supervisors misgendering them, tokenizing/exoticizing their identities, using derogatory language when referring to members of LGBT communities in general, not acknowledging the relationships and families of LGBT employees, and excluding LGBT employees from the social environment within the workplace.

> One of the nurses who I work with engaged me in a conversation with the impression that she wants to know more about Africa since I am originally from Africa. I told her that I used to be a social worker while I was in Africa and I act as case manager for the LGBT community, immediately the expression on her faced changed and she said ‘you work with those kind of people?’ and I responded YES and I am gay too. She said to my face, ‘God forbid.’ I was shocked because I never expected a nurse will act this way towards me and I was wondering how she got her license with this kind of bad attitude towards the LGBQ community.” (Community and Social Service Occupations, Illinois)

> I work in an agency that is 20 % Orthodox Jewish, which includes the Executive Director. Within Orthodoxy, there is a fundamental belief that homosexuality is wrong, and against Torah Living, and LGBTQ people have no place in the community. I feel that I am not able to be open in my workplace because I would be subject to overt or unspoken judgment that I am not a “good Jew” and/or that I am perverted. Although it is rarely spoken of, I feel that I will be shunned in my workplace if I come out. (Community and Social Service Occupations, Maryland)

> My coworker used the homophobic f-slur in describing one of her friends from outside work. . . I didn’t really know how to react because I try to avoid controversial discussions at work especially regarding LGBT+ issues so as not to reveal anything about myself. . . It made me want to cry that she threw it out there so casually and didn’t even think twice about it. I don’t think it has ever even occurred to her that I or any of our other coworkers might not be straight. (Sales Occupations, Georgia)

For participants who had not disclosed their LGBT identity in the workplace, microaggressions were seen as further confirmation that it was not safe to do so. Worrying about potential consequences of having their identity known in the workplace made it particularly difficult for participants to process and respond to microaggressions, “*Knowing that everyone in that environment assumes I’m something that I’m not and I can’t stop it or speak up about it for fear of being fired makes me very uncomfortable.*” For those who chose to disclose their LGBT identity in the workplace, their disclosure was often met with microaggressions and often caused participants to question their relationships with coworkers and supervisors.

> About a year ago, when I told a coworker I was engaged to a woman, he got very quiet, and then, about 5 seconds later, said, OH, in this very shocked, rude kind of tone. He tried recovering quickly, so it wasn’t really within his awareness, but it was profoundly awkward. Again, I know I wasn’t saying anything wrong, but I immediately regretted telling him I’d gotten engaged. (Community and Social Service Occupations, Illinois).

> I use they/them pronouns, and have made some effort to alert my colleagues by including these pronouns (and a link to a website about gender queerness and gender variant pronoun usage) in my email signature. I have also alerted some co-workers on brief occasions. However, many colleagues will invariably use the wrong pronoun for me when they speak to me, or speak to others about me. It happens so often and so casually, that I often feel bad about constantly correcting people—as a result, I usually say nothing. Internally, this makes me feel ashamed for not speaking up (on behalf of my own dignity, and as an example to others who might also be trans/gendervariant). Externally, I maintain a neutral or passive, even appeasing, affect. (Education, Training or Library Occupations, Washington)

> I am just beginning a position working in two public alternative high schools that share a building. One of these schools is well-known for attracting queer and trans students, because of the school culture's emphasis on gender equity and queer/trans positivity. When being introduced to my colleague, who works at another school, this white cis-woman stated that I must be a good fit for the student body because of my "gender issues". Given her tone and the "compliment" she seemed to be trying to give me, I felt externally compelled to pretend as if I didn't notice she had used such a hurtful and obviously-demeaning Freudian slip—I didn't want to cause a scene, attract more attention to the microinsult, or make her feel bad for saying something offensive. Internally, I felt hurt, humiliated, and somatically disassociated from the interaction and from my body for many hours later. (Education, Training and Library Occupations, Washington)

When their identity was known, LGBT employees often spent considerable time and effort negotiating microaggressions and their impact on workplace interactions. Sometimes microaggressions made clear that coworkers/supervisors/clients were intentionally negotiating around their LGBT identities.

> I oversee a program that specifically provides services to sexual minorities. To ensure our work is reflective of the community 90 % of my staff is queer. While walking by other office suites I have heard staff members referring to our team as the "fag" group. (Community and Social Service Occupations, Maryland)

> I have a coworker who has refused to speak to me since she found out I am queer and partnered with a woman. She's very cold and tries to avoid being in the room with me. I've recently brought it to my boss's attention, and she says she'll work on talking to this person about it. It makes me feel deeply uncomfortable and like I did something wrong by revealing my sexual orientation at work. I realize this isn't logical, but I do have this feeling of guilt about it, like I could have prevented it, when in reality it likely would have come out eventually no matter what. (Community and Social Service Occupations, Illinois)

> When students address me as "sir" or "sir-ma'am." . . . When people pretend to care but really just wish I'd go away. When students express anti-LGBTQ sentiments under their breath and refuse to have an intelligent conversation about the issues. All of these things make me feel angry, unwanted, and like a misfit. (Education, Training or Library Occupations, Georgia)

> There is one man who always has something to say about me and my girlfriend being gross. . . He talks about me all the time according to other coworkers. I get mad sometimes. I only confronted him once but I went about it the wrong way by getting in his face and yelling and making a scene and was reprimanded at work for it. I try now just to ignore his ignorance but it is very hard. . . and I've found that it makes him mad when I hear about it and don't react negatively. Inside it tears me apart though. He doesn't even know me but he's so offended by the way I live my life and who I love. (Food Preparation and Serving Related Occupations, Indiana)

3.2 "She Was My Supervisor": *Microaggressions and Organizational Structure*

Participants also described LGBT microaggressions in ways that situated them within the *organizational structure* of the workplace and reflected the power dynamic inherent to the employees' position. These microaggressions were often experienced within an employee-supervisor or employee–client relationship.

> My supervisor made a comment during a staff meeting about how "gay men think they know everything about home décor." I was offended but did not respond to it because I couldn't think of a good response and she was my supervisor. (Government and Public Sector Occupations, California)

> I serve on our university's commission for LGBT people, which represents staff, faculty, and students on our campus. Our university chancellor has met with the group four times in the past three years, and has never actually said the name of the commission or the words "gay, lesbian, bisexual, transgender" or even "homosexual". Instead, each time he meets with us he either says "you people" or, once, he was nice enough to say "your community". Complaints about this were directed to the vice-chancellor for diversity, who suggested that we just be more understanding of the chancellor's age and background as a wealthy white heterosexual male. (Education, Training and Library Occupations, Tennessee)

> I am a manager in my workplace, so although there have been times that some verbal actions have occurred, nobody has ever said anything directly to me. Strangely, it's like whispers I hear as I walk away from other workers who are in positions below mine. No response or actions have ever been taken. I try not to feel upset, but it's a sad thing that people do things like that in the first place. (Food Preparation and Serving Related Occupations, Maryland)

> As a lesbian, I am not femme but I am not hard butch. I am a tomboy who dresses as an "LLBean soccer mom" most of the time. Yet, I encounter the following regularly:
> Students addressing me as "sir" when I am quite obviously a "ma'am."
> Students creating a new term and addressing me as "sir-ma'am." (Education, Training and Library Occupations, Georgia)

> Employee I was giving a write up to picked up a screwdriver and said she was going to cut my faggot balls off. (Business and Finance Operations Occupations, North Carolina)

As illustrated above, microaggressions often impact workplace relationships. They may also impact the actual job expectations and evaluation. For example, participants described the ways certain job expectations were added or removed based upon the way their LGBT identity is being sexualized and/or tokenized.

> I was asked to hire two new employees for our department. One of the managers hired two female-identifying women without notifying or consulting me. She explained to me that she simply wanted the process to move faster, since she would have needed to approve my selections beforehand anyway. I was later informed that this manager told another manager that she did not want me to interview and hire the new recruits because I would try to hire "hot chicks to date." (Office and Administrative Support Occupations, California)

> The programs that I oversee are typically left out of any University publications. No one on my staff is recognized for our contributions to the University and are always left out of promotional material. (Community and Social Service Occupations, Maryland)

> One thing that I have noticed is that at times, if there is any event or situation that is expected to draw a particularly queer audience, I am expected to be there. In other words, I become "the resident gay." I don't always feel like that should be my role, or that I am

needed in order for others to interact with or create meaningful relationships with our queer constituents. For example, sometimes if we are trying to cultivate a donor who happens to be gay, I am invited as the young, gay staff member, in hopes that we will connect in some extra special way—however I am not invited to meet other donors who might be female, or straight males. (Arts, Design, Media, Entertainment Occupations, Washington)

3.3 "I Am Not a First Class Citizen": *Microaggressions and Workplace Policy*

The third theme described by LGBT participants centered on workplace microaggressions that were specifically related to *workplace policy*. These microaggressions were enforced or supported by existing formal or informal policy regarding dress code or bathroom usage, for example, or were related to decisions made at a leadership level. Sometimes these microaggressions were understood as being more likely to happen because of the lack of policy.

> When I first started working at my job I wore men's button up shirts and/or polo shirts and khaki pants. I was told after several weeks working there that I would need to go buy women's clothing to wear to work. I should consider it like a uniform. I was told that my appearance would negatively affect patient's/client's perception of the practice. (Office and Administrative Support Occupations, Maryland)

> People have made threatening comments about my safety as a transman in the men's bathroom, while I was in the restroom, pretending they did not know I was in the stall. (Sales Occupations, Washington)

> I work for a small privately owned business (a clothing boutique) so we don't have corporate rules or regulations. My boss staunchly refuses to hire men because all employees need to be able to work in the fitting room where people (mostly cis women) change clothes. Since this policy is in place, it makes me feel like if my boss knew a girl working there was gay or queer, she would fire them because she may see them working in the fitting room as being similar to a straight man working back there. Similarly it makes me feel like she would probably discriminate against trans women even though they're women because she would see them as male cross dressers. This is the main reason I have not come out at work. (Sales Occupations, Georgia)

> An optional diversity survey was sent around to the employees, and it had a question about employees' sex. First, I was annoyed that they chose sex instead of gender. But it really aggravated me that the only available options were male and female.
>
> It kind of shocked me to see it; it felt backwards and antiquated. Sure, they didn't have to put MtF or FtM, but at least put the option for intersex or other (or leave it open-ended), right? I felt as though I should have said something to a manager about making the survey more inclusive, but at the time it was at the end of the day and I was tired, and quite frankly, I didn't really care much about the survey—in fact I didn't even complete one. (Government and Public Sector Occupations, Maryland)

In many cases these microaggressions revealed a disconnect between (1) an existing workplace policy and the ability or willingness to enforce the policy;

(2) the workplace diversity statement and existing policy; and, (3) state laws and workplace policy.

> My HR person discussed transition related surgery in front of my peers violating my HIPAA rights. (Healthcare Practitioners and Technical Occupations, New York)

> Some time ago, a staff member forwarded an email to the department's distribution list about an upcoming election. The email solicited support of a proposition that would define marriage between one man and one woman; thereby, excluding LGBT couples from being recognized in domestic partnerships, etc. I responded rather quickly and let the individual that the email was inappropriate and that the company's email system was not to be used to voice personal opinions. (Education, Training and Library Occupations, Arizona)

> I went through a frustrating process in order to get my legal name replaced in my organization's email address system with my real name. My name is not a traditional one, and when I finally got approval from HR to change the "display name" (not the actual email address) on my account, I had to work with someone from the IT department to make the change. Initially, this cis-gendered man refused to help me when I asked him to make the change for me, even after I cited my conversation with HR. To brush my request off once and for all, the worker told me that he wouldn't be allowed to change his name to Batman (a fictional cartoon character), so I shouldn't expect him to change my legal name to my real name. Externally, I felt compelled (in a kneejerk reaction) to smooth the situation over, to appease him, and to draw less attention to myself by just laughing and disengaging. But internally, I felt angry and humiliated—this conversation took place in front of a colleague who shares an office with me (a colleague who also chose not to come to my defense). (Education, Training and Library Occupations, Washington)

> Our university has a campus-wide "civility campaign" with a motto of "Welcoming to all, hostile to none," but our university does not provide partner benefits of any kind to same-gender couples, even if they are married in other states. (Education, Training and Library Occupations, Tennessee)

> I had to fill out a university domestic partnership certification form since my marriage from another state is not recognized in the state in which I reside. Policy situations such as these anger and sadden me. It makes it clear I am not a first class citizen. (Office and Administrative Support Occupations, Utah)

> I am also a social work field instructor and part of my benefit is receiving 50 % off my partner's tuition at the local University. Since Utah does not recognize our same-sex marriage, I had to complete a domestic partner certification form and will be taxed on this benefit, unlike a heterosexual marriage. It is a reminder that my marriage is not considered as valid as a heterosexual marriage and that I really do not have access to equal benefits. (Office and Administrative Support Occupations, Utah)

4 Discussion

The present research makes a significant contribution to the literature by providing an understanding of LGBT microaggressions through considering their occurrence in workplace settings. Due to the amount of time spent in the workplace, and the fact that we generally cannot choose our coworkers, the workplace is a distinct setting in which to explore microaggressions. This is particularly true for LGBT employees in the U.S., who lack protection from discrimination federally, and in some cases, by state and/or organization. Because coworkers have been strongly linked to higher rates of job satisfaction and commitment to one's organization (Chiaburu and Harrison 2008) the role of coworkers is integral to LGBT employees' workplace experience. In addition, LGB supportive workplaces have been found to increase job satisfaction and life satisfaction (Huffman et al. 2008); therefore, the understanding of microaggressions in workplaces of LGBT employees provides insight into the challenges of negotiating sexual orientation and gender identity within varying workplaces.

4.1 Implications for Workplace Policy

The present findings established that the experience of LGBT workplace microaggressions varies based on the employee's colleagues and the organizational structure of the workplace. In many of the respondent's experiences, workplace policy played a role in allowing the microaggression to occur. When a workplace non-discrimination policy did exist, microaggressions often occurred in grey areas where the employee was clearly offended, but there was no policy that covered the offense. For example, multiple participants discussed feeling left out or excluded from office events. While these instances are not likely covered under anti-discrimination policies, they may be directly related to an organization's mission, vision, or values. One participant illustrated this when describing their workplace motto that includes the phrase "hostile to none"; however, the organization does not provide benefits to partners or recognize same-gender marriages from other states. Such exclusions may be considered hostile to LGBT employees who work there. Organizations should review their stated policies in light of the vision, mission, and values of the organization to ensure there is no disconnect, as inconsistencies may send confusing messages to employees.

Many times, discrimination policies are written in general terms, such as "We do not discriminate on the basis of race, gender, sexual orientation. . ." Broad definitions leave discrimination up for interpretation depending on the reader. Fahrenhorst and Kleiner (2012), suggest that anti-bias workplace policies should be specific, precise, and comprehensive and that employees should be advised on how to avoid discriminatory acts. Providing definitions of microaggressions to employees in addition to concrete examples may assist in recognizing discriminatory behavior that employees do not realize is offensive. Further, Brewster et al. (2014) suggest that when working with transgender employees, providing training related to gender transitions to their coworkers can lead to increased sensitivity and understanding.

In addition to creating policies, organizations need to ensure their employees are aware these policies exist and have means to enforce the policies. Our participants provided examples where existing policies were being violated such as disclosing protected medical information and changing the display name on a work e-mail address. In the latter example, Human Resources approved the name change, but the individual met resistance when working with another department. If an employee is permitted to change their preferred name at work, including their e-mail address, all relevant offices must be informed on how to facilitate the change. This ensures a smooth transition where employees are not asked to explain themselves multiple times or face scrutiny when trying to navigate the process. Further, we recommend that organizations evaluate language written in the policy to ensure inclusiveness for the range of identities within the LGBT community. For instance, sex assigned at birth, gender identity, and gender expression have different implications for individuals and thus, each should be addressed in written policy and practice.

4.2 Limitations

One limitation of the present research is that our participants represent a convenience sample collected online. Online recruitment and sampling is particularly useful for LGBTQ research where participants may have heightened concern about privacy and where participants may not otherwise have access for participation (Riggle et al. 2005). Samples recruited and collected online, however, have been shown to disproportionately represent educated, middle class, White individuals (Dillman et al. 2008) and the present sample is no exception. Thus, interpretation of these data should be noted within the sample demographics. The majority of our participants (73.0 %) identified as White which could have led to more positive experiences being reported, as LGBT individuals of color are at a greater risk for vulnerabilities including discrimination and violence (Ahmed and Jindasurat 2014; Grant et al. 2011; Xavier et al. 2005).

Even though our participants described microaggressions on the basis of both sexual orientation and gender identity, it is important to note that our recruitment announcement was targeted toward “sexual minorities” which may not have resonated with potential transgender participants. Although 13.0 % of our sample identified as transgender, their experiences may not represent those of transgender individuals who are heterosexually identified or who do not identify within the larger LGBT community. As this is the first study on LGBT microaggressions in the workplace we focused on describing them generally and did not explore patterns of experiences across sexual orientation or gender identity. However, because of the literature documenting unique microaggressions based on sexual orientation (Sue 2010) and gender identity (Galupo et al. 2014; Nadal et al. 2012) future research should focus on differentiating sexual orientation and gender identity workplace microaggressions. In addition, past research has documented unique workplace experiences (Köllen 2013) and unique experiences of microaggressions for bisexual individuals (Sarno and Wright 2013). Experiences of transgender microaggressions have been shown to differ across gender identity (e.g., transfeminine, transmasculine, non-binary; Galupo et al. 2014). Together, this research suggests that future work should explore differences in LGBT microaggressions in the workplace across sexual orientation and gender identity.

Despite the limitations of recruitment, we received a geographically diverse U.S. sample with a strong representation across work settings. Future research might focus on differences in the experience of microaggressions by occupation or geographic region, including international differences. Lastly, much of the work related to microaggressions has employed qualitative methods. Though the present study used mixed methods, future studies that use quantitative methods could be beneficial to the literature.

5 Conclusion

The present research extends the current LGBT microaggression research by exploring microaggressions in the workplace. Participants described LGBT microaggressions as they contributed to a hostile and/or heterosexist *workplace climate*, were situated within the *organizational structure* of the workplace reflecting the power dynamic inherent to the employees' position, and were specifically related to *workplace policy*. In many cases these microaggressions revealed a disconnect between an existing workplace policy and the ability or willingness to enforce the policy, the workplace diversity statement and existing policy, and/or state laws and workplace policy. Focusing on LGBT microaggressions in the workplace provides unique insight into the challenges of negotiating LGBT identity within organizations.

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Experiences of Non-Heterosexual and Trans Youth on Career Choice and in the Workplace

Jukka Lehtonen

1 Introduction

Young people typically work in various kinds of temporary or part-time jobs, often while studying. Many young people also plan their educational and career choices, and they may find it difficult to choose the right path. These aspects also hold for non-heterosexual and trans youth, but some of them feel marginalized because of their gender identification or sexual orientation. This is also typically a period when non-heterosexual and trans youth are constructing their views on sexuality and gender, and negotiating how to express their sexuality and gender in their environment. These considerations make it important to analyze LGBT issues in the work environment from the perspective of young people.

Very little research has been done in this area internationally (for example Gedro 2009; Lyons et al. 2010; O'Neil et al. 2008; Schmidt and Nilson 2006; Takacs 2006; Willis 2011) or in Finland (Lehtonen 2002, 2004a, b, c, 2010, 2014a). In this chapter I focus on three themes: educational and career choice among non-heterosexual and trans youth, the expression and hiding of sexual orientation and gender identity in the workplace, and normative culture and unjust behavior in the workplace. I look at these themes from the perspective of heteronormativity and young people's experiences and agency. The context is Finnish culture and society, a Nordic welfare state within which equality and non-discrimination are highly prized. Discrimination based on sexual orientation and gender identity and expression is prohibited by legislation. The new anti-discrimination law, which came into force in 2015, demands that all workplaces with more than 30 employees make equality and anti-discrimination plans to tackle discrimination at work. But there

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are still many problems in relation to youth, sexual orientation and gender diversity in the work environment. This chapter focuses on the key aspects with which young non-heterosexual and trans persons have to deal when they try to find a place for themselves in the labor market.

I use "heteronormativity" to refer to a way of thinking or reacting that refuses to see diversity in sexual orientation and gender, and that considers a certain way of expressing or experiencing gender and sexuality to be better than another. This includes normative heterosexuality and gender normativity, according to which only women and men are considered to exist in the world. Men are supposed to be masculine in the "right" way and women feminine in the "right" way. According to heteronormative thinking, gender groups are internally homogeneous, are each other's opposites, and are hierarchical, in that men and maleness are considered more valuable than women and femaleness. The heterosexual maleness of men and the heterosexual femaleness of women are emphasized and are understood to have biological origins. The existence of other sexualities or genders is denied, devalued or othered (see also Rossi 2006; Martinsson and Reimers 2008; Butler 1992).

An undesirable, even silent, place for non-heterosexuality and trans persons thus forms in a community where a person is normatively expected or hoped to be heterosexual (normative heterosexuality) and to perform behaviors in line with gender norms (gender normativity) (see Lehtonen 2003). By "non-heterosexual", I mean a qualitative term used to describe a person who has sexual feelings towards their own gender, or practices with their own gender, or self-definitions that refer to these feelings or practices (such as lesbian, gay, or bisexual).[1] "Trans" refers to a person who challenges the gendered norms and expectations in ways that conflict with their gender design at birth. In this chapter, by "transmasculine" is meant a person who was designated at birth as a girl, and by "transfeminine" is meant a person who was designated at birth as a boy, both of whom later defined themselves as trans, or questioned their gender identity in some other way. Non-heterosexual and trans youth participate in the heteronormative processes in education and in the work environment but, being active agents as well, strive to challenge and interpret the expectations directed at them in their own ways (see also Blackburn 2007; Talburt 2004).

[1] Similarly, I define "heterosexual" as a person who has sexual feelings towards a different gender, or who practices their different gender, or has self-definitions that refer to these feelings or practices (such as "straight" or "heterosexual"). This means that a person can be either non-heterosexual, heterosexual, both—or neither—in a case where she/he does not practice any of these deeds (feelings, practices or self-definitions) in her/his life at present.

2 Methods and Data

Data for the analysis is from a research project and survey titled "The well-being of rainbow youth". It was a joint project on the part of Seta, the national GLBTI human rights organization, and the Finnish Youth Research Network. The project was funded by the Ministry of Education and Culture.[2] I was a member of the group planning the questionnaire and commenting on the project reports. The project itself is one of the focus areas in my current research project on Seta's youth work.[3]

My focus is on non-heterosexual and trans youth under 30 years old (N = 1861). The non-heterosexual respondents' group (N = 1374) was clearly larger than the trans respondents' group (N = 487). I divided these groups into four categories, according to the interpretation of gender at the time of their birth, to make it possible to analyze the effects of gender on their experiences.[4] These diverse groups comprised people with many kinds of gendered identities and they expressed their gender in various ways, but they were, typically, brought up according to the assumptions surrounding gender at the time of their birth.[5] The four categories

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[2] Katarina Alanko wrote the first report and Riikka Taavetti the second (Alanko 2013; Taavetti 2015). The survey was produced in 2013 with 2515 respondents, both young and adult, non-heterosexual, heterosexual, transgender and others. Alanko and Taavetti focused on 1623 participants between 15 and 25 years old. Alanko's report was based on statistical analysis. Taavetti did qualitative analysis on the stories of young people in the survey. Both of them also wrote on work environment issues.

[3] My current research project is a part of the research collaboration projects *Engaging South African and Finnish youth towards new traditions of non-violence, equality and social wellbeing* (2013–2016) and *Social and Economic Sustainability of Future Working Life: Policies, Equalities and Intersectionalities in Finland* (2015–2017), which are funded by the Academy of Finland. My research focus is on non-heterosexual and transgender young people and the youth work done with them in Seta.

[4] I left some respondents out of my data to make it possible to create the four groups of respondents. Initially, I removed from both groups those responses, which did not mention their gender at the time of their birth. This also meant that I did not take into account, in my analysis, the experiences of intersexual respondents. Trans people may have various kinds of sexual orientations and non-heterosexual people may express their gender in different ways. I wanted to create four separate groups and I divided them mainly using the question "Are you trans?". If respondents answered in the negative, they were grouped separately from the ones who answered either "yes" or "I don't know". The trans groups then included respondents who were either sure that they were trans, or unsure, if they were trans. Of the other group, I removed heterosexual respondents who defined themselves as heterosexual but did not report that they would have a sexual interest towards persons of their own gender. The survey was designed so that it was possible to express the diversity of both sexuality and gender in various ways. However, this also created problems in finding a way to group respondents based on gender (in this case the interpretation of gender at the time of their birth).

[5] In the non-heterosexual women's group, most frequent definitions of their sexual orientation were bi/bisexual (47 %), lesbian (43 %), and sexual minority (37 %). Non-heterosexual male respondents found gay (in Finnish homo, 81 %), sexual minority (33 %), and bi/bisexual (24 %) the most popular definitions. Of these, they could choose from 12 different alternatives (or propose their own), and many chose more than one. Women were more likely than men to also choose

used for analysis were: (1) non-heterosexual men (N = 380), (2) non-heterosexual women (N = 994), (3) transfeminine youth (N = 83) and (4) transmasculine youth (N = 404).

My main focus is on the stories of non-heterosexual and trans youth. I recently published an article that was based on statistical analysis of this data (Lehtonen 2014a). In the current article I will refer to the results and use them as reference points in a study of the stories. Stories based on three questions linked to career choice and workplace experience were used. The first was on the influence of attitudes related to sexual orientation and gender identity in choosing a career, the second on the influence of these attitudes to relationships in the workplace, and the last was more general—on experiences in relation to the work environment. There were altogether 235 stories or answers to questions. There were more stories by non-heterosexual respondents (N = 171) than trans respondents (N = 64). Relatively more non-heterosexual women (N = 126) and transmasculine respondents (N = 59) answered these questions, compared to non-heterosexual men (N = 45) and transfeminine respondents (N = 5). There were fewer stories about the influence of attitudes on their choice of career (N = 68) or on their workplace relationships (N = 60) compared to the more general topic of experiences in the work environment (N = 107).

The information was collected from those willing to take part, and it was not a statistically representative sample.[6] It is, though, the biggest ever survey of young non-heterosexual and trans youth. For now this survey and its responses make it possible to create an idea of the current situation of non-heterosexual and trans youth in relation to their work environment and career planning.

3 Career Choice and Gendered Expectations

Both non-heterosexual and trans youth reported that societal attitudes related to sexual orientation or gender diversity influenced on their educational and career choices. Statistical analysis of the survey responses reveled that trans respondents experienced the effect of attitudes more often than non-heterosexual respondents (Lehtonen 2014a). Transfeminine respondents related the effect of attitudes to their

queer and pansexual as their definitions, and many responded that they did not want to define their sexuality. In the trans groups, the most popular ways to define their relation to gender were: those who were unsure of their gender position (44 %), transsexual or transsexual background (26 %), transgendered, trans or other-gendered (28 %), genderless (24 %), and queer/genderblender (30 %). There were only a few respondents defining themselves as transvestites (6 %), and the majority of them were interpreted as women at the time of their birth.

[6] The data was balanced in many ways. There were relatively more responses from Southern Finland and the capital area of Helsinki than other parts of the country. More highly educated respondents were more active in responding to the survey. The majority of all respondents were still studying or at school: 64 % of non-heterosexual men and over 70 % in the other groups of respondents.

educational choice (40 %) and career choice (36 %) almost as often as transmasculine respondents (educational 42 % and career 32 % choice). However, one fifth of transfeminine respondents reported that these attitudes greatly influenced their educational choices, while only 13 % of transmasculine respondents told the same. Non-heterosexual men were more likely to report the effect of attitudes on their educational (25 %) and career (27 %) choices, compared to non-heterosexual women (educational 13 % and career 16 % choice). Even though quite a few reported that the attitudes had an effect on their educational or career choice, the majority of respondents did not regard this to be the case.[7]

The stories of non-heterosexual and trans respondents described the influence of sexual orientation and gender identity on their career planning. Being a non-heterosexual was seen to be a challenge to those who chose some professions, such as the security sector, teaching, working with children, or working in religious contexts. It was also regarded as a reason to choose certain other professions, which were understood to be popular among non-heterosexual people, such as working as a flight attendant or an artist, or other professional fields that were seen as welcoming LGBT people.

> In police academy or in police profession they are not always friendly towards homosexuals, and I am afraid that I ruin my possibilities to study and get a job by telling [about my sexuality]. (non-heterosexual woman)[8]

Also, trans respondents reported that being trans could be a hindrance, or a motivation to finding a career or workplace that was suitable for trans people.

> I work in a very male-dominated field, while I feel that I am in many aspects more of a man than a woman. (transmasculine respondent)

[7] In my earlier research (Lehtonen 2004a, b, 2010), the influence of attitudes related to sexuality and gender was also described by adult respondents. Non-heterosexual men were more likely to report the influence of attitudes than non-heterosexual women. Among trans responses there was a slightly different situation: many transvestites often chose male-dominated careers and did not experience the influence of attitudes as important, unlike other trans respondents (Lehtonen 2004b). This was partly related to the fact that most of the transvestites, responding to the survey in the early 2000's, were older men who typically were hiding their transvestite status at work. In the current youth survey, only a few respondents defined themselves as transvestites, and the majority of those were women. In earlier research, transwomen reported being more influenced by attitudes to their career choices than transmen (Lehtonen 2004b). In the new survey of young people, there were found to be more similarities between transfeminine and transmasculine respondents, though transfeminine respondents felt more pressure, based on societal attitudes, than transmasculine respondents.

[8] These citations have been edited to increase their anonymity and clarity.

In some narratives, working alone was seen as an option for a trans or non-heterosexual person. Avoiding personal contact with clients or work mates, or work via internet contacts, or having your own company were seen in my earlier research (Lehtonen 2004a, b) as possibilities in which one is not so dependant on other people's acceptance.

> I work in a branch in which I hardly need to meet other people. Surely my self-esteem is better after accepting myself, and people don't make me afraid that much anymore, but working with animals feel good, while they accept you as you are. (transmasculine respondent)

The narratives tell of gendered practices and the culture of professions or workplaces, which were seen as either problematic or positive in relation to the choice of a career. Some women and transmasculine respondents expressed the wish to work in a field which emphasized their gendered interests and which matched their gender identity and expression. This could mean avoiding heterofeminine demands while at work.

> I have always searched for jobs in which age, look, religion, or sexual orientation are not meaningful factors. Often my straight work mates have reacted with delight when I have stated that I am bisexual. I am often "one of the guys" which might be related to my experience of being raised up in the middle of boys and men in my childhood, and I find working with guys more pleasurable than with women. (non-heterosexual woman)

Non-heterosexual men, on the other hand, reported that they avoided heteromasculine careers and workplaces, or that they saw the female-dominated fields as more accepting and friendlier.

> I favor female-dominated fields, while I enjoy more in the company of women and it is easier to be myself with them. With men I am never sure how they react to my sexual orientation. Most of my colleagues were women in all my jobs. (non-heterosexual man)

In my earlier research (Lehtonen 2004a, 2010), I found that quite a few non-heterosexual women found it difficult to find a career for them. This was related to their difficulty into figuring out who they were when thinking about their sexuality. These kinds of stories did not appear in this survey, but some trans respondents reported that their being trans, or the resulting crises when they realized they might be trans, or the process of transitioning itself, was using up so much energy that they did not have space to think about their career choice. Some of them also mentioned that either they were not yet aware of their being trans or that their concealing was the reason for its not affecting their choice of career.

> It has not effected to anything yet, while I have kept it as a secret that I don't belong to my biological sex. (transmasculine respondent)

Some respondents reported that they did not have a career or career plan yet. Some of the respondents were still very young, but I also interpret that their situation was influenced by their unclear image of themselves. Quite a few respondents had dropped out of their education. This was particularly the case with trans respondents (Lehtonen 2014b). One third of trans respondents had dropped out of their education, and so had one fourth of the non-heterosexual respondents. Of the trans respondents, 26 % reported that social attitudes related to sexual orientation and gender diversity influenced them to drop out of education, compared to 4 % of non-heterosexual respondents. A change of career or dropping out of the educational field was mentioned by the respondents, as well.

> I dropped out of my earlier study place, while I experience that I cannot work as othergendered. (transmasculine respondent)

The stories emphasized the need to be oneself and gain acceptance by others. Sometimes it could even mean a change of workplace and some forfeit of benefits.

> I made a choice to study for becoming a teacher before I was aware of being bisexual. When I came out of the closet, I have been pondering upon on my career choice: can I be open in my workplace, how people react to me being active in the GLBT organization. (non-heterosexual women)
>
> In this new job salary is smaller and work times are lousier, but I am still happy about changing the place. I thought that I rather clean shitty toilets with little money, than work for idiots. At least I am accepted as I am and I don't have to listen to disparage of sexual minorities. (non-heterosexual woman)

For some the whole labor market was seen as problematic, and this was the case particularly for some trans respondents.

> I don't try to find a workplace, while I am afraid of discrimination. (transfeminine respondent)

Binary gender thinking in the labor market was seen as an obstacle, and discrimination and unjustifiable treatment were feared. Trans respondents were more pessimistic about finding a good job in the future compared to non-heterosexual respondents. Transfeminine respondents were both most pessimistic (21 %) and least optimistic (54 %). Transmasculine respondents were not as pessimistic (10 %), and there was more optimism expressed (61 %). Most optimistic were non-heterosexual men (84 %) and women (76 %). Of them <5 % were pessimistic about finding a good job in the future.

> I am afraid of starting work life, and on if I get workplace, and if I would be accepted as genderless person. (transmasculine respondent)

Some respondents saw their being a non-heterosexual or trans as a resource in the labor market, and some wanted to make the world a better place for others, or they expressed a wish to advance equality and respect for human rights.

> Thinking of gender was one factor in getting interested in societal and justice related issues. (transmasculine respondent)
>
> I want to support sexual minority rights at my work through art! (non-heterosexual man)

Though the majority of respondents reported that attitudes related to sexual orientation and gender diversity did not have an influence on their educational or career choice, only a few mentioned this in their responses.

> My gender identity or anything related to that have not effected to my career choice. (transmasculine respondent)

I think many young people would like to see themselves as independent agents, who are not bound by outside influences (Lehtonen 2010; see also Blackburn 2007; Talburt 2004). People have a need to see themselves as making individualistic choices. While it seems, based on the responses and my earlier research (Lehtonen 2004a, b), that non-heterosexual and trans youth challenge gendered expectations more often in their career choice, it is not possible to argue that gendered norms would not have influenced their choices. Even if there are many young non-heterosexual and trans people who challenge gendered expectations when thinking about their career choices many of them do choose according to gendered norms and expectations. Finland has one of the most gender-segregated labor markets in Europe, and that influences the possibilities young people have when choosing their career. Gender matters.

4 Expressing and Hiding Gender and Sexuality at Work

The majority of both non-heterosexual and trans youth hide their sexual orientation or gender identity at work. It was typical of them to reveal their sexuality or gender to only a few, more trust-worthy work mates, and hide it from most of the others. Non-heterosexual men (27 %), compared to women (20 %), had revealed their non-heterosexuality to all their colleagues in their workplace. On the other hand, men were also more likely to hide their sexual orientation (41 %) than women (36 %) from all their colleagues.

> I think that sexuality does not belong to workplace. I never revel anything about my sexuality at workplace. (non-heterosexual man)

Trans respondents hid their gender identity more often than non-heterosexual youth hid their sexual orientation. Transfeminine respondents (46 %) hid their gender identity less often, compared to transmasculine respondents (60 %).

> I haven't told about my gender identity. Let them be surprised. There are often situations in which a new person thinks that I am a man, but when I need to present myself with my girl's name (in the contract there is my official name which I use), they are surprised. (transmasculine respondent)
>
> Trans and gender issues and work have hardly met each other. I did my alternative military service in 2006–2007. There I kept my identity as a secret. Other jobs I haven't had. (transfeminine respondent)

Many non-heterosexual and trans respondents feared unjust treatment if their sexual orientation or gender identity were disclosed. They were afraid of being shunned in the workplace. This was typical of non-heterosexual men especially: only 29 % mentioned, that they were not afraid of it. This could be explained by the fact that the majority of them were working in male-dominated workplaces, where it is not desirable to differ too much from others. Male-dominated workplaces were also seen in the responses to be more homophobic and heteronormative than female-dominated workplaces. Exclusion was feared a lot by trans respondents (25 %), but also by quite a few non-heterosexual men (17 %) and women (15 %) were very fearful of it.

> There are that many anti-gay attitudes in the air that I don't want to tell. (non-heterosexual man)

In fact, only a minority of those who had expressed their sexuality or gender in the workplace, were treated badly. They were more likely to be treated with acceptance or tolerance.

At my workplace I came out very visibly already in the first workplace party, when I asked my partner to join me. The workmates expected a girlfriend, but they met a boyfriend. No one blinked an eye. There are many workmates who are in gay or lesbian relationships, and the atmosphere has always been open. I am grateful for that. (non-heterosexual man)

> Work mates reacted positively to my gender reassignment process. (transfeminine respondent)

This might be related mostly to the fact that many thought carefully about how they would speak to their superiors or to other workmates about their gender and sexuality.

At workplace you can notice from people's attitudes and behavior that not all are tolerated. Some of them are nastier than others. That is why I don't tell right away to all about my relationship with a man. (non-heterosexual man)

The respondents stressed that it took energy to ponder on the situation, to decide whether to tell or not, where, when, to whom, and in which way, but concealment could also be stressful. Hiding one's sexuality or gender could also have an impact on other choices, in both the workplace and in one's free time. The respondents admitted to avoid certain topics, certain people and certain practices, like dressing and behaving in non-normative ways.

> At work I have tried to avoid discussions related to sexual orientation and relationships. I think many would accept it, but there are also many who find it difficult to accept. The issue will not stay hidden forever, and that's good. (non-heterosexual man)
>
> I ponder upon sometimes if I can write about certain things in the social media, while I have there some workmates as friends. And I think how to dress when meeting workmates outside the job. (transmasculine respondent)

For some it was not just workmates or employers they had to worry about. Clients' reactions were also feared by respondents. Many young people work in the service sector or in other jobs where they deal with people.

> As a substitute teacher I feel I cannot respond honestly, when kids ask me, if I have a girlfriend, when they see my engagement ring in my finger. (non-heterosexual man)

(continued)

> I have not been ready to be open at work, while these jobs have been till now at the service sector. I try to be neutral, while I think it is part of the job. I have not tried to pretend the opposite to what I am, which would be wrong. Just a little bit more neutral. (transmasculine respondent)

Young non-heterosexual and trans people reported that they commonly questioned whether it would be wise to express their sexuality or gender in part-time or short time jobs, such as summer jobs or workplace training.

> I didn't want tell them that I am not a hetero, while I had so stupid work mates. And it was just a short work relationship, so I don't need to tell them all about me. (non-heterosexual woman)

Many would find it easier to speak about same-sex relationships at work than define them as lesbian, gay, or bisexual.

> I have been totally open at work the last 2 years (summer jobs). Earlier I wanted to be, but as a single I felt it was awkward to come out. So I didn't tell unless I was directly asked about. Nowadays, when I have been in a serious relationship for 2 years, coming out feel easy. I don't think it that much while now the main point is to tell "what I did last weekend with my partner" more than telling that "I am not straight". (non-heterosexual woman)
>
> I have not come out at work. This is to do with the fact that at the moment I am in a relationship with a man. There are hardly any situations where I could fluently tell about my orientation. I am annoyed that I am not out at work, but on the other hand I am working in a part-time job, so I am not annoyed for a long time. (non-heterosexual woman)

Being in a heterosexual relationship was easier to admit at work than a relationship with a same-sex partner, but that cannot always be considered proof of one's heterosexuality. Any relationship with a trans person was reportedly hidden as well.

> At work I didn't want to tell about my relationship with a woman. Now they know that I am married with a man, but they don't know that he is a transman. (non-heterosexual woman)
>
> At work everybody thinks that I live a perfect heterosexual ideal life, as I live in some ways. But I live in my own apartment and only occasionally visit my wife and kids. (non-heterosexual man)

Respondents reported that sexual orientation or gender identity was not something to talk about at work. It was not seen as an appropriate subject.

> I don't advertise my sexuality. (non-heterosexual man)
>
> It has not influenced at my workplace, while I find it easier to hide it, because it does not related to my work in any way. (transfeminine respondent)

On the other hand, in other reports, gender or sexual orientation or same-sex relationships were seen as important issues, which should be recognized at work as worthy of discussion.

> I got a job right after my education, and when I was a trainer at my work I didn't even think of telling. It is not something you would like to tell to strange people. Now time is passing and I am annoyed that I didn't tell right away. I don't know how to tell. I don't talk anything about my life. Although people know that I am engaged. Only my superior knows about it and for her it is same with whom I share my life. It does not influence on my work, but I feel myself awkward, when I don't tell my work mates, who talk about their life this and that. I wonder why they don't ask. (non-heterosexual woman)

Disclosure and hiding of one's gender or sexual orientation at work was the theme raised most often in the reports of young respondents. It is a key topic, particularly for young people, who are starting work and often change jobs and sometimes colleagues. It seems that young people are constructing their non-normative sexual and gender identities earlier than before (Alanko 2013; Lehtonen 2004b, c). This also makes it more likely that when they enter the labor market they already have defined their non-normative identity, and face the dilemma of whether or not to tell about it in the workplace.

5 Challenges in Heteronormative Workplaces

One fifth of all the respondents had faced bullying, discrimination or other unjust behavior at work (Lehtonen 2014a). These experiences were typically experienced more by trans respondents, compared to non-heterosexual youth. Some of the respondents had stayed at home instead of going to work, sometimes based on this kind of negative experiences. Also, this was more typically a trans youth experience.

> Trans and homophobic atmosphere in my earlier workplace make it impossible for me to return there (even if I could). I don't have energy for this environment. It makes working hard and very stressful. (transmasculine respondent)

Attitudes related to sexual orientation and gender identity also influenced relationships in the workplace. Trans respondents experienced this more often than non-heterosexual respondents. Transfeminine respondents (39 %) and non-heterosexual men (27 %) experienced this more often than transmasculine respondents (30 %) and non-heterosexual women (22 %), which might have to do with the fact that they worked more often in male-dominated workplaces, and men, or presumed men, had to control their gendered behavior more.

> Awful "joking" which was mainly directed to men at my workplace: faggot, fairy, bum boy. My workplace is fairly male-dominated, a big institution, where an attack is seen as the best defense. (non-heterosexual woman)
>
> I am aware that my biological sex helps quite a bit. Especially men seem to understand better the love between girls than the relationships between men. And a woman "in a men's job" is quite often just "a cool chick". (transmasculine respondent)

Negative joking and opinions, as well as bullying and discrimination, were reported to influence young non-heterosexual and trans people's ability to concentrate on their work. They were told to hide their sexual orientation or gender identity as a response.

> In a workplace dominated by engineers, one woman commented during the lunch break something about gay relationships. They all were talking constantly about their home and family issues, but I didn't while as a new summer-time worker I wanted to get an idea of the atmosphere first. A male worker opposite me said sharply that "oh fuck, I wouldn't want to hear anything about home evenings of gays, they can do what they want, but no need to tell at work". I had difficulties to keep my face, but I wanted to say that "then I will not tell anything about my life in the future either". (non-heterosexual man)

This also limited possibilities for questioning disrespectful treatment, and homo- and transphobic comments.

> In the fear of disclosure I haven't dared to challenge the discriminatory language, which is very common at my workplace. (non-heterosexual woman)

Some respondents reported that negative talk or practices were questioned, but many seemed to criticize them more in their own minds than openly.

> I have kept my mouth shut after school from my experience, but when there have been discussion on gender minority related issues, I haven't been afraid of expressing my opinion. This has made me being belittled and I got strange looks from others. (transfeminine respondent)
>
> Respondents reported that heteronormative practices and the experience of not fitting into the workplace culture made people keep their distance from their workmates.
>
> I have avoided so called homophobes, and those who like bad jokes. (non-heterosexual woman)
>
> I don't keep contact to my workmates after work. I am not sure how they would react when hearing about my sexual orientation. (non-heterosexual man)

Non-heterosexual and trans youth also reported that employers or fellow employees were pressuring them to behave according to the gendered norms (Lehtonen 2014a). This was a more typical experience for transfeminine people, compared to transmasculine respondents, as well as for non-heterosexual men compared to non-heterosexual women.

> In summer jobs I didn't dare to talk about it and I have been suffering about oppressive situations, in which I have been treated as a girl, even in a sexist way. For example my workmates did not give me tougher jobs, because they saw me as a girl. Clients have called me girl and told that I should let my hair grow longer so that I would look like a girl. Also the gender-based work clothes (which I find totally unnecessary) are oppressive. (transmasculine respondent)

Trans youth also described various kinds of problematically gendered practices, which made their situation oppressive or difficult at work.

> I haven't dared to ask at work to be called with my calling name instead of my official name, even if I have used the calling-name already about 10 years regularly. I don't have energy to explain myself to people, and I am afraid that "the name-mess" would influence attitudes towards me. I haven't dared to change my official name to be my calling name, while I should probably explain that change in job interviews if having a different name in my work certificate. That might give a negative image of me. (transmasculine respondent)
>
> It was a big mess when I started to use men's dressing room. There was needed many phone calls, discussions and doctor's statement, but finally I succeeded. I had changed my name and been on hormonal treatment 6 months at that stage. (transmasculine respondent)

Trans and non-heterosexual youth described in their responses how they had to negotiate with the heteronormative practices on a daily basis. They also reported that their own behavior influenced gendered and sexualized culture in the workplace.

> I work at the construction site. That is very male-dominated branch and at workplace everyone knows that I am not a norm hetero. It is easy to see that also from the way I am dressed. It is normal that my workmates call me sometimes with my male nickname and they see me often as one of the guys. But then suddenly I am a woman for them and they keep me the door open and offer to carry some heavier stuff. When I came out, some of my work mates are joking less about gays and other minorities. I give credit to them. (transmasculine respondent)

Even though there are many problems in the workplace, based on these responses, they also reveal that support from their workmates is available to many. A minority of the respondents in the survey had faced discrimination and bullying based on their sexual orientation and gender identity, but the majority still had to face heteronormative practices at work.

> At work I have always been openly gay and I have never faced discrimination, if you don't count gay jokes. Those are anyway rather difficult to avoid. (non-heterosexual man)
>
> In one workplace my colleagues were excited about my orientation. They were curious, but it didn't matter. When we got married all were happy for us and wanted to know how the marriage planning and the party itself succeed. When I got pregnant they were excited and were guessing whether the baby is girl or boy, and they waited the movements of the baby and my growing belly. (non-heterosexual woman)

These reports reveal a constant heteronormative pressure at work. The extent of heteronormative culture varies from workplace to workplace, from location to location, and from one workmate to another. Young people can hardly ever trust that the workplace will have policies and everyday practices, which intentionally try to prevent all kinds of discrimination and maltreatment based on sexual orientation and gender identity or expression. Often it seems, based on the reports, young people are active agents, criticizing heteronormative practices openly or in their minds, but they are typically left to tackle the problems alone.

6 Gendered Expectations and Different Choices

Gender and gendered expectations are meaningful issues for non-heterosexual and trans youth at work, and when they choose their educational and career paths. In society and in their intimate surroundings they are treated typically as either girls or boys based on the presumptions made at their birth. They are trained to become either girls or boys, and this limits their chances, both educationally and in the labor market. This is true particularly in Finland, where both vocational education and the labor market in general are very gender-segregated. Boys and presumed boys (many transfeminine respondents) are pressured to act in masculine ways and make choices suitable for men. This affects the possibilities for non-heterosexual men and transfeminine respondents and limits their range of career choices. They might distance them from homophobic and heteronormative male-dominated workplaces, or try to fit in with them by hiding their non-normative sexuality and gender. Also, non-heterosexual women and transmasculine respondents are expected to act according to gendered expectations, and adopt heterofeminine behavior and make feminine choices, but there is more space for them to bend the norms. Some of them resist heterofemininity and challenge gendered expectations by their educational and career choices, but many work in female-dominated workplaces, which they, as some non-heterosexual men and transfeminine respondents found, are often more positive towards sexual and gender minorities.

For quite a few trans respondents, career choice and entering the labor market were seen as difficult, and sometimes even impossible. They saw their situation as worse than that of non-heterosexual respondents, who were more positive towards the possibilities of finding a good job in the future. Trans youth also reported hiding their gender at work more often, compared to non-heterosexuals hiding their sexual orientation, and they often reported more experiences of maltreatment and discrimination at work. For trans youth, their experience of not fitting into the workplace culture because of their hidden or visible gender markers can be really challenging. They could face bullying and misunderstanding, based on their non-normative gender expression. Non-heterosexual youths are treated better than trans youths in this respect, and they have more space to decide whether to reveal their sexual orientation or not. In my earlier research (Lehtonen 2009), I found that in non-heterosexual groups gender expression was an influential aspect of their work situation: feminine men and masculine women reported more discrimination at work, and they reported that attitudes related to sexual minorities influenced their career choice more often than those non-heterosexual respondents who were more gender normative in their expression.

Non-heterosexual and trans youth are a vulnerable group in society in general, but especially in the labor market. They are that because of their non-normative gender identity or sexual orientation (or both), but also because of their age. But obviously also because of other intersecting differences and experiences, such as the ones related to their location (urban–rural), social class, health, possible disability, and ethnic, cultural, religious or language background. These different aspects should be researched and analyzed, and taken into account when changes in the work environment are planned and put into practice. In Finland, as in some other countries, legislation has been introduced which prohibits discrimination based on age, sexual orientation, gender identity, and some other differences. While this is good, workplaces and institutions, which actively prevent maltreatment of non-heterosexual and trans youth, and create space that is safe and free from heteronormative expectations, are all too rare.

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Passing in Corporate India: Problematizing Disclosure of Homosexuality at the Workplace

Rahul Mitra and Vikram Doctor

1 Introduction

That organizations are not neutral entities, but both raced and gendered has been well-documented. Scholars have noted that, despite exhortations to "leave your personal life at home," the professional, personal, and organizational lives of workers intersect constantly in a number of ways, such as work-life balance, socialization initiatives, and human resource development (e.g., Acker 1990; Ashcraft and Mumby 2004; Buzzanell 2000; Tracy and Scott 2006). In particular, the heteronormative framework of organizational life privileges heterosexual constructions of the "good worker," and various researchers have sought to queer organizational practices by recognizing the lived experiences of marginalized members (Embrick et al. 2007; Hearn et al. 1989; Rumens 2008). Our chapter extends this work by examining how gay professionals in India "pass" as heterosexual, disrupting both the heteronormative ideal of the workplace, and mainstream conceptions of passing as entirely passive and counterproductive.

Theorized by Goffman (1963) as a defensive strategy of stigma management, passing has long been critiqued as a communicative practice that potentially causes deep psychological unrest and reiterates mainstream heteronormative assumptions (Eguchi 2009; Mohr 1992). Research on passing in organizations—scant as it is—has focused on North American and European contexts, tracing how lesbian, gay and bisexual (LGB) organizational members negotiate homophobia to maintain a somewhat "normal" working life (Hall 1989; Spradlin 1998; Ward and Winstanley

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2006). Less is known, however, about cultural norms and institutions in other geographical contexts, which might influence how LGB individuals engage in passing, the response by heterosexual coworkers, and the possibilities to actively resist masculine and heterosexual stereotypes at the workplace (de Neve 2004). With the advent of more interconnected global spaces, it becomes crucial to explore these questions, noting how they both diverge and converge from socialization practices and consequences in more familiar contexts.

Thus, our chapter reports the results of a qualitative study, drawing on interviews with 14 gay professionals in India, across managerial levels and different industries, to trace why and how they pass at the workplace. We find that our respondents experienced passing as an ongoing and tensional practice, always involving partial disclosure, and often with the implicit knowledge of coworkers, to negotiate dominant ideals of masculinity and heterosexuality. Using the constant comparison approach (Strauss and Corbin 1990), described below, we trace the contextual particularities that instigate passing, the strategies used to pass, and the unfolding socialization practices with coworkers as a result. We close this chapter by discussing directions for future research, especially tracing the potential of passing for building resilience among LGB workers.

2 Heteronormativity and Passing in Organizations

Research on sexual minorities in the workplace has focused on three broad lines—discrimination against LGB workers, negotiations of individual identity, and institutionalized organizational processes (e.g., human resource policies) (Ward and Winstanley 2006). Increasingly, scholars have begun to trace the intersections of these themes—that is, how interaction and other forms of communication between LGB and heterosexual workers shape organizational practices over time (e.g., Ragins et al. 2007; Rumens 2008; Rumens and Broomfield 2012). For instance, Ward and Winstanley noted that despite official policies at a firefighting organization that prohibited discrimination on the basis of sexuality, most members actively discouraged talk from LGB colleagues implying their sexuality, did not want to work with them, had deep fears about being aroused/approached by gay colleagues, and often segregated them during social/informal activities. Nevertheless, positive affirmations of LGB identity at the workplace also abound, as in Rumens' (2008) study on friendships among gay colleagues, extending valuable emotional and instrumental support to one another; Ward and Winstanley also observed instances when highly respected team leaders went out of their way to welcome LGB members to augment a culture of inclusivity. Humphrey (1999) thus argued that a "dialectical conscience-raising process" (p. 142) was evident, once LGB workers disclosed their sexuality to colleagues, who came to pay greater heed to sexual ignorance and injustice over time, in fits and starts, eventually leading to greater workplace cohesion.

Such a dialectical process of LGB disclosure recognizes the deeper organizational structures at stake, rather than blame only societal homophobia. Even as Humphrey (1999) noted the prevalence of familial metaphors at the workplace, "which confine lesbian and gay identities, relationships and lifestyles to the realms of deviance and decadence" (p. 140), others have traced how situated discourses of brotherhood and hypermasculinity have long bolstered worker solidarity in the face of increasing encroachment and surveillance by management, and even to counter social stigmas about particular lines of work. For instance, shop-floor workers discursively emphasize their masculine identity in contrast to service economy and white collar workers, to make sense of the decreasing privileges afforded to manufacturing in the West (Mumby 1998). Tracy and Scott (2006) found that correctional officers and firefighters often played down the perceived feminine downsides of their jobs (e.g., caring for marginalized members of society like drug addicts making a 911 call, or convicts) by emphasizing their hypermasculine elements (e.g., fetishization of the red fire-truck, self-deprecating humor constructing correctional officers as "tough"). Law enforcement is also characterized by heteronormative and hypermasculine ideals, perhaps as a coping mechanism—you have to be "tough enough" or "man enough" to be a cop (Miller et al. 2003; Rumens and Broomfield 2012). Given these deeply situated processes of meaning-making, disclosure of sexual minority status is particularly risky in workplace situations, despite evidence that coming out of the closet is psychologically healthier for LGB individuals (Embrick et al. 2007; Hall 1989; Spradlin 1998). There is a need, then, to rethink conventional models of stigma management—and especially, passing—at the workplace.

For Goffman (1963), stigma arises from a disjuncture between actual and expected social identity, so that the central problematic is one of conformity, or acceptance of the stigmatized individual by his or her peers/community. The stigmatized "stranger"—someone categorically different—may be "reduced in our minds from a whole and usual person to a tainted, discounted one... It constitutes a special discrepancy between virtual and actual social identity" (pp. 2–3). Drawing from his work, and recent scholarship by critical management and organizational communication theorists (some of which has been reviewed above), we argue that passing signifies the intentional management of discreditable/discrediting information by individuals, enacted through everyday communicative practices. First, we note that crafting hypermasculinity at the workplace is an ongoing act of discursive labor, whereby some forms of masculinity are privileged over others, while others are "covered over"—as in the case of competitive aggression over cooperative collaboration (Connell 1995). This implies that, rather than only a minority of stigmatized people feeling the need to pass, "almost all persons who are in a position to pass will do so on some occasion by intent" (Goffman 1963 p. 74). Thus, entirely disavowing passing in favor of "complete" disclosure of one's alternative sexuality may be unrealistic in workplaces characterized by deep discursive structures of hypermasculinity and heteronormativity.

Second, we argue that passing constitutes an ongoing, co-negotiated, and partial mode of identity disclosure, instead of a categorical denial of information.

Although several conventional passing strategies denote complete denial (e.g., disidentifying with particular symbols, avoiding certain conversation topics or social gatherings entirely), there is the possibility that "less rigid means of disclosure are used… [so that] fleeting offers of evidence may be made—purposeful slips, as it were" depending on the interactional context (p. 101). For instance, strategic ambiguity may be used to send mixed messages about gender/sexual identity (Spradlin 1998), or purposely cultivated images conveying difference used to distract from more discreditable stigma (e.g., "feminist" instead of "lesbian") (Hall 1989)—centering the ongoing meaning-making between LGB and heterosexual workers rather than a one-way cloak of secrecy.

Third, because of its co-negotiated and partial nature, we take passing to be a strategic act of communication, capable of resisting and disrupting organizational heteronormativity from "within," and often aided by tacit support by coworkers. Meisenbach (2010), for instance, argues that stigmatized individuals transition across different strategies (viz., accepting, avoiding, evading, denying, or reducing stigma) depending both on how they accept or challenge public understandings of the stigma, and if they perceive that stigma to apply to themselves in a given context. Highlighting the potentially subversive nature of passing, Toyoki and Brown (2014) noted that prisoners often appropriated the label for themselves, or put it into conversation with other coveted social identities, and positioned themselves as otherwise "good" persons to downplay the material force of this stigma. Hall (1989) also observed the value of "token disclosure" or partial passing to resist hegemony without endangering oneself: "Some respondents made an art of transforming their feelings in hostile situations, taking pride in how well the act went. When one woman heard anti-gay comments, she simply asked if the person being discussed did a good job. 'That usually shuts them up', she said." (p. 132).

It should be noted that the bulk of research on sexual minorities at the workplace is focused on U.S. and British contexts, so that few empirical studies have examined non-Western contexts (like India) that have their own cultural discourses shaping ideals of both gender and the good worker (e.g., Menon 2007). For instance, Chopra (2007) examines the discursive "invisibility" of male domestic laborers in India, who must operate within the household with the mistress of the home, and are thus somewhat feminized to neutralize the male gaze, even as they always remain at the periphery of interpersonal closeness—they are perennial strangers, then, stigmatized by virtue of their gender, which is otherwise a source of privilege outside the home/workplace. In another example, the construction of masculinity among workers in the Indian textile industry was traced by de Neve (2004), locating the exercise and capacity of agency crucially along both class lines and community connections. While such works are useful to understand how (hyper)masculinity, capitalism, and culture intersect at the Indian workplace, they do not address the experiences of sexual minorities. On the other hand, despite a large body of literature on the LGB identity negotiations in India that indicates a very nuanced take on gender/sexuality that rejects Western dichotomies of "gay versus straight," few of them study workplace contexts and remain rooted in the context of family relationships or social movement organizing (e.g., Narrain and Bhan 2005). Our chapter thus fills an important gap in this literature. The research question guiding our inquiry may thus be stated: how do gay professionals in India pass to negotiate their heteronormative workplace structures?

3 Method

Qualitative methods were used for this study. A questionnaire was emailed to members of an online listserv for LGB Indians maintained by the second author (who also works for a prominent nonprofit on LGB issues in the country). The questions were structured but open-ended, and respondents were free to answer them as they saw fit (Lindlof and Taylor 2011). A total of 14 gay men, employed both by Indian and foreign companies, participated in the study, choosing their own pseudonyms to preserve their anonymity. Half the respondents were mid-level professionals, while three were senior management and four were at the junior level. Up to 57 % categorized their company as large, and of the remaining, three said their company was small, one said it was medium-sized and the other two did not answer. Most respondents (64.3 %) worked for an Indian firm, three for global multinationals, and two did not answer the question. Industries represented included software/IT, banking, media, manufacturing, engineering, publishing, marketing, and fashion design.

We utilized Strauss and Corbin's (1990) constant comparison approach to analyze the data to reveal underlying concepts and categories, in three stages of coding. First, during the stage of open coding, "the data [were] broken down into discrete parts, closely examined, compared for similarities and differences, and questions [were] asked about the phenomena as reflected in the data" (p. 62). A line-by-line coding was enacted to identify first-order categories, with their attendant properties. Second, axial coding connected categories with their constituent sub-categories, according to paradigmatic properties of causal conditions, contexts, interactional strategies involved, and consequences generated (pp. 97–109). Last, in selective coding, categories and their properties were integrated, so that a central storyline emerged that best described participant's passing at the workplace, and encompassed the secondary categories. At each step, detailed code memos were maintained, depicting the category dimensions.

4 Findings

As per the constant comparison approach, a central storyline emerged around passing as the core category—taking into account contextual conditions, communicative strategies adopted, and ensuing socialization with coworkers, described below. While all participants said they passed at some stage or the other of their careers, 64.3 % (9 of 14) said they were out to some colleagues, but there were still several people at the workplace who assumed they were heterosexual, and thus for whom they passed. Of the remaining five men who claimed they were entirely closeted at work, one had been out at a previous position.

4.1 Contextual Conditions

The presence (or lack) of a formal policy on nondiscrimination pertaining to sexuality was important in the decision to disclose homosexuality. Only three respondents reported such a policy in their firm. Moreover, policy was not sufficient in itself to enable disclosure; SS, in a senior-level position at a mid-sized IT firm, noted that despite an "explicit cause about alternative sexuality in the equal opportunities section, many people hold conservative, right-wing views about Muslims, Dalits, women, and fighting with them is itself quite a job". Similarly, Press-messenger said that although gender sensitivity training was mandatory for employees, "the floor where I am are about 75 % filled with veiled homophobes." While noting that his company had no official policy in place, Mike said, "The management has said that it will do whatever it has to [do to] comply with the laws of the land... There are comments every so often, and a few derogatory remarks (when speaking in general) but they tend to be largely respectful for privacy if speaking of anyone in specific." A few respondents (like Vik) even felt a formal nondiscrimination policy was unnecessary, since "We [the firm] are too small to have this sort of a policy in place (or even need one for that matter)."

In addition to formal policy, perceptions of public opinion were key to respondents' decisions to pass. Just-me recounted that he had "faced a lot of homophobia" at his previous job, a large radio station, and "that was the reason I did not come out then." In other cases, while colleagues were not seen to be actively homophobic, neither were they supportive. Hi-pal said, "I have not come across anything discussed elaborately. There have been just statements like, nowadays there's more of gay activity near my house during Sundays, or like, those two are too close to each other, may be gay. Neither really contemptuous nor supporting." Both younger colleagues and companies were perceived as more tolerant; for Salil, "I suspect many of my younger (age 35 or less) colleagues might not be phobic, but being a large old Indian company, most policy making positions are with older people and/or people with a less cosmopolitan upbringing—which leads me to believe they would be phobic." Moreover, industries like IT, media/advertising, and fashion design, were perceived to be more open, as with Vik, who noted, "I would describe my work environment as gay-friendly. But then again, the marketing/advertising/PR field is very gay-friendly to begin with." Conversely, more traditional sectors, like engineering and banking, were perceived to be less gay-friendly.

Key to respondents' decision to pass was the anticipated interactions and communication with coworkers, should their homosexuality be disclosed. This was true both for those who were comfortable with the idea of coming out (i.e., to friends and family), and those who were more securely in the closet. Coming out at work was not necessary for most respondents, "unless and until it is really warranted" (Hi-pal), largely because they did not want to cause discomfort by doing so. Hi-pal continued, "One fear is that I have perfectly straight relationships with most of my male colleagues and coming out could unnecessarily amount to reassuring/clarifying etc. I just feel this is a hassle." Similarly, Seafoam, who owned his company, said, "There would be snide remarks behind my back and any staff members close to me would be UNJUSTLY teased [if I came out openly]. Eventually, all staff would distance themselves merely to prove they are not gay." Conversely, some respondents feared that colleagues would go to the other extreme of political correctness: "they may feel obliged to display excessive sensitivity; and it might get irritating. It would just rather work here and live outside." (Mike). Interestingly, Ravi believed that "it wouldn't be that bad if I come out," because his coworkers seemed very open, yet reiterated "I don't have that courage to open up"—suggesting an internalized distinction of work and life (Burrell and Hearn 1989). Although most respondents (11 of 14) did not fear repercussions to their current job if they came out, eight of them believed disclosure would affect long-term career prospects. Hi-pal said, "I do not think that it could affect my stature in work, but I feel it would unnecessarily become a permanent issue which I may have to handle on an ongoing basis."

4.2 Communicative Strategies of Passing

Respondents utilized five communicative strategies to pass at the workplace, rather than disclose their homosexuality outright to coworkers. These were: distanciation, concealment, reframing via non-stigmatic attributes, appropriating lesser stigmas, and partitioning.

First, respondents distanced themselves from coworkers, avoiding verbal overtures of intimacy, not spending too much time with them at work, or not socializing after-hours, as with Arun, who said, "Mostly, I don't interact with colleagues if I don't have work with them, just the design team." Vik distanced himself from conversations related to LGB issues, saying that he "avoid[ed] the issue unless and until someone is [really] contemptuous." Some respondents actively cultivated the persona of a private person, who guards his personal life from outsider coworkers; SS said, "People can draw their own conclusions, but I make it quite clear that I value my privacy, and regard many personal questions, especially from strangers or casual acquaintances, as an invasion of it."

Second, respondents actively concealed non-heteronormative symbols or signals at work, by censoring demonstrative behavior or using gender-neutral language. When asked about his personal life, Lakshman said, "I answer them honestly, but I'm never really asked about 'who' I'm seeing, i.e., I answer gender neutral in context." Mike, who was in a relationship at the time, said that in response to such questions, "I say I am seeing someone or living with someone and that we are not in a position to marry because of legal complications. When between relationships, I extended the same kind of gender neutral language." His allusion to "legal complications" was a good example of partial passing, rather than a complete cover-up of his sexuality—given that homosexuality remains illegal in India. Respondents also ensured they did not make overtures to anyone they might find attractive at work, although sometimes they downplayed their concealment strategies using over-the-top humor. For instance, Hi-pal laughed it off as avoiding "flaunting one's sexuality publicity," indirectly blaming gay workers for potential homophobia if they let slip their sexual identity.

Third, respondents reframed their discourse on non-stigmatic attributes (e.g., focus on work, family) that effectively silenced queries about their homosexuality. For instance, Vik, who was out to colleagues on a "need to know" basis, averred, "I work with several single men and women (who're not gay to the best of my knowledge) and they rise and fall within the industry according to their ability (not marital status/sexuality)." Marital status was another non-stigma that some gay professionals draw on to pass; although none of our respondents were married, Arun identified others at his workplace "who are closeted, maybe because they are married."

Fourth, attributes less stigmatic than being gay were also appropriated by respondents to pass. For example, Seafoam said, "I am divorced and just say I am Devdas [a well-known fictional character] and will not marry ever again but die longing for my wife." In this case, the lesser stigma was that of failing to hold onto a marriage and family, which still suggested he was heterosexual. Salil, on the other hand, used his status as a still-unsteady professional to excuse his lack of spouse and family; "I have been telling people that I am looking for a job change and shall then marry. [I] did not tell any that I would not be marrying [at al]—I thought it is too close to coming out!" Some of these lesser stigma may even serve as code for gay professionals to suggest their homosexuality, without coming out entirely (e.g., being artistically inclined). SS admitted, "It is common knowledge that I am unmarried, live on my own, lead a bohemian lifestyle, and have many friends who are artists and theatre-people." Hi-plan noted how an acquaintance used the "confirmed bachelor" label to evade uncomfortable questions about being gay, although most people understood what it meant: "He's around 40 and unmarried in a good post, and has slept with at least a few of his senior executives! He was not at all good looking, but he said that the fact that he was a confirmed bachelor had facilitated all these advances from his bosses!"

Fifth, respondents partitioned people and spaces within specific groups, according to different degrees of disclosure (e.g., colleagues in same and other departments, extra-organizational friends in the industry, clients). These partitions enabled respondents to strategically choose how to pass, to what extent, and deliberate the consequences of disclosure. Press-messenger said, "My ultimate boss knows that I am gay and it's a dead end for me in this department. I will see no growth for me in this organization until I move out to a totally different department. I have seen him walking out of the washroom just because I was inside there. I do have a small circle of closeted gay friends in my organization, though we belong to different departments and different locations." For him, (partial) disclosure was possible only with workers in a particular space, since attempts at passing within his own department were superficial at best, with his supervisor knowing about and censuring him for his homosexuality. Meanwhile, for Vik, "With colleagues it's [being gay] not a problem. My clients haven't yet asked me any personal questions, neither do I expect them to."

4.3 Socialization (and Resistance) While Passing

Strategically passing had ongoing consequences for respondents' socialization with coworkers both in and out of the workplace, and these interactions were not risk-free. Flash noted that using lesser stigmas like the "confirmed bachelor" archetype to pass risked being perceived as lacking in professional commitment: "I've caught married superiors advise unmarried by partnered colleagues not to waste their time on romance and to focus on work." At the same time, lack of familial commitments leads to some passers being assigned last-minute jobs, continuous travel, and other work that "family-oriented" workers might be spared. Paradoxically, for Mike, "A couple of my bosses have directly told me that being single will not help me much in my career, though it was veiled under 'social support system' talk," even as, because he is "presumed to be a bachelor [it] leads to assumptions of much greater flexibility, leading to short-notice assignments, weekend work etc. It takes a lot of effort to resist that."

Respondents were divided about socializing with other gay men at the workplace, from within the closet, noting how it could lead to both positive social support and potential career problems. Discretion was crucial for Flash, since "it can get pretty dicey if you're not the getting-along-with-everyone sort." In his case, reaching out to others within the partial closet was an ongoing journey to be comfortable with his own sexuality—although he felt "uncomfy" at first, he gradually came to realize "that it is OK for two gay people to work in the same workplace without feeling uncomfortable that the other person knows." Partitioning of space was crucial for productive friendships with other gay workers, as Aditya noted: "My senior [gay] colleague and I share a totally professional relationship while we're at work. Once we leave, however, we talk about stuff in a really friendly manner—we've managed to keep the two sacrosanct and I don't think this will change." Mike described setting up an online group "specifically for networking among the gay men in the company," in the absence of a formal nondiscrimination policy addressing sexual orientation, and "taking on a general friend-guide-philosopher role," being the oldest in the group. He observed the tensions in that while "most are still too scared to meet for coffee in the campus and talk," the online group also sometimes becomes "cruisey" with solicitations for sex; moreover, he reported getting asked by some of these men to get transferred into his work unit, in which case emphasizing the spatial partitions became crucial.

Positive examples of socialization were also described by respondents with heterosexual coworkers, who came to know their homosexuality, although respondents were not entirely out of the closet—such instances of partial disclosure often served to bolster their professional credibility. Arun talked about two colleagues who "got to know as they share the flat with the gay colleague and all of us are in the same department": he said, "They have nothing to say as they know me as a friend and colleague first. Personal matters don't come between conversations, though I also don't discuss everything about my sexuality with them." In a similar vein, Aditya came out to a previous boss "who had already figured out on her own about me, even before I came out to her. I decided to tell her because we used to share (and still do!) such a great rapport... I was the first gay guy she ever got to speak with, so I helped her understand the culture a little more, though she was quite knowledgeable about it already!" In such cases, respondents used the partial closet to speak back to heteronormative discourses, and the ongoing conversation often led to more nuanced understandings of sexual orientation for heterosexual colleagues (especially around sexual attraction and family acceptance).

Nevertheless, several negative and/or homophobic encounters were also recounted by respondents, when they sought to venture out of the closet with some straight coworkers—resulting in jokes, gossip, social exclusion, verbal and/or physical harassment, and career blight. Press-messenger, who was outed involuntarily at work, recalls: "They made crude gay jokes (loud enough for me to hear) whenever I was on the floor with them in front of other colleagues who don't know about my sexuality. Every move I made aroused some kind of suspicion for them. My immediate supervisor who knows that I am gay, sort of suspects every call that I receive from guys at the workplace." Mike noted that ongoing tensions with a colleague made him decide to slide back (somewhat) into the closet: "He was quite taken aback at it, and at later times when we had sticky situations at work, he would make oblique references to it—nothing really hateful, just not exactly being open and accepting. It has since made me a bit more ambiguous and I am back to a 'don't tell unless asked' policy."

In such negative situations, respondents used the partial closet to speak back to heteronormativity and/or homophobia in a number of ways. First, some respondents were forceful in their resistance. Salil said, "I remember a couple of instances where I protested—the protest brought an immediate apology to the general neighborhood by the offender—which pleasantly surprised me." Meanwhile, Mike noted that when confronted with homophobic comments at work, "I get resentful, sarcastic and tell them to shove off. I shame them without outing myself explicitly." Second, some respondents chose a middle ground between forcefulness and being non-demonstrative, as with Lakshman who "tend[s] to question people if they have an issue about homosexuality, or try and understand where they are coming from." Similarly, Just-me observed, "I am not demonstrative about my sexuality, I don't make a hue and cry over my being gay, and whenever I hear homophobic comments, I don't react in an 'activist' manner, but gently reason it out with colleagues when they are alone, and if that doesn't help, I tell them it is not right to label or sneer at people who are different from them."

A third strategy was speaking up against bigotry of all kinds—against women, Muslims and other marginalized communities/groups, while also attacking homophobia—establishing oneself as an open-minded person while still retaining the closet. SS said, "I am well-known for my liberal views in general, and come out strongly if I hear snide remarks about Muslims, Dalits, women, or 'western values', so it is quite natural that I also come out against homophobic remarks. It does not feature in the gossip (that I have heard, at least)." Fourth, some respondents sought to tap institutional means to foster a more LGB-inclusive work culture. For instance, Mike said, "I keep harping about sexuality in every employee satisfaction survey, which I am sure doesn't change a thing, but at least someone reads it? I also bring it up in any town halls/HR meetings. Of late, I have been thinking of approaching the HR with a firm proposal for sensitization and education on sexuality, sexual health." Finally, some respondents highlighted that silence may constitute resistance in itself—especially when combined with nonverbal cues conveying disapproval or disappointment. Vik said that, in the face of homophobic comments, "Just me being silent has people apologize for what they just said." Importantly, silence is never complete either—as Vik indicated that he also wrote a weblog about being a gay Indian, which several of his coworkers knew. "For most of my colleagues, I just told them once they asked. I didn't really feel the need to because I still feel it's not an issue for the workplace but since I hang out with colleagues even after work hours and socialize with them, I felt it was necessary."

5 Discussion

Our chapter has made several important contributions to understanding sexual orientation issues in the workplace in India. First, by considering passing to be an ongoing, co-constructed practice, rather than an individual choice to disclose a stigma or not, we traced its collective implications—especially in terms of communication and socialization at the workplace and/or within industries. Second, we resisted preconceived notions of passing as inherently negative, and instead adopted a post-structural approach to the "(re)production of organization" (Burrell and Hearn 1989), attuned to the emergence of social practices (like passing) that might disrupt dominant ideals of worker identity (i.e., as straight, male, hypercompetitive, married with children). Passing, we found, always involves partial disclosure, which allows organizational members to "speak back" to stereotypical and/or homophobic discourses without making themselves entirely vulnerable. Specifically, five main communicative strategies were used by our respondents—distanciation, concealment, reframing via non-stigmatic attributes, appropriating lesser stigmas, and partitioning. Finally, we noted the influence of cultural discourses (e.g., confirmed bachelor, Devdas pining for love, potential Islamophobia in India), noting how working in contemporary twenty-first century organizations involves a juxtaposition of local and global ideals of masculinity work.

Almost three decades ago, Hall (1989) observed the paradox of disclosing stigma, as opposed to passing, in the context of lesbian workers: "Stylized out of existence, she [the out lesbian] forfeits her private mutinies, cannot mobilize the resistance necessary to shield her individuality from engulfment by the collective purpose of the organization… [and] becomes the consummate 'organization (wo) man'" (p. 138). In other words, the contemporary neocapitalist workplace, which pays lip service to diversity and multiculturalism, is capable of appropriating matters of difference and rehabilitating them within the established order of work and worker experience—while making little allowance for, respecting, and safeguarding individual negotiations of identity, body, and emotion (Acker 1990; Buzzanell 2000; Hearn et al. 1989; Miller et al. 2003; Mumby 1998; Rumens and Broomfield 2012).

Conversely, this chapter has demonstrated how passing allowed gay Indian men to resist broader discourses of heteronormativity, patriarchy, and professionalism at the workplace, using different communicative strategies to "speak back" with alternative meanings and discursive frames. We do not want to overly romanticize passing, noting the real psychological dangers that might result from persistent denial of one's LGB identity (e.g., Spradlin 1998), but note that the instances of passing described by our respondents were almost always strategic plays that involved both disclosure and denial, rather than persisting solely in either camp. Nor is this strategic play without emotional and psychological burdens—as Mike admitted, for instance, passing and "evasive behavior has already established an aura of mystery around me, which I sometimes revel in and others frustrates me." Future research should thus closely examine the nuances and dialectics of emotion at stake in queer workers' use of passing as an everyday communicative practice.

One avenue that we suggest is tracing the intersections between passing and resilience (see Richardson 2002) for sexual minorities and other marginalized groups at the workplace. Buzzanell (2010) argued that resilience was a communicative phenomenon hinging on five key practices—crafting normalcy, affirming identity anchors, using/maintaining communication networks, putting alternative logics to work, and foregrounding positive emotions while downplaying negative ones. Although a focus on resilience did not guide our data collection and analysis, a cursory inspection of the themes generated in this study—both regarding passing strategies, and strategies used to resist homophobia and heteronormativity from within the partial closet—suggests that several of these practices were evident. For instance, respondents passed in order to be "normal" within the workplace, and reiterated multiple times that sexual orientation had no place in the "normal" workplace. Different attributes—both stigmatic and positive—were drawn on to reassert respondents' status as hard workers (e.g., entry-level worker with not enough means to support family, but focused on building his career). Respondents also drew on various social networks—both with other LGB workers and colleagues presumed to be straight but supportive/tolerant—to emphasize their commitment to a more diverse and productive workplace. Future research should thus further probe the possible linkages between strategies of passing and resilience, broadening our understanding of how LGB workers worldwide are able to negotiate heteronormative and patriarchal structures.

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Daily Work Out?!: The Relationship Between Self-Representation, Degree of Openness About One's Gay or Lesbian Identity, and Psychological Stress in the Workplace

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1 Sexual Identity in the Workplace

In the context of work and commerce, a prevalent opinion is that sexual identity[1] is a private matter (Frohn 2014a, p. 480; Hofmann 2012; Völklinger Kreis e.V. 2011). Generally, the workplace is constructed as an asexual place (Maas 1996; Rosenstiel et al. 2005), although private aspects of one's personal life, and even the search for a partner, are considered to be natural topics of workplace conversation (Frohn 2007; Hofmann 2012). In addition, heterosexuality is understood as social information, while homosexuality is mostly reduced to sexuality or sexual practices (Frohn 2007; Köllen 2012; Losert 2010; Wrenn 1988). An over-sexualization of gays and lesbians, and the assumption that asexuality is a criterion for a professional and productive workplace, results in the perception that a homosexual identity is a crossing of boundaries, and also that gay employees are less productive, if not a hindrance for the company (Köllen 2010). Since one's sexual identity is an invisible trait of one's identity (Clair et al. 2005; Goffman 2001), and because of the prevalent idea that every person possesses a clear gender identity with sexual attraction solely to the opposite sex (heteronormativity, cf. Degele 2008; Tuider and Tietz 2003), dialogues are based on the assumption that any relationship matter refers to partners of different sexes. In this way, differing modes of behavior and lifestyles are seen as deficient and require an explanation (Köllen 2010). Due to heteronormative expectations and possible stigmatization, gay and lesbian employees are regularly confronted with situations, which require them to evaluate the extent to which they can openly express their sexual identity. This is a lifelong

[1] The term sexual identity is used in the article instead of sexual orientation, because it goes beyond the mere direction of desire and indicates a person's self-understanding.

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issue, which can turn the handling of one's identity at the workplace into a constant challenge.

In Germany, only a few quantitative studies—in addition to some qualitatively orientated works—have dealt exclusively with the job situation of gay and lesbian employees (Knoll et al. 1997; Frohn 2007; Köllen 2010, 2015). Building on each other, the studies by Knoll et al. (1997) and Frohn (2007) illustrate that the majority of gay and lesbian employees report at least one form of discrimination at their workplace due to their sexual identity, and that more than half of them keep their sexual identity a secret from their colleagues (Frohn 2007; Knoll et al. 1997). Frohn (2007) was the first to systematically observe the handling of one's sexual identity in the workplace and highlighted a negative correlation between openness and psychosomatic conditions, as well as a positive correlation between free resources, job satisfaction, commitment and organization-based self esteem. Furthermore, he showed that proactive diversity management that involves sexual identity, and an open organizational culture, are associated with open-minded interactions (Frohn 2007).

How one handles his or her sexual identity can be distinguished in attitudinal and behavioral dimensions (Frohn 2007). Attitude can be described as a stable mindset that spans multiple situations, while behavior refers to the act of dealing with one's sexual identity during one's everyday work. Since sexual identity is a relatively invisible dimension of identity, there are numerous possible behaviors that gay employees could exhibit in front of colleagues and superiors. These behaviors are applied to different extents (Clair et al. 2005; Goffman 1963; Maas 1999; Köllen 2010), which range from *revealing* to *hiding*, depending on contextual factors and individual differences (Clair et al. 2005). Contextual conditions have been taken into account in previous research (cf. Chrobot-Mason et al. 2001; Derlega et al. 1993; Frohn 2007; Köllen 2010). Individual differences, however, have rarely been looked at systematically (Clair et al. 2005; Frohn 2013, 2014a, b). Therefore, in order to develop a deeper understanding of the handling of one's sexual identity in the workplace, this study focuses on self-representation as a personality disposition that leads to a more or less open approach to one's own sexual identity. This study investigates the influence of openness on an individual's level of stress, depending on perceived discrimination in various situations.

2 Self-Representation and Openness About Sexual Identity

According to Laux and Renner (2002), two forms of self-representation can be distinguished: an acquisitive style, and a protective style, which represent varieties of the motivational pairs *hope to succeed* and *dread of failure* (Arkin 1981; Laux and Renner 2002). An individual of the acquisitive type engages in social interaction assuming that he or she will be rewarded if he or she succeeds in presenting him- or herself well, according to the circumstances. On the contrary, an individual of the protective type strives to avoid disapproval within social interaction (Arkin

1981; Frohn 2013; Laux and Renner 2002; Wolfe et al. 1986). If the handling of sexual identity is thought of as a continuum between two poles of secretive and open (Clair et al. 2005; Frohn 2007; Köllen 2010), it seems that the bimodal model of self-representation contains both of these characteristics of the handling of one's sexual identity. As Frohn (2013) has already asserted, an acquisitive style of self-representation is likely to be associated with a more open handling of one's sexual identity, while a protective tendency is likely to be associated with a more secretive handling.

Hypothesis 1 A person's dispositional tendency of self-representation correlates with an open attitude towards sexual identity:

(a) A more protective self-representation results in an attitude that values a less open approach.
(b) A more acquisitive self-representation results in an attitude that values a more open approach.

In addition, the type of self-representation should not only have a direct causal impact on the attitude, but, by influencing the attitude, have an indirect impact on actions and behavior.

Hypothesis 2 The attitude towards the handling of one's sexual identity mediates the relationship between one's dispositional tendency towards self-representation and openness regarding sexual identity on the behavioral dimension:

(a) Mediated by the attitude towards the handling of one's sexual identity, a more protective self-representation is accompanied by less openness on the behavioral dimension.
(b) Mediated by the attitude towards the handling of one's sexual identity, a more acquisitive self-representation is accompanied by more openness on the behavioral dimension.

3 Openness Regarding Sexual Identity and Stress

Gay and lesbian employees think about their behavior and their communication regarding their sexual identity to varying degrees, in order to deal with occupational stress (Frohn 2007; Clair et al. 2005). Because this is an individual's reaction to external factors of stress, it can be considered psychological stress according to DIN EN ISO 10075-1 (Bundesanstalt für Arbeitsschutz und Arbeitsmedizin 2014; International Organization for Standardization 2014). A onetime retrospective record of the correlation between openness and stress (Frohn 2007) allows for conclusions to be drawn regarding the differences between various people. It is to be expected that over the course of various situations in everyday working life, a person's openness on the behavioral dimension will vary, depending on both the situation and the person, and thus several states of stress will be involved.

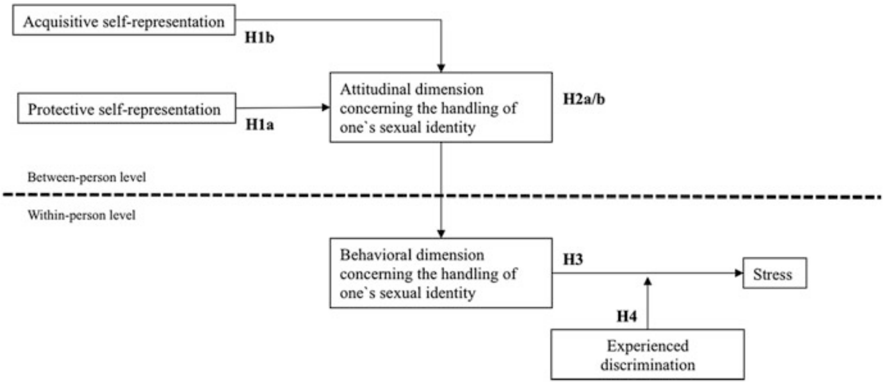

Fig. 1 Conceptual model of hypotheses

Hypothesis 3 A higher openness in the behavioral dimension regarding one's sexual identity results in less stress.

Experienced discrimination is strikingly correlated with contextual conditions such as the working climate, and can influence openness negatively. However, there will, nevertheless, also be people who are still open about their sexual identity despite anticipated discrimination and its possible consequences, because of a strongly acquisitive style of self-representation. In these cases, it is believed that the negative correlation between openness and stress is reversed. A high openness, despite strongly experienced discrimination, is likely to result in more stress, since the perceived discrimination involves the anticipation of negative effects for the self.

Hypothesis 4 The experience of discrimination moderates the correlation between openness regarding one's sexual identity (behavioral dimension) and stress, so that a low experience of discrimination creates a negative correlation between openness regarding one's sexual identity and stress, while a high experience of discrimination creates a positive correlation between the two.

Figure 1 illustrates the hypotheses in a conceptual *framework model*.

4 Method

In order to test the hypotheses, an event-sampling diary method was used to record situation-bound data per person over several points in time (for an overview of diary methodology cf. Bolger et al. 2003; Ohly et al. 2010; Reis and Gable 2000), so that a multi-level design with two levels was used.

4.1 Sample

Given the fact that, so far, little verified data on the population of gay and lesbians exists, and thus the share among the entire general population can only be estimated, most authors generally question the possibility of representativeness in this field (cp. Buba and Vaskovics 2001; Sullivan and Losberg 2003; Frohn 2007; Köllen 2010). In order to acquire a sample that is as comprehensive as possible and to reduce bias, various ways of distributing the questionnaire were chosen. Through the distribution of "Out im Office?!" by Frohn (2007), people who had previously agreed to participate in follow-up studies were contacted. In addition, several lesbian and gay organizations, the employee networks of numerous companies, anti-discrimination organizations, and the gay press promoted the study.

The first study's home page was visited by 1058 people, of which 182 people went through the entire process over the course of seven points of data acquisition. Hetero-, bi- and asexual participants, as well as intersexual and transgender people, were excluded from data analysis, because their job and life situations were expected to differ from that of gay and lesbian participants (Barclay and Scott 2006; Barker and Langdridge 2008; Frohn 2007, 2013, 2014a; Köllen 2010, 2012). In addition, the number of subsamples in these subgroups was so low that it would not have been possible to make generalizations about that data. The final interpretation takes into account the data of 322 people. The sample consists of 98 lesbians and 224 gay men. This corresponds with the common gender distribution among lesbian and gay samples (cp. Knoll et al. 1997; Frohn 2007). The participants' age ranged from 18 to 65 years ($M = 39.21$, $SD = 10.11$). Interestingly, at a rate of 68.3 % the majority of study participants had attained the entrance qualification for higher education, which indicates a middle-class bias that is found in most lesbian and gay samples (cp. Knoll et al. 1997; Deutsche Aids Hilfe 2004; Frohn 2007).

4.2 Collection of Data

The collection of data took place online using the EFS survey software from mid-June until mid-September 2014. Participants were allowed to freely determine the starting date. It took about 3 weeks to run through all seven points of data measurement and the overall duration did not exceed 45 min. The study comprised of two phases. Using the link that had been sent out via several distributors, participants were introduced to the first phase, which comprised a onetime collection of demographic data and e-mail addresses. In addition, participants were asked to answer questions that compiled information regarding protective and acquisitive self-representation and their attitude towards the handling of sexual identity. E-mail addresses were necessary in order to send out links leading to the following questionnaires. Seven days later, the participants were sent an e-mail containing the first questionnaire of the second phase, which comprised six points of measurement. They were given a new link to the next questionnaire 3 days after the completion of the previous section. At the beginning of each survey, the participants were asked to think of any situation within the past few days that allowed someone to infer information regarding their sexual identity. If they recalled multiple situations, they were asked to choose the one that they considered to be the most relevant. If they had an experience, they were given various questions concerning the behavioral dimension, stress, and experienced discrimination, which had to be answered according to the specific situation they had chosen. If they had not experienced such a situation, it was possible for them to say so, and they were then taken to the end of the respective survey via a filter.

4.3 Questionnaires

Previously established and validated instruments were used for collection of personal types of self-representation and the attitudinal dimension. To gather data on the behavioral dimension, stress and experienced discrimination, items were predominantly orientated towards existing scales. Two-pole items were designed for stress and the level of behavior, enabling the participants to answer via a slider bar. The scales ranged from 0 to 100. However, participants were only able to see the slider, not the scale itself.

4.3.1 Types of Self-Representation

In order to capture data on both the acquisitive style and the protective style of self-representation, German-language adaptations of the *Revised Self-Monitoring Scale* and the *Concern for Appropriateness Scale* were used (Laux and Renner 2002). These scales consist of 12 statements, each of them involving a four-level format of answers ranging from 1 (*does not apply at all*) to 4 (*applies completely*). An example item for the collection of acquisitive self-representation data is "I have had the experience that I can control my behavior so that I can live up to the expectations of any situation" and an example for the protective self-representation is "To avoid disapproval, I exhibit completely different aspects of my personality towards various people".

4.3.2 Attitudinal Dimension Regarding the Handling of One's Sexual Identity

For the measurement of attitude, a questionnaire was used that had already been approved by Frohn (2007). It was based on six items that were again accompanied by a four-level format of answers ranging from 1 (*does not apply at all*) to 4 (*applies

Fig. 2 Item measuring the behavioral dimension regarding one's sexual identity with the two poles of conceal and reveal

fully). An example item is "I handle my sexual identity openly at work". Higher measurements signify an attitude that aims at higher openness.

4.3.3 Behavioral Dimension Regarding the Handling of One's Sexual Identity

To achieve a consistency between the behavioral scale and the attitudinal one in accordance with Frohn (2007), statements by respective poles (open—secretive) were adjusted to Frohn's scale, but were formulated in a behavioral way. Figure 2 shows the item that measured behavior as it was presented to the study's participants.

4.3.4 Stress

Stress was differentiated into emotional, cognitive and temporal dimensions. Since emotional stress can be understood as a state of anxiety (Wieland-Eckelmann et al. 1999), and such a state coincides with experiences reported by gays and lesbians with regards to the handling of their sexual identity, and in the context of coming-out situations (Rosario et al. 2001; Watzlawik and Heine 2009), emotional stress was measured with an item on anxiety ("Did you feel anxious as a result of the situation?") which could be answered via a slider between the two poles *very slight* and *very strong*. Psychological job analysis methods often operationalize cognitive stress via the ability to concentrate and to relax (Dunckel 1999). Therefore, cognitive stress was operationalized by one of these two qualities (concentrate, relax), which were based on already established items (Frohn 2007; Mohr et al. 2005). For the evaluation of the temporal dimension, a new item was designed. Using a slider, which included the time span of *less than 5 min* up to *more than 30 min*, this item captured the amount of time that the study participants spent contemplating their handling of their sexual identity. Over the course of six different points of measurement, an average Cronbach's α of .93 (range between .90 and .95) was detected for these three dimensions. Figure 3 depicts the items that captured cognitive and temporal stress.

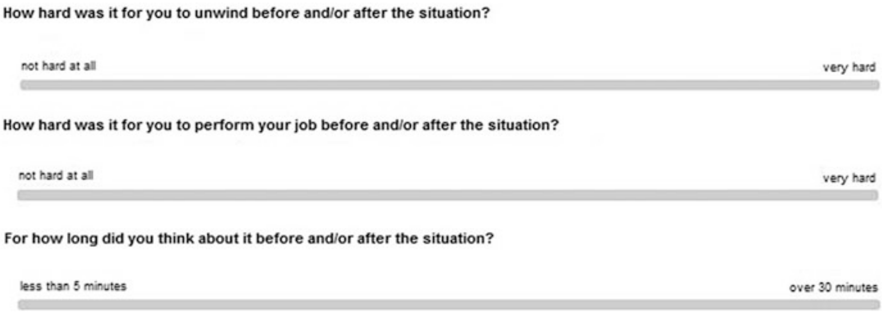

Fig. 3 Items to capture cognitive and temporal stress

4.3.5 Experience of Discrimination

Since the question of discrimination often involves a self-serving bias, the question of perceived acceptance was included as well. Perceived discrimination ("I perceived the situation as discriminating") and acceptance ("I felt accepted in that situation") were answered on a four-level scale ranging from 1 (*does not apply at all*) to 4 (*applies fully*). With an inverted acceptance the two items' average correlation over six points of measurement was .43 (range of significant correlations between .37 and .51). Higher measurements of both items represent a higher experience of discrimination in the respective situation.

4.4 Data Analysis

The hypotheses' evaluation included all gay and lesbian participants who had reported at least one relevant situation, so that the analysis comprised 277 people in total. Points of measurement in which none of the participants reported any relevant situation were excluded from the evaluation. In order to meet the requirements of data dependency, Mplus 6.0 (Muthén and Muthén 2012) multi-level analyses with a maximum-likelihood estimation method were used. The variables captured by sliders were divided by 10 to achieve a better comparability of all scales used. In line with the recommendations of Hofman and Gavin (1998) all multiply collected predictors and moderators for the testing of hypotheses of the within-person level were centered based on each person's mean value. In order to test the moderation hypothesis, the interaction term had to be significant and the context had to match the predicted presumptions. On the basis of Snijders and Bosker (1999), pseudo-R^2 was made the effect size. Pseudo-R^2 indicates the share of the total variance (level 1 plus level 2 variance) for the dependent variable based on added predictors (Snijders and Bosker 1999; Bryk and Raudenbusch 2002). R^2 is the measure for the effect size concerning the testing of the first hypothesis.

5 Conclusions

Looking closer at the situations experienced by the 322 participants reveals that, at a rate of 44.9 %, the answer "I have not experienced such a situation since the last survey" is the most frequently chosen answer, followed by "situation experienced in conversations with colleagues" (33.9 %). Table 1 depicts the analyzed variables' descriptive statistics and correlations of all 277 participants whose data was used for the hypothesis testing, and also depicts intra-class correlations (the "ICC"; that is, the proportion of a dependent variable's variance that can be explained by the observation unit). In diary studies, the ICC measurement represents the variance share in a dependent variable, which is affiliated with differences between the people (Klein and Kozlowski 2000; Nohe et al. 2014). The occurring intra-class correlations indicate the data's dependency within a person and thus point to the necessity to consider the data hierarchy by means of adequate multi-level models.

5.1 *Analysis of Between-Person Main Effects: Self-Representation and the Attitudinal Dimension*

It was presumed that the protective and acquisitive types of self-representation influence the attitude towards one's handling of sexual identity (Hypothesis 1a/b). To test this hypothesis, a model with a multiple regression from the attitudinal dimension to the protective and acquisitive self-representation was used. As hypothesis 1a assumes, higher measurements of a protective self-representation are linked to lower measurements of the attitude dimension (b = −.737, $p < .001$). At the same time, higher measurements of the acquisitive self-representation involve higher measurements of the attitude dimension (b = .234, $p < .01$), as suggested in hypothesis 1b. The effect size R^2 was .244. These findings therefore verify both parts *a* and *b* of the first hypothesis.

5.2 *Analysis of Cross-Level Mediation: Self-Representation and the Behavioral Dimension*

Hypothesis 2 assumed that the correlation of the protective and acquisitive self-representation with the behavioral dimension is mediated by the attitudinal dimension of handling one's sexual identity. In order to test this hypothesis, a full-mediation model was compared to a partial-mediation model. Therefore, a mediation model that included the direct paths between acquisitive and protective self-representation and behavior (partial-mediation model), was compared to a model without those direct paths (full-mediation model). Since no significant difference became evident between the two models ($\Delta - 2 \times \log = 1.202$; $\Delta df = 2$; n.s.), the

Table 1 Descriptive statistics, correlations of variables and intra-class correlations

	M	SD	ICC	1	2	3	4	5	6	7
1. Protective self-representation	1.95	.49	–	1						
2. Acquisitive self-representation	2.74	.45	–	.23***	1					
3. Attitudinal dimension concerning the handling of sexual identity	3.23	.69	–	−.47***	−.04	1				
4. Behavioral dimension concerning the handling of sexual identity	7.53	2.85	.64	−.34***	−.01	.65***	1			
5. Stress	1.95	2.28	.64	.45***	.05	−.41***	−.37***	1		
6. Experienced discrimination	1.43	.61	.29	.25***	−.04	−.37***	−.41***	.49***	1	
7. Age	38.87	10	–	−.25***	−.20***	.10	.07	−.21**	.05	1
8. Sexual identity	1.69	.46	–	.00	.03	−.08	.00	−.08	−.02	.09

Annotations. The correlations for within-person level variables are based on participants' mean value (N = 277). Cf. results section for a detailed explanation of intra-class correlations (ICC). Experience (1 = yes; 2 = no) and sexual identity (1 = lesbian; 2 = gay) were gathered categorically

†$p < .10$, *$p < .05$, **$p < .01$, ***$p < .001$

most economical model without direct paths was used for the testing of the second hypothesis. In this model, the correlation between protective self-representation and the behavioral dimension was significantly negative (path a1; $b = -.677$, $p < .001$). The relationship between acquisitive self-representation and the attitudinal dimension was not significant (path a2; $b = .111$; n.s.). The attitudinal dimension and the behavioral dimension showed a significantly positive correlation (path b; $b = 2.665$, $p < .001$). In order to quantify the indirect effects of protective and acquisitive self-representation to the behavioral and attitudinal dimensions, a product-of-coefficients method was applied. The coefficient of path *a* was multiplied by the coefficient of path *b* (MacKinnon et al. 2002). The analyses resulted in a significant indirect effect concerning the protective self-representation and the behavior (path a1 × b; $b = -1.803$, $p < .001$). Regarding hypothesis *2a*, the conditions for a mediation are met (Baron and Kenny 1986; Hayes 2009), so that it can be considered verified. No significant indirect effect was indicated with regards to an indirect correlation between acquisitive self-representation and behavior (path a2 × b; $b = .297$, n.s.). Therefore, hypothesis *2b* could not be verified.

5.3 Analysis of Within-Person Main Effects and Moderation Effects: Behavioral Dimension and Stress

Hypothesis 3 claimed that a higher openness of the behavioral dimension involves less stress. In order to verify the hypothesis, a model with a regression from stress to the behavioral dimension was used. As shown in Table 2, model 1 shows a better fit than the null model concerning the data ($\Delta - 2 \times \log = 18.284$; $\Delta df = 1$; $p < .001$). Consistent with the hypothesis, a higher openness of the behavioral dimension involves less stress ($b = -.157$, $p < .001$) so that hypothesis 3 can be accepted.

Based on this, hypothesis 4 assumed that the negative correlation between the behavioral dimension and stress is moderated by experienced discrimination. To test this hypothesis, several nested models with stress as a dependent variable were compared, as shown in Table 2. The analyses found that the data fit model 2 better than model 1, because it also includes experienced discrimination separate to the behavioral dimension as a predictor ($\Delta - 2 \times \log = 147.748$; $\Delta df = 1$; $p < .001$). Model 3, which also includes the interaction term between the behavioral dimension and experienced discrimination, did not show a better fit concerning the data in comparison to model 2 ($\Delta - 2 \times \log = 3.698$; $\Delta df = 1$; n.s.). The low pseudo-R^2 corresponds to these findings, but it indicates a tendency towards additional explanation of variance, which could be achieved by including the interaction term. A significantly negative interaction term was found ($b = -.165$, $p < .01$). Stress is higher depending on the amount of experienced discrimination. Contrary to expectations, the negative correlation between behavioral dimension and stress (higher openness—less stress) is amplified by a high experience of discrimination (see Fig. 4). Hypothesis 4 could therefore not be verified.

Table 2 Main effects and moderational effects of the behavioral dimension concerning the handling of the sexual identity and experienced discrimination on stress (hypotheses 3 and 4)

	Model 1 Main effect behavioral dimension		Model 2 Main effects behavioral dimension, experienced discrimination		Model 3 Moderational effect	
	b	SE	b	SE	b	SE
Level 1 variables						
Behavioral dimension	−.157***	0.027	−.107***	0.026	−.095**	0.029
Experienced discrimination			0.885***	0.079	0.869***	0.084
Behavioral dimension × experienced discrimination					−.165**	0.061
–2 × log-likelihood (df)	3052.1 (4)		2904.352 (5)		2900.654 (6)	
Δ –2 × log-likelihood (Δdf)	18.284*** (1)		147.748*** (1)		3.698† (1)	
Level 1 error variance (SE)	2.050 (0.073)		1.893 (0.080)		1.885 (0.081)	
Level 2 error variance (SE)	3.795 (0.567)		3.693 (0.546)		3.667 (0.542)	
Pseudo-R^2	.006		0.050		0.056	

Annotations. Model 1 was compared to a null model with the intercept as the only predicator, y = 1.891; SE = 0.237; –2 × log = 3070.384; df = 3. Level 1 error variance = 2.136; SE = 0.068. Level 2 error variance = 3.746; SE = 0.563. Reported unstandardized coefficients. Pseudo-R^2 based on Snijders und Bosker (1999)
$^{\dagger}p < .10$, $*p < .05$, $**p < .01$, $***p < .001$

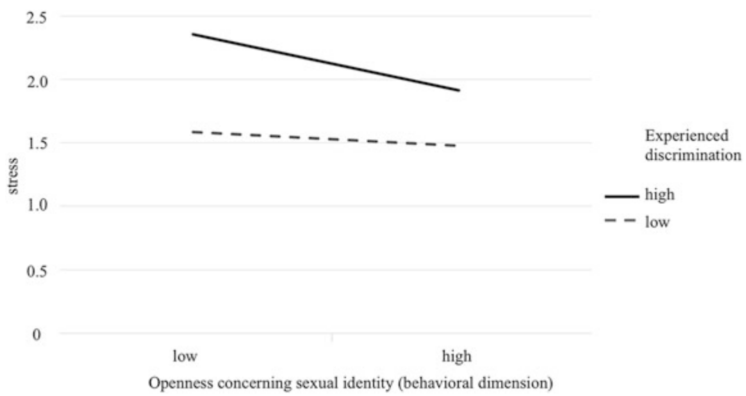

Fig. 4 Interaction of behavioral dimension and experienced discrimination with stress

6 Discussion

This chapter is the first to allow quantitative statements about the interrelation of self-representation as a personality disposition with an open approach to one's own sexual identity. It also analyzes perceived stress on an everyday behavioral level.

As expected, a stronger protective self-representation resulted in less openness on the attitudinal level, while a stronger acquisitive self-representation involved more openness. It was also affirmed that a protective self-representation, via the attitudinal dimension, resulted in less open behavior. The presumption that a higher openness is associated with less psychological stress could be verified for the behavioral dimension. This negative correlation was further amplified by a more strongly experienced discrimination.

6.1 Implications

The type of self-representation seems to be a central element in determining a person's degree of openness. Since only protective self-representation indirectly affects the behavioral dimension via the attitudinal dimension, protective self-representation appears to be a particularly central factor. The fear of social stigmatization characterizes one's attitude towards the handling of one's sexual identity and proves to be the driving force behind behavior in various situations. Findings of a negative correlation between openness and stress complete previous studies by proving that this correlation also exists on a within-person level. A gay man or lesbian woman will experience less stress when exhibiting more openness regarding their sexual identity. Furthermore, it became evident that, independent of the degree of openness, a higher experience of discrimination involves more stress. The difference in stress between employees who are open about their gay or lesbian identity, and those who are covert about it, is reinforced by a high experience of discrimination. Keeping one's own gay or lesbian identity a secret results in extreme stress, since a high degree of self-monitoring is considered to be necessary. This, again, consumes cognitive capacities and brings about a decrease in concentration, and an increase in distraction. This points to previous findings that less open behavior is related to a loss of efficiency (Powers and Ellis 1995; Ellis and Riggle 1995; Ellis 1996; Barreto et al. 2006). These findings emphasize how important it is for organizations to promote a supportive workplace culture, in order to encourage open behavior (Derlega et al. 1993; Chrobot-Mason et al. 2001; Frohn 2007; Köllen 2012) and to prevent negative consequences (Frohn 2007). It is therefore not only reasonable and necessary to accept gay employees from an ethical and legal perspective, but also in the interest of a sustainable and productive business (Frohn 2007).

6.2 Limitations

The use of an event-sampling diary method allows for conclusions regarding the behavior and the inner states of gay employees within their job environment. Its external validity can thus be considered very high. In spite of this, however, some potential limitations arise. Influences of common method effects on the observed correlations cannot be ruled out (for an overview of common method effects see Podsakoff et al. 2003). Participants' implicit theories on correlations and emotional states due to past incidents, or other personal properties, can result in measuring inaccuracies. Generally, correlations could trace back to individual differences in negative affectivity or neuroticism, and the design does not allow for causal conclusions. Further experiments are necessary in order to make a causal statement. In addition, variables were measured through self-reports, as is common in most diary methodologies, but which can of course involve a self-serving bias (Bolger et al. 2003; Ohly et al. 2010; Nohe et al. 2014). That being said, a diary method seemed favorable compared to one-time questionnaires, since it reduces errors in measurement and retrospective bias (Ohly et al. 2010).

The assessed situations were mostly related to conversations with colleagues and were depicted as comparable to previously experienced situations, which made them appear familiar and for this reason probably easier to handle. It should also be mentioned that the participants were characterized by a high level of openness. For interpreting the results it is important to take this into consideration, because for the bulk of the participants, the handling of one's sexual identity is, in all likelihood, a familiar situation. These conditions can explain why a high experience of discrimination and a high openness involve less stress. A longer survey period would thus be preferable, in order to achieve a higher variation of situations. For openly gay employees, more discrimination could result in more stress in unfamiliar situations.

Generally, it should be noted that a gay man or lesbian who exhibits a strongly acquisitive self-representation might interpret a situation differently, compared to an individual who exhibits a strongly protective tendency of self-representation. As a result, they might subjectively perceive certain situations as less discriminating or stressful.

6.3 Future Research

Even though this study provides an important insight into individual personality psychology based dynamics of openness regarding one's sexual identity in the workplace, more research is necessary in order to fully understand the phenomenon. Until now, it has been assumed that the behavior of gay and lesbian employees in different situations is determined by their attitude. This, however, neglects the fact that certain occurrences might result in a deviation from one's usual attitude. This discrepancy could result in more stress due to an emerging cognitive dissonance (for an overview of cognitive dissonance see Festinger 1957)—a case which should be looked at in the future.

This chapter analyzed types of self-representation as a personality disposition for openness regarding sexual identity in the workplace. For a better understanding of the causes which bring about such an open approach, other personal traits such as willingness to take a risk (Clair et al. 2005), or the attribution style (Frohn 2013), and also various motivational structures (Clair et al. 2005; Frohn 2013), would be of interest in the future. In this context, the Big Five should be considered as well, in order to analyze dimensions of personality, and an open attitude and behavior. As the relationship between stressful situations and experiencing stress is strongly explained by the trait neuroticism, which is often described as emotional instability, this can be considered as an important factor with regards to the observed findings on self-representation, openness with one's sexual identity and stress (Bolger and Schilling 1991; for an overview of neuroticism confer Henning 2005).

In the context of the history of LGBT*-movement, lesbians and gay men increasingly assert their sexual identity and demand to be treated in a more appropriate and respectful manner (Frohn 2014a, b). Therefore it makes sense to not only investigate deficits, which focus on stress in everyday work, but also resources and competencies, which are potentially brought about by specific biographical experiences or resilience factors (Frohn 2013, 2014a, b).

Bisexual and transgender people were not included in this study for the sake of a specific focus. A detailed investigation of both bisexual and transgender employees' situations—which have been almost completely neglected in the past—would be recommended for the future. The current state of research needs to be complemented by this perspective, in order to do justice to the social diversity in the field of sexual and gender identity. In the long term, an intersectional perspective of research, which looks at sexual identity, gender identity and also additional individual dimensions and their correlations, is desirable (Frohn 2014a, b).

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The Limits of Inclusion: Stories from the Margins of the Swedish Police

Jens Rennstam and Katie Sullivan

1 Introduction

This chapter explores gay and lesbian police officers' stories of marginalization and the limits of inclusive diversity policies in the Swedish police. Sweden is generally known as a liberal country with progressive anti-discrimination laws, organizational training programs and pro-diversity policies that include zero-tolerance for discrimination based on sexual orientation. Although law and policy are important, equality and inclusion do not only reside on the level of formal documentation. Sometimes organizational policies are more "window dressing" than representations of what is really going on (Alvesson 2013), and diversity training programs often lack local relevance and fail to address ongoing, pressing and sensitive problems (Prasad et al. 2011).

Based on an interview study of gay and lesbian police officers in Sweden, we argue that the limits of inclusion can be found in the stories told by these members. While the formal policy of the Swedish police does not set up any obstacles for inclusion of gays and lesbians, the stories told by the officers provide insight into how stories matter. We support these findings theoretically by drawing on narrative theory and its assumption that stories construct identities (Riessman 2008), thus suggesting that a heteronormative occupational identity is communicated through the officers' stories.

Our empirical material thus shows some limits to diversity expression and comfort despite policy. Based on stories from the 1980s up to the present, we provide insight into how the occupational identity of the police has changed. The stories from the 1980s reveal a culture of explicit exclusion—that is, explicit communication that being gay is not acceptable—and silencing homosexuality,

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forcing homosexual officers to lead a “double life” (Burke 1994). Although this is “history,” the stories still have effects today in their capacity as “cultural artifacts” (Schein 1984; Hatch 1993) that bring the past into the present. The stories from the present are different, however, in the sense that instances of open exclusion are rare. Instead, contemporary stories express more or less subtle marginalization—that is, acceptance of LGB officers as part of the community yet depriving them of full participation—through stigmatization and managerial reluctance to deal with sexuality-related issues.

2 Review of Literature

Overwhelmingly, scholars studying diversity in the police note that police organizations are reflective of a heteronormative masculine culture in which homophobia is built in (Connell 1987; Myers et al. 2004) and that this culture has an impact on how men and women navigate their sexuality at work (Colvin 2009; Myers, et al. 2004). For instance, Burke (1994), who was among the first scholars to empirically study lesbian, bisexual and gay men’s experience in the police, calls the culture “macho” and argues that, “Homosexuality strikes at the very heart of the police status, and the popular homosexual stereotype that the majority of police readily accede to is the antithesis of the machismo that is so strongly embraced within the force” (p. 149). Across studies, common theories develop as to why the occupation of police might overtly demand conformity to a masculine ideal. Beyond culture, such theories include the historical illegality or presumed “deviance” of homosexuality, which police had once been tasked with regulating (Burke 1994), the police’s link to paramilitary organizations and overwhelming male majority (Colvin 2009), and the idea that police organizations often represent conservative elements of society, which are commonly linked to anti-homosexual attitudes (Rumens and Broomfield 2012).

Material and psychological consequences of discrimination and homophobia are cause for concern. Not long ago, Miller et al. (2003) argued, “being an openly gay or lesbian officer meant dismissal from the job” (p. 360). However, since unlike sex and race, sexual orientation is not always apparent, gay men and lesbians face decisions about when or if to disclose their sexual identities to colleagues. Colvin (2009) argues, “each lesbian and gay officer must determine the costs and benefits of coming out at work” (p. 89). Psychologically, living what Burke (1994) refers to as a “double-life,” where one is “closeted” at either home or work, can lead to mental distress and an inability to function at work or to form healthy relationships. Yet, officers who do come out at work often face subtle discrimination and fears that not being “straight” will impact formal promotions (Belkin and McNichol 2002).

Several societal and organizational changes have occurred that positively promote the inclusion of LGB officers in the police force. Rumens and Broomfield (2012) suggest that like in the U.S., the UK police services have faced political pressure to decrease organizational sexism, racism and homophobia. Many police agencies actively seek to increase the diversity of their workforce in order to create better connections with the community, including gay and lesbian populations (Belkin and McNichol 2002), which connotes that gay and lesbian officers are uniquely qualified to act as community-liaisons for at risk populations. Slansky (2006) theorizes that as the demographics of the police change to be more inclusive, it has a range of benefits, including challenging endemic homophobia within police organizational cultures. A key finding of Rumens and Broomfield's (2012) study is that today, gay police officers do not expect to be stigmatized and they actively seek opportunities to disclose their identity and adopt strategies of identity integration, leading to healthier psychological outcomes for gay police and greater opportunities for cultural change in the organizational culture of police agencies.

Although scholars point to positive trends toward greater diversity and inclusion, all are quick to note that problems still exist. Miller et al. (2003) explain that the recent trend toward inclusion of "outsiders" in the police does not, on its own, challenge the heteronormative culture and they report that overt discrimination has been replaced with more subtle recriminations for homosexuality such as the widespread sharing of anti-gay jokes, slang or graffiti by members of the police. Belkin and McNichol (2002) suggest that participants in their study see these as "reflective of ignorance rather than personal attacks" (p. 80) Regardless of intent, gay officers in Colvin's (2009) study reported feeling social isolation or like outsiders in their departments.

On the whole, despite progress, scholars agree that there is more work to do to make sense of and change the culture of subtle exclusion that seems to permeate the police. It is in light of these shortcomings that we search for insights in the stories of gay and lesbian members of the police community.

3 Method

The data used for this chapter was collected by the first author (Jens) between September 2014 and October 2015, when 13 gay or lesbian police officers were interviewed. The participants were selected through a type of snowball sampling. For other purposes than sexuality in organizations, Jens interviewed one of the participants, who made him aware that there are very few openly gay male officers in the Swedish police. This triggered our interest in the role of sexual orientation in the police, and Jens decided to search for more participants. He did this by contacting the Swedish Gay Police Association, and had them send out a request for interviewees on his behalf. Five people responded, and the other respondents were selected based on referral from these five.

The interviews lasted between 1 and 2 hours and were framed as discussions around the respondents' experiences of becoming and being police officers. In the analysis of the data, we searched for stories, broadly defined as narratives from the respondents containing at least two events in a sequence ("first this happened, then that happened," as Riessman 2008, p. 84, puts it). Thus, a story is characterized by the possibility of asking, "And then what happened?" As a result, we could identify stories with different themes, such as exclusion and stigmatization.

The empirical material below is in the form of stories collected from the respondents. The stories are sorted based on a rough chronology; we define them as "old stories" and "new stories." The old stories are from the 1980s and 1990s, and the new ones are from the 2000s.

We chose this division because, like other scholars (Miller et al. 2003; Slansky 2006), we noted a general shift from exclusion in the old stories, to marginal inclusion in the new ones. By exclusion, we mean that the stories bear witness of concealment, persecution and stigmatization. In short, they indicate that gay officers were not welcome in the police organization. Marginality, in turn, refers not to complete exclusion but "a condition of being deprived of *full* participation" (Prasad et al. 2007, p. 170, our emphasis). By marginal inclusion, thus, we mean that the stories bear witness of inclusion, although not full participation, because the inclusion is kept in the margins by heteronormative practices and occasional mockery of homosexuality. A key difference between the old stories and new stories was the reactions gay and lesbian officers have toward discriminatory speech and actions.

4 From Exclusion to Marginality: Stories from the 1980s to Present

4.1 The Formal Story

Formally, there is little doubt that the Swedish police endorse equal opportunities and diversity. In the *National Policy and Plan for Diversity and Equal Opportunities* it is stated that

> the police should be an attractive workplace with work that suits all employees regardless of sex, gender identity or -expression, ethnicity, religion or belief, disability, sexual orientation and age (The Police 2010: 4).

Statements and actions taken by top managers within the police support such formal texts. For instance, police managers have participated in gay pride-parades and often emphasize in media that there is "zero tolerance for xenophobia, homophobia and sexism" (Sydsvenskan 2009).

Furthermore, the Swedish police occasionally take the opportunity to improve the police officers' knowledge about equal opportunities, diversity and human rights. For instance, at a national level and based on input from about 20,000 employees, the Swedish police have developed "core values," including the recognition of everybody's equal value, which are intended to guide the operative work (The Police 2015). More specific measures have also been taken, such as a diversity-training program called "The role of the police in a multi-cultural society," which was followed by the first author. This program was funded, in part, as a result of a survey that indicated a lack in "knowledge among police employees with regard to LGBT-issues" (Polismyndigheten i Skåne 2012, p. 2).

Thus, at the formal level, the police have no tolerance for exclusion or marginalization based on social identity. They state this publically, they spend money to come to terms with the problems that do exist, and show regret and disappointment every time there is an occasion of malpractice with a sexist, racist or heterosexist connotation.

It is not mainly the formal story that interests us, however. Informally, it is less clear that members of the Swedish police consistently "live" the values communicated in public documents. In order to get beyond the somewhat superficial statements about equal opportunities and occasional training sessions, we turn to the stories told by gay and lesbian members of the police organization. These stories communicate a more complex picture, characterized sometimes by exclusion and stigmatization, but also voice and inclusion.

4.2 Old Stories: Stigmatization and Exclusion

In the 1980s and 1990s, formal policies around sexual orientation were rare. Discrimination of homosexuals became unlawful in Sweden in 1987. Discrimination in the workplace was not unlawful until 1999, however, and there was little incentive for employers to work actively for inclusion, and sexual orientation was rarely spoken about as a phenomenon within the police.

4.2.1 Exclusion

But the stories from the 1980s and 1990s did not only communicate silence about gayness. They also communicated *exclusion*. That is, they *explicitly* communicated that being gay was not acceptable. One story, referring to the 1980s, was told by three different officers on duty at the time. The story depicts a rumor about a gay officer who, as the story goes, had sex with an officer on the SWAT-team ("Piketen" in Swedish.), and how the commander of the team went berserk as a result.

This excerpt below is from Lars, who is also the one accused of having sex with the officer from the SWAT-team:

> The worst thing I've experienced was, some time in, I think it was in 1986. I was at, well we were a bunch at Vickan [a restaurant] And then it was ... then we were a group of people who went to my place afterwards. And then one of the guys there, after everyone had left, one of the guys, he came back. Rang the doorbell. And he said, "Lars, I want to try it out," he said. He worked in the SWAT-team. Very handsome guy. And I had never even given it a thought you know, that ... oh well ... so then I guess we had a rendezvous. And ... when I told [my friends], that "yes, that's right, I scored alright." And they laughed and all that.

But then it came *out*. And you know it was such harassment. So … what's his name now, well a guy, he's still in the police, the commander of the SWAT, he definitely didn't like gays, and still doesn't. But he gathered people in the meeting room, there was about 30 police officers, for, you know, a "hate meeting." I asked myself whether he was going to beat me up. [. . .] I was at the police station at the time [but not at the meeting], and it was really a "hate meeting," and you know, nobody agreed with him. And you know, it was so serious that I went to the commander, Nils Larsson, now deceased, and said that this is a work environment issue, "you've gotta fucking do something," I said, "I will not put up with this" (Lars).

There are different versions of this story. The most extreme version, told by Anna, a lesbian officer who used to work in the same team as Lars, includes the absurd rumor that the gay officer had sex with everybody in the SWAT-team, in a sauna. Anna told the story after telling about how she did not want to come out in the 1980s and how she lied about having a boyfriend. When Jens asked, "So you thought coming out would have negative consequences?" she told about the rumors surrounding her team, which was given the nickname "the g-team," as in "gay-team."[1] Anna continued:

Yeah, yeah, yeah. Everything was very negative. In this g-team, the SWAT in the g-team, as I said, it was called the gay-team, one guy would have banged the whole caboodle, in a sauna. And that's "fantastic" you know, banging a whole SWAT-team, it's just men, he-men, that they would have been banged by a gay guy.

Anna explained that the rumor had circulated both inside and outside of the department:

We even heard it at the police academy when we were there to take courses. "Yeeeah, you're from Söder, fucking gay-team" [in exaggerated Stockholm dialect]. So … and there were many [rumors]. It was completely crazy really. The commander of the SWAT, he comes in at a briefing, looking for the guy who would have banged them all. Luckily, he wasn't there, because the commander would have killed him, in public. And he's even higher up in the hierarchy now. So I don't give much for bosses you know. Not the ones from my generation, at least.

Both Lars and Anna's stories highlight exclusion based both on material and discursive realities stemming from sexual orientation. Lars' casual sexual relationship became fuel for anger after it came out and it continued to function as a rumor that, at the very least, cautioned other gay officers about what might happen, *should* they come out.

Other stories of exclusion are more direct, such as Jane's recollection of a meeting with her supervisor in Malmö in the 1990s. Jane had not yet come out and was just about to finish her training to become a police officer. She recalls being berated by her supervisor for being a lesbian:

Then, it started like this for me, when I was a cadet, some of my first few months here in Malmö, I was called to the one who took care of us, he was our supervisor. And I had to sit down in his room, and he told me then that he had heard a rumor that I [light laughter] had a

[1] The teams were actually called a, b, c, d, e, f, g-etc. Thus, the team was really called "the g-team," which, by those interested in circulating the rumor, was conveniently turned into "the gay-team."

> penchant for women. And then I got pretty scared. I felt that this was not good, so I said "no, that's not the case." And then he grilled me for quite a long time, an hour or so, and explained that there were many people who had claimed it and that they had seen me in town and what not.
>
> And I asked, "But, is there a problem with this? What could happen? You know, if this were the case, what could happen then?" Well, it wasn't good and so on [he said], and I kept denying it because I was afraid I would lose the job. I knew that they wouldn't say that its "because you're gay," but they would say because you're too tall or too thin or too fat or too ugly or too blonde or whatever. So I denied it then.
>
> And the last thing he said to me before I went out was that "Well, I see that I can't get you to admit this. But I want you to know one thing, that if this is the case, then you will get a hell here." So with those words, I went out and finished my time as a cadet. And of course, it did not help me feel more ready to be open with my sexual orientation, but I hid it for another few years.

Both of these stories explicitly communicate that being gay was not accepted. Accusations of homosexuality could lead to interrogation, threats from superiors, and mocking from peers.

4.2.2 Stigmatization

A second category among the old stories contains elements of *stigmatization*. That is, the stories communicate that being gay or being associated with homosexuality is something bad, it leaves a mark of disgrace. In Goffman's terms, stigma refers to "an attribute that is deeply discrediting" (1963, p. 3).[2]

Niklas, a gay officer in his 50s, exemplifies stigmatization. When we talk about men and women in the police organization, Niklas, says that he thinks men worry more about what their colleagues will say and they fear being seen as unmanly. He tells a story from the 1980s where they talked about how they had to put a colleague "in quarantine" because he had worked with a gay colleague.

> I remember in the 80s, there was this guy who was suspected to be gay, he had worked with a guy from this work team. So they said like this [in the work team]: "We'll have to put Robert in quarantine cause he's worked with the fag." And when people say things like that, you just don't gain any self-confidence. Very very negative. But at this time, they rarely showed gay people on TV, and when it happened, there was an outcry in the lunchroom. People went, "Yuck, they're sooo disgusting" (Niklas).

Stigmatization was, in fact, common also in the contemporary stories, as we shall see further below.

[2] Note that Goffman points out that stigma is a relational phenomenon. An "attribute," such as gayness, may be constructed as discrediting in some relationships, but creditable in other. Being gay may thus be seen as both a resource and a burden.

4.3 New Stories: Stigmatization and Voice

As noted above, in the 2000s, the formalization of "diversity" increased. In Sweden, laws made "diversity plans" obligatory, through which authorities are legally obliged to work actively against discrimination (SFS 1999, p. 130; SFS 2008, p. 567). From approximately 2005 onward, diversity was a central concern, as evidenced by the development of national plans for diversity and equal opportunity within the police (The Police 2008, 2010; see also Wieslander 2014).

These formal changes sparked informal change. Interviewees commonly told stories of acceptance and inclusion. In fact, many interviewees said that they rarely experienced problems on an everyday level and some shared that the workplace had been a site for support. For example, one male officer told about how his colleagues were very supportive and positive when he came out. Also, many interviewees mentioned a top police manager who stood up for the right of the members of the Gay Police Association to participate in the Gay Pride in uniform.

The stories below illustrate how in many informal contexts it has become illegitimate to be openly anti-gay. *Explicit* exclusion seems to have waned; yet stigmatization persists. However, key insights from officers' stories suggest that it has become legitimate to protect or give voice to LGB rights and -issues and how the risk associated with speaking out for pro-diversity has diminished.

In the following story Thomas recalls his manager calling him a "fucking fag" in a sauna. While the story clearly illustrates how being gay may still be constructed as a stigma, it also shows how it is possible to speak back in a more open fashion than in the past. Thomas shares this as he talks about police culture, calling it macho. The following story from 2008 illustrates his point:

> And I have gotten in a lot of fights, in fact, that has been damn tough. One of my bosses, he was not my direct manager but actually head of another department. I know how he was talking shit about me in the sauna at a beer night. And I have quite a few friends in the police, so it's hard to talk shit about me without me knowing about it. So I knew exactly what he had said, and he said, "that fucking fag, we have to make sure that he gets away from Stockholm," and from his district. And I got so damn mad that when I heard it, I went in to my boss and told about this and I said "I want you to bring him here and we'll have a talk about this. The alternative is that I will report him. I have never reported any police ever but I'm gonna fucking do it if this damn old man won't apologize." So my boss, a woman, actually called him and said "you'll have to come over here." And he came, and I sat there and I said, "I have heard what you have said, and I just want to know if it is true and what you think about it." And then he said "Nope, that's not the case." "Nah, but ok [I said]. There's two people who were in that sauna, who heard what you said, and who have talked to me, and they are ready to support me on this, so then I do not have any alternative. I will report you, then you're screwed." *Then* he told me that he had been drunk, he didn't mean it and sorry and blablabla. He is still one of Stockholm's top police chiefs.

Similarly, a story from 2014 also reveals tensions. An "LGBT-network" was started in southern Sweden to support LGBT-persons within the police, which included informational posters. However, some members of the police both tore down the posters and mocked them by posting over the ads with an ad for a cycling lotion called "the butt savior." After that happened, Emma, one of the members of the network, responded by sending an email to all employees in the region demanding action from her superiors. The superiors responded by putting a post on the intranet, explaining that this type of behavior is unacceptable and that the core values of the police would be discussed at all work meetings in the region.

These stories and others illustrate that anti-gay behaviors are not taken lightly and that gay and lesbian offers are often swift to respond and reticent to simply let anti-gay speech and behaviors go. Yet, management does not always respond. The following story where homosexuals were called "a cancer on society," illustrates stigmatization as well as management's reluctance to deal with the issue of sexual orientation. In this case, management's reaction was nonchalance. Jane, the lesbian officer, recalls overhearing a discussion in the lunchroom in 2011 between a senior officer and junior cadet, where the former discussed Jane's sexuality when he thought she had left the building, ultimately declaring his dislike for homosexuality. Jane explains:

> So they didn't see me, and I did not see them either, but I could hear their conversation clearly. And then the senior policeman says to the younger woman, "do you know her?" "Yes," she says, "I do." "Yeah, it's a brave girl," he says. And then I grow a little, thinking that's nice to hear. Then he says "yes, but I don't like her way of living." "What?" says the cadet, "what do you mean?" And the cadet knew how I lived, we had talked about it. "Nah," he said, "you know, homosexuals, they're like a cancer on society."
>
> And then I was like, you know, you can hardly believe it's true. You have to pinch your arm and ask "did I hear that right?" But I know I heard right, there's no doubt about it. And then he went on talking about the core values of the police and everything. And normally I would have gone in there and said "you know, what's this? I think we'll have to talk about this." But on this Friday afternoon I was tired and needed to go home and we were off to the country and I just felt, "I don't have the energy to take this battle, I just don't".
>
> So I sneaked out. I had heels that day so I took them off and sneaked out so they would think I had left long ago. And then when I enter the yard, then, well moreover, it was Friday afternoon and I was thinking that there is not a manager in the whole building and taking that conflict with him, well, I didn't feel like it. But then in fact, the third highest manager of the authority, a woman, steps into the yard. She looks at me and says "you look weird, did something happen?" And then I tell her what happened and I'm thinking, "Oh, how nice she came, now she'll deal with this." But she didn't. She just said, "Ah, never mind Jane" and "go home and have a nice vacation." And then she rode away on her bike.

Here, Jane's story makes clear that not all formal polices were enforced or taken seriously by management. Yet, below we see that officers are also more likely to find other formal outlets to curb discrimination. Jane continues:

> So . . . but I couldn't do that. So I called my boss, and then I went home and I wrote a, well, a memo, one might say, of what had happened and then I sent it to the police authority. And, to make a long story short, then they must act. But it took four days before they reported it, and they forgot to indicate that it was a hate crime. And when it came to the prosecutor the information was rather weak, which meant, I suppose, that the investigation was closed, nothing came out of it. I appealed to, what's it called, The National Police Related Crimes Unit (Swedish: "Riksenheten för polismål"). But my email, they said, did not get through.
>
> So it was never appealed. What the police authority in Skåne decided to do when it came to this matter was that the police chief would have a conversation with this guy. If that has taken place, I have no idea. The man then went into retirement. But before he did, he kept working in the police reception. That was his work place, the reception. Which I think is

> pretty scary because that's where everybody goes who wants to report something. And that includes gay men or women who have experienced everything from rape to whatever it may be. And they meet him, who apparently holds this opinion, and that's very scary I think.

Jane's story shares similarities with the sauna and poster stories, but the reaction from management is more reluctant. It was not until Jane wrote a formal report, which, by law, requires the police to act, and the media reported on the story, that the police picked up the incident for consideration. There is thus still tacit acceptance for anti-gay sentiments from the part of management. In Jane's story, she was not explicitly silenced, but it was understood that she shouldn't worry, or give voice to, sexuality related issues, advice she swiftly disregarded by writing a report that got picked up by the media.

5 Discussion: Marginalization Rather than Exclusion

Lesbian and gay men's experiences of work continue to be relatively under-researched (Bruni 2006; Gusmano 2008; Rumens and Kerfoot 2009). Our study has sought to remedy this by exploring the stories gay and lesbian officers tell about exclusion and inclusion at work. Our chronological outline shows that although there was occasional support, the stories from the 1980s and 1990s were characterized by explicit exclusion and stigmatization. They portray antigay behavior and attitudes as legitimate and speaking out as associated with high risk. Contemporary stories about explicit exclusion seem to be rare, or gone. Instead, exclusion today tends to be tacit, accomplished in informal settings (such as saunas) and through reluctance to deal with sexuality related issues and therefore were similarly characterized by stigmatization of homosexuality. Yet, in contemporary stories we also see an increase in officers' voices and their ability to put their stories to use to change discriminatory behaviors.

Compare the story of rumors that a gay officer had sex with the entire division with the story of changing a poster, for instance. In the former, it was a manager who "went berserk," little was done by other managers to calm the situation, and the gay man, reticent to formally speak up, was accused of (sexual) malpractice. In the poster-story, management took action, after being pushed by Emma, who clearly pointed out that mocking people because of their sexual orientation is unacceptable. Then, on the other hand, there is the contemporary story where a supervisor equated homosexuality with a cancer, in which the police management did not act until a formal complaint was registered and the story was picked up in media.

A key distinction between the old and contemporary stories is what stories accomplish and how voice is engaged. In the older examples, stories take the form and shape of rumors by functioning as covert disciplinary reminders that being gay or lesbian is outside the proper scope of the occupation of policing. However, in the newer stories, even when anti-gay sentiments are present, officers *use* stories to engender change. In other terms, the "LGB-voice" is treated quite differently. In the old stories, it is treated as illegitimate. In the new stories, LGB-people, first of all, tend to speak out more often and with determination. In addition, *overt* ignorance of the LGB-voice is not legitimate today. For instance, when media found out about the cancer-story and made it public, this became a problem for the police management. However, stories still reveal managements' reluctance to deal with issues of sexuality. This covert ignorance may make it more difficult for LGB-people to construct a legitimate identity within the police. As Ward and Winstanley (2003) note: "By not being talked about, events are starved of the oxygen which would breathe life into them and give them meaning. By ignoring alternative sexualities, by refusing them the currency of social discourse the organization makes it more difficult for sexual minorities to construct an 'out' social identity" (p. 1269).

Overall however, our study indicates a move away from exclusion and overt stigmatization of LGB people, toward marginalization. LGB people are rarely *explicitly* excluded—they tend to be seen as part of the police community, yet positioned in the margin. They are formally included, and most of the time informally so, but still every now and then reminded, through activities such as the ones communicated by the poster-story or the cancer-story, that homosexuality belongs in the margins of the police identity.

5.1 The Marginalizing Power of Stories

Our data shows that many gay police officers can recount stories that signify or show that the specter of discrimination infiltrates the present and reveals the limits of inclusion. Even when the officers do not express personally experiencing marginalization and despite the fact that these stories are exceptions quantitatively, they appear to "do" something—they have marginalizing effects that make an imprint in people's memories. This dynamic often necessitates navigating the past and the present conditions. The stories suggest that it is often the past that makes officers uncomfortable in the present. But it is the present that encourages officers to take a stand.

Our analysis reveals that stories "last," they are historical artifacts that carry with them the "specter of exclusion" that still says something about the legitimate occupational identity of the police. Stories are connected to sensemaking about identity (Riessman 2008). They help their carriers to create coherence and rationality by reminding them of previous experiences that are used to make future decisions (Czarniawska 1998, p. 15; see also Riessman 2008; Gabriel 2004). Therefore, we argue, the stories of exclusion and stigmatization contribute to the marginalization of LGB people in the police organization.

Our stories also contain an explanation of why it takes so much time for change to happen even in relatively liberal countries like Sweden. Although the Swedish police are formally inclusionary, the stories bring in the not-so-liberal past and remind us that sometimes inclusion is merely a façade. Arguably, it is not until the stories encounter resistance from counter-stories that their marginalizing power cedes. Counter-stories are slowly accumulating, and we may talk about a certain degree of "de-stigmatization" of homosexuality.

5.2 Practical Implications

There are several practical and managerial implications to our study. Rumens and Broomfield (2012) suggest that like in the U.S., the UK police services have faced political pressure to decrease organizational sexism, racism and homophobia. Sweden is no exception to this trend. The Swedish police have formal arrangements in place. However, policy and training programs rarely seem to pick up lived experiences, but focus more on general information about rights and values. Often, the sensitive issues that stories bring forth are glossed over in so called "diversity training" (Prasad et al. 2011).

We argue that more work needs to pay attention to marginality, or the ways in which gay and lesbian officers experience marginal membership and working on the margins. Most stories operate informally. They are passed down from person to person or group to group, changing shape and slowly gathering accord as time passes. Management may or may not know about the stories that infiltrate a department. However, this is crucial knowledge for successful cultural change. Managers must know which stories float around their employees' consciousness, and more importantly, they need to have an understanding of what these stories "do," such as spread fear, discipline workers or tacitly condone anti-gay sentiments. Or, alternatively, stories can be a catalyst for productive organizational change and encourage workers that support can be expected.

In order to collect stories in a safe and effective manner, police organizations would benefit from hiring an independent organizational ethnographer trained in observing and obtaining stories to collect and track organizational stories over time. Practically, this would offer organizations problem identification and information about how well their diversity programs are received, understood and taken-up by officers or how and when stories gain or lose power. The key is that managerial adjustments to diversity protocols can take place at the individual and group level, simultaneously mitigating and harnessing the power of stories. Ethnographers have specific knowledge in how stories are constructed by culture, how they "make" and "unmake" cultures, and how marginalization is built into the culture of organizations (Prasad et al. 2007). Such a view can be used to spark discussions with managers about how organizations can think of and work with stories to create a culture of inclusion.

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The Career Development of Bisexual Sex Workers

James D. Griffith, August Capiola, and Lucy Gu

1 Overview

This chapter aims to apply a conceptual framework of career development to bisexual female sex workers. The focus of the analysis is on the intersections of self-efficacy, outcome expectations, and interests, as well as the influences of the environment on the development of career-related interests and the translation of those interests into choices and actions. We look at the factors that influence the development of self-efficacy beliefs and outcome expectations and the impact of support systems on the translation of interests to career choices. The chapter examines female sex work, largely focusing on pornography actresses and escorts from urban areas in the United States, and some from Europe. Data used in this chapter are from studies published by the author as well as other researchers. Unfortunately, studies collecting relevant information pertaining to the career development among sex workers from other areas (e.g., Africa, Asia, South America) are unknown to the authors or do not yet exist. Studies from those geographic areas tend to focus on exploitation, HIV rates, and other negative consequences of sex work.

Sex work does have some universalities associated with it, although there are cultural differences as well. One of the purposes of this chapter is to provide a step in understanding the career development of bisexual sex workers that are largely from Western cultures in an effort to provide a framework that can be later tested or

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applied to sex workers from other geographic areas, when that data becomes available. Thus, sex workers not included in this chapter are on the basis of accessibility. Bisexual women involved in sex work are of a particular interest because it may be one of the few occupations in which a bisexual orientation represents the majority of individuals in the profession, as was reported among American pornography actresses (Griffith et al. 2013b). It may be the case that a bisexual orientation may provide an advantage in sex work, which is contrast to what has been reported in studies that examined other professions (e.g., Meyer 2003).

2 Sex Work

Sex work is the exchange of sexual services for compensation as well as the sale of erotic performances or products. It includes both direct physical contact between buyers and sellers (e.g., prostitution) and indirect sexual stimulation (e.g., pornographic film). The consumption and reach of these services and products is enormous. For example, it is estimated that more than $13 billion was spent on the sex sectors in the United States in 2006 (Ropelato 2006). Approximately one in four Americans watched an X-rated movie in 2008 (Davis and Smith 2008) and approximately 15 % of men in the United States, Australia, and Europe (Davis and Smith 2008; Rissel 2003) have solicited services from a prostitute. And of course, the internet has provided a platform to access these products and services in a much more efficient manner compared to time periods in which internet use was not yet mainstream. There are countries where the selling of sexual services and products is legal and regulated whereas in other countries it is illegal so there is certainly not a consistent pattern of acceptance. In summary, sex work is a worldwide industry that sees billions of dollars in transactions on an annual basis which has a diverse number of workers and clients. Public opinion of sex work in Western societies is largely negative (see Weitzer 2011) and is often viewed as immoral or deviant. As such, workers and clients of the sex trade are typically stigmatized accordingly, but certainly not enough to reduce or eliminate commerce in the industry. For the most part, pornography actresses and escorts typically use pseudo names in an effort to mask their identity and not draw attention. Likewise, individuals who watch pornography and solicit the services of escorts often do so in secrecy or at least it is rarely public knowledge. Thus, much of sex work may be conceptualized as occurring with a shroud of invisibility because it seldom happens in the limelight.

According to Weitzer (2011), there are three paradigms in which to view the sex trade industry which include oppression, empowerment, and polymorphous. In general, much prior research on female sex workers has focused on negative dimensions of their work which has included emotional difficulties in coping (e.g., Sanders 2005), substance abuse and contracting sexually transmitted diseases (e.g., Vanwesenbeeck 2001), as well as violence associated with their occupation (e.g., O'Doherty 2011), and it appears as though these are the types of studies that may gain the most press in popular media. This approach largely follows an oppression paradigm which focuses only on the negative aspects of the sex trade and regards it as exploitation rather than an occupation. A second perspective is termed the empowerment paradigm and emphasizes that the delivery of sexual services are in fact a type of occupation that may improve a person's socioeconomic status and has advantages over other types of occupations. Studies have shown that many sex workers have willfully chosen to enter the industry and it is not entirely out of economic need but also because it gives them control over their careers, autonomy, flexible work schedules, and they enjoy their work (e.g., Griffith et al. 2012; Zatz 1997). The third perspective is termed polymorphous and does not look at sex work in a unidimensional manner. Rather, this approach views sex work as a complex and diverse industry that varies within and across cultures and has different structural and organizational components.

Thus, factors such as victimization, exploitation, job satisfaction, self-esteem, and other variables vary depending on the nature of the sex work, where it occurs, and under what kind of conditions. Certainly, another dimension to consider is who is providing the sexual services and to whom. More specifically, in terms of their sexual orientation, sexual services can be exchanged between many combinations of heterosexual, lesbian, gay, and bisexual individuals. In an effort to narrow the scope of the possible combinations, this study focuses on bisexual female pornography actresses and escorts. At the time of this writing, the authors were aware of only two studies (i.e., Capiola et al. 2014; Griffith et al. 2013b) that examined bisexual sex workers and in both studies, women with a bisexual orientation fared better either financially or psychologically compared to their heterosexual counterparts. The authors were unaware of any studies that examined sex work among women from a career development perspective.

3 Social Cognitive Career Theory

One of the more recent models of career development is referred to as Social Cognitive Career Theory (SCCT) and was proposed by Lent et al. (1994) and has been applied to various occupations. This model represents a convergence of social and cognitive perspectives of career interest, choice, and performance. One particular appeal of this model is that it was intentionally developed to be used in guiding inquiry on typically underrepresented populations in career theory such as women and racial/ethnic minorities and it has been applied to lesbians and gay men (Morrow et al. 1996). In essence, SCCT provides a model that explains how career interests develop across the lifespan, how those interests are morphed into goals, and how those goals are transformed into career behaviors.

A brief description of SCCT will be provided in an effort to provide structure to examine how the career development of bisexual female sex workers fits the model. This theory was developed largely based upon Bandura's (1986) triadic reciprocal model of causality. Bandura's model postulated that there are three components of causality which include attributes of the person (e.g., internal factors such as cognitive and affective states), environment (e.g., external factors such as who one works with), and overt behavior (e.g., what someone actually does). These three components are believed to be interactive such that they are all connected and influence one another. Lent et al. (1994) used those terms to provide a framework to conceptualize how career interests develop, how interests and other factors influence career-related choices, and how individuals attain different levels of performance in their career pursuits.

SCCT posits that there are three basic interconnected social cognitive person variables that individuals use to regulate their own behavior which include self-efficacy beliefs, outcome expectations, and personal goals (Lent et al. 1994). Self-efficacy is conceptualized to be an evolving set of self-beliefs related to specific activities and performance indicators. SCCT suggests that efficacy beliefs may be acquired and modified through four sources which include: personal performance accomplishments (e.g., success and failures on a given task), vicarious learning (e.g., observing co-workers), social persuasion (e.g., being influenced by others), and physiological states and reactions (e.g., being in an aroused state while completing a task). It is noted that efficacy beliefs are largely associated with how the four sources are appraised. The belief that an individual can perform a certain task associated with a career path is an outcome expectation. In other words, it involves the beliefs associated with the consequences of performing particular behaviors (e.g., I may be able to earn more money in pornography if I have sex with both gender). It is believed that outcome expectations are largely acquired through vicarious learning and is a combination of extrinsic reinforcement and internal satisfaction. Personal goals refer to the degree to which an individual engages in the necessary activities to produce a specific outcome. When an individual set goals, they are better able to organize and direct their behaviors. These three factors are interconnected such that SCCT predicts that individuals select goals that are consistent with their beliefs about their personal capabilities and the probability of outcomes associated with their actions. Further, succeeding in attaining one's goals is related to an increase in self-efficacy and outcome expectations within the specific work domain.

Self-efficacy, outcome expectations, and personal goals represent the key factors in SCCT. These factors are postulated to be important when looking at three segmental models which include vocational interest, choice, and performance. Each of these models assumes the interplay between self-efficacy, outcome expectations, and personal goals in the context of career choice and development.

3.1 Vocational Interests

Individuals are exposed to a variety of activities, both directly and indirectly, that may be related to a career path. They also receive reinforcement and punishment from parents, teachers, peers, themselves, and others in pursuing activities (e.g., participation in sports or the band) and for achieving varying levels of performances in those activities. Through repeated practice and feedback of those activities, individuals form a sense of efficacy for particular tasks and acquire certain expectations about the outcomes of their performance (Lent and Brown 1996). This model predicts that self-efficacy and outcome expectations on given activities are associated with the formation of career interests. In other words, one who is interested in an activity when they view themselves as good at it will anticipate that performing it will produce valued outcomes (Bandura 1986; Lent et al. 1989). If you are good at something that you like, you expect that it will be worth something.

In an examination of comparing bisexual and heterosexual pornography actresses, it was reported that bisexual actresses first had intercourse at an earlier age, enjoy their work more, enjoy sex more, and have more partners outside of the pornography industry, compared to heterosexual actresses (Griffith et al. 2013a). A limitation of applying that data to the SCCT is that age of first intercourse was a retrospective account and the other factors were measured in the current day time frame. However, certain associations may be postulated based on the data. First, bisexual actresses reported their age of first intercourse to be at 14.8 years old and they had more partners during the past year and in their lifetime compared to heterosexual actresses. This pattern is a common finding that bisexual women report intercourse at an earlier age than heterosexual women and have more partners as has been found in the general population (Breyer et al. 2010; Kuyper and Vanwesenbeeck 2011; Laumann et al. 1994; Lindley et al. 2008). It may be the case that bisexual women in pornography have an interest in sex as demonstrated by having sex at an earlier age and enjoy the activity as evidenced by their ratings of enjoyment of sex higher than heterosexual actresses. We do not have the data for those early sexual interactions but it is possible that positive associations were developed such that they enjoyed engaging in sex and they may have perceived their partners as enjoying the activity as well. This assumption does not seem to be too far reaching.

It is conceivable that reinforcement for sex was provided because if one engages in sex with a partner, and that partner requests sex again, that request in itself can be reinforcing. Regardless if the individual was a top "performer" or not may not be as relevant because the feedback that may have been given is that partners wanted to have sex which may be related to reinforcing the behavior and increasing self-efficacy if in a consensual manner. In relation to the model, practice efforts provide a pattern of attainment which can serve to revise self-efficacy and outcome expectation within an ongoing feedback loop. In other words, the actresses continue to have sex, receiving positive feedback, increasing their self-efficacy and knowing that they are pleasing their partners and more people want to have sex with them. It is obvious that once in the pornography industry, this pattern can certainly accelerate because of fans. Specifically, porn actresses have fans that purchase videos, want autographs, subscribe to their websites, and express their desirability in the behavior of sex. And of course, the act of sex in very typically associated with physical and emotional arousal which is also related to stronger self-efficacy beliefs.

Self-efficacy beliefs typically form prior to one's identification of sexual orientation (Morrow et al. 1996). This may be particularly the case for bisexual women. Diamond (2008) reported that it is common for women to develop same sex attractions and begin identifying as bisexual many years after reaching adulthood which is referred to as "sexual fluidity". Unlike most men, many bisexual women reported that their first experiences of being interested in the same gender occurred because of situational variables which may have been falling in love with a female friend or spending time with gay men or lesbian women. As such, it may be the case that lesbian women may have a childhood where they experience being perceived as "different" by others and that may restrict opportunities to develop self-efficacy beliefs related to their sexual orientation. It is possible that unpleasant associations with being perceived as different may lead to negative outcome expectations related to behaviors that further draw attention to the child's differentness. Thus, the range of interests otherwise available to the child may be restricted, leading to an equally restricted behavioral repertoire. An environment supporting uniqueness may provide a broader range of activities for the child to pursue. This same restriction may not be as pronounced for bisexual women. Assuming a bisexual orientation is expressed while, say in adolescence, that person would most likely not be perceived "as different" as for example a lesbian as the same age. The young bisexual girl may be less "different" compared to a young lesbian and probably have a less restricted opportunities to develop interests across many domains.

Bandura (1986) theorized that self-efficacy described perceived capabilities whereas self-esteem referred to an affective evaluation of self-worth and that they were not necessarily related. However, Morrow et al. (1996) conducted a study on college students and reported that among women, global self-esteem was related to career decision-making self-efficacy and skills confidence, which suggests there is overlap between the constructs. Self-efficacy beliefs in the SCCT model refer to one's belief in one's ability to carry out actions to reach specific goals. There are believed to be four sources of these beliefs (Bandura 1986) which include personal performance accomplishments, vicarious learning, social persuasion, and physiological mechanisms (i.e., arousal). In other words, people develop career interests for activities in which they feel efficacious and for activities that they perceive will provide positive and desirable outcomes (Morrow et al. 1996). Although individuals may develop a variety of vocational interests, at some point they are going to have to select an occupation and because of a negative societal stigma associated with sex work, why would a woman enter the industry?

3.2 Occupational Choice

It is probably the case that few women have consistently wanted to be sex workers from an early age. If supportive environmental conditions exist, SCCT assumes that career interests tend to orient them toward particular fields where they might perform preferred activities and might interact with others who are like themselves in important ways (Lent and Brown 1996). In other words, individuals may seek occupations where there are like-minded people. Two thirds of women in the study that examined pornography actresses (Griffith et al. 2013b) identified as bisexual and the majority of heterosexual women had sex with women as part of their job. The involvement in an occupation associated with pornography is viewed as deviant by society and those involved in the industry are part of a very supportive group not typically open to outsiders (Abbott 2000).

At a societal level, pornography is a multibillion dollar industry although the actresses involved in the production of those products are the targets of negative stereotypes. Some writers (e.g., Dworkin 1989; MacKinnon 1993) have made claims that female pornography actresses are women in desperate conditions who are coerced into working in that industry. More specifically, the same authors indicated that female pornography actresses were homeless, addicted to drugs, poverty stricken, and all were victims of childhood sexual abuse. A series of studies using survey research (Evans-DeCicco and Cowan 2001; Polk and Cowan 1996) showed that pornography actresses and prostitutes were viewed more negatively than movie stars and the average woman. The researchers further reported that survey respondents believed that sex workers did not like their work, came from backgrounds riddled with sexual and physical abuse, had low self-esteem, and poor mental health. In other words, there are stereotypical perceptions of sex workers which they are labeled as “damaged goods.” A series of recent studies did not support the “damaged goods” hypothesis, although a negative public perception of sex workers does exist (Griffith et al. 2013b, c; Romans et al. 2001). Thus, a negative societal view of sex workers is prevalent and can be viewed as an obstacle in the context of occupational choice. In a public venue, sex workers may be less likely to divulge their occupation to strangers in small talk for fear of consequences that may follow which could include uncomfortable and heated discussions with those not involved in the sex work industry. Because of the lack of acceptance by mainstream society, sex workers may attempt to limit interactions with those not in their industry.

A pair of ethnographic studies (Stoller 1991; Stoller and Levine 1993) interviewed actors, writers, and actors in the pornography industry and provided support for an attempt of sex workers to avoid mainstream society. The findings indicated that individuals working in the pornography industry were hostile or ambivalent toward accepted social conventions and considered themselves not to be in the mainstream of society. Pornography actresses tend to spend time both during work and non-work hours with others in the pornography industry who are like minded on a topic that is part of their identity; that is, their sexual behaviors and attitudes. In other words, they appear to receive high levels of social support from their co-workers and are not subjected to the same social stigmas that openly bisexual women may have in a non-sexual occupation. Examination of what it is about the pornography industry that actresses like best, the most common factor was “people” (Abbott 2000; Griffith et al. 2012). A further analysis of “people” clearly depicted co-workers. Similarly, Philaretou (2006) reported that exotic dancers' motivations for working in that profession included a few aspects such as the nature of the work, sexual excitement, and social support from co-workers.

In contrast to public perception, the consistency is that sex workers appear to like their work, are excited about their work, and although may be members of a deviant group as defined by society, have a strong support system made up of like-minded individuals from within the sex work industry. SCCT posits that within occupational choice, choice behavior in career development has certain contextual influences that should be taken into consideration. The theory offers two different types based on their proximity to career choices and includes background influences that are more distal and precede and assist in shaping interests and self-cognitions as well as proximal influences that are used during the active phases of when career-related choices are made. SCCT suggests that opportunity structures influence people's ability to translate their interests into career goals and their goals into actions (Lent and Brown 1996). In other words, individuals' interests are more likely to morph into goals and they will be more likely to act on their goals if the environmental conditions are perceived to be beneficial as opposed to dealing with non-supportive and hostile conditions. It appears that bisexual female sex workers have a strong interest and enjoyment in sex. Studies that sampled 176 porn actresses and a matched sample from the United States have shown that on a 10-point scale asking how much women enjoyed sex (1 = not at all. . ..10 = very much), bisexual actresses reported a 9.6, heterosexual porn actresses an 8.9, and matched sample of heterosexual women from the general population an 8.3. The differences were statistically significant such that bisexual pornography actresses had higher levels of enjoyment of sex compared to heterosexual pornography actresses and women from the general population (Griffith et al. 2013a, c).

Enjoyment of sex is not the same as interest in sex, but a reasonable argument could be made to suggest that those with higher enjoyment may have more interest in it which SCCT would predict that there may have been distal contextual factors that contributed to the bisexual female sex workers' elevated interest in sex. In terms of more proximal contextual variables, these women are in an environment in which bisexuality is the norm and it is supported, encouraged, and celebrated. In fact, it may be the case that there are nonsupportive conditions for heterosexuality among female pornography actresses. Griffith et al. (2013b) reported that approximately two out of three women sampled in the pornography study indicated that they were bisexual, although most others reported having sex with other women even though they reported their orientation as being heterosexual. Same gender intercourse involving one participant who is heterosexual is often referred to as "gay for pay" suggesting they will engage in intercourse with a same sex partner in order to get paid. This appears to be common in the pornography industry and is another example of providing an environment which encourages bisexuality.

In the general population, studies have reported that bisexual and heterosexual women differ on a variety of behavioral, psychological, and social measures. In each study, it was consistently found that heterosexual women report better outcomes compared to bisexual women. In the general population and compared to heterosexual women, bisexual women tend to be overweight and have diabetes (Dilley et al. 2010) and are more likely to use cigarettes (Trocki et al. 2009). They also experienced more attempted or completed rapes (Buddie and Testa 2005), reported a higher need for professional sexual health care during the past 12 months (Kuyper and Vanwesenbeeck 2011), and had a greater likelihood of contracting a sexually transmitted disease (Lindley et al. 2008; Seidman et al. 1992). Psychologically, they reported having poorer health-related quality of life (Fredriksen-Goldsen et al. 2010), have more often attempted suicide (Bolton and Sareen 2011) and have overall poorer mental health (Dilley et al. 2010). Meyer (2003) suggested that lesbian, gay, and bisexual individuals may have worse mental health than heterosexuals because of the stressors associated with being a sexual minority member which includes discrimination, prejudice, and stigma.

Interestingly, a bisexual orientation in the pornography industry represents the majority and it is actually viewed as a benefit in that industry because one can work more, earn more money, and is viewed as a positive trait. And, a recent report has found that within the pornography industry, bisexual actresses actually had higher levels of spirituality and positive feelings compared to heterosexual actresses (Griffith et al. 2013a). Another related study (Griffith et al. 2013c) used the same sample of porn actresses but compared them to a matched sample in the general population. It was found that porn actresses had higher self-esteem, positive feelings, social support, and spirituality compared to women from the general population. This perspective provides a very different view of female sex workers, particularly those that are bisexual such that they fare as well or better as heterosexual pornography actresses and/or women from the general population.

3.3 Career-Related Performance

There are two components of the SCCT model concerned with career performance which include the level of attainment in achieving work tasks (e.g., success) and the degree to which they persist despite obstacles (e.g., persistence or job stability). Performance is assumed to be to be related to ability, self-efficacy, outcome expectations, and performance goals (Lent and Brown 1996). Ability is assessed by achievement or past performance indicators. For bisexual female sex workers, performance indicators may take a variety of forms depending on the nature of the work. Why would a woman enter the sex work industry if she did so willingly? The primary reason is money and that is certainly one measure of achievement. Research has reported that money is one of the primary reasons for working as an exotic dancer (Philaretou 2006), prostitute (Raphael and Shapiro 2002), and pornography actress (Abbott 2000; Griffith et al. 2012). Each of the different sex worker occupations also have additional performance indicators.

For exotic dancers, the time of day and day of the week are factors as there are certain days and times that have more patrons. Status of being a “feature dancer” is also something that women in this industry aspire to as well as the possibility of traveling to various venues by going on tour. One's orientation among exotic dancers may slightly be related to a performance advantage to bisexual women because they may cater to the female patrons, although they certainly represent the minority of individuals in those establishments.

Prostitutes often are referred to by different terms which may also include street walker, call girl, or escort. In each case, the business transaction is the same where there is an exchange of money for some form of sexual services. The differences across the various terms used is often associated with how and where those services are advertised. The most extensive data is known about escorts so this section will focus on that group. Most escorts now advertise on the internet where they can maintain greater control of their occupation and clientele (Koken et al. 2004). Again, one indicator of success is money. A recent study examined approximately 2900 online advertisements of female escorts (Capiola et al. 2014) and compared those offering heterosexual services (i.e., services only to men) and those offering bisexual services (i.e., services to both men and women). It should be noted that women offering sexual services to both gender may or may not be bisexual, their sexual behavior and sexual orientation may or may not align. Further analyses of that data showed that female escorts offering services to both men and women charged more per hour for incall service ($422) compared to only heterosexual services ($346). The same pattern emerged with outcall rates with bisexual service providers charging more ($446) than heterosexual ones ($403). Incall services refer to when the client meets the escort at a location of her choosing (i.e., the client goes to her), whereas outcall refers to when the escort goes to the client's location, thus higher costs are nearly always associated with outcalls because travel time. For both types of services, women offering sexual services to both men and women advertised a significantly higher fee.

There are several possible reasons for why individuals may charge a higher rate. First, they may fulfill a fantasy (Leitenberg and Henning 1995) for potential clients. Second, there is a stigma (Klesse 2011) as well as evidence (Breyer et al. 2010; Kuyper and Vanwesenbeeck 2011; Laumann et al. 1994) that bisexual women have more partners than heterosexual women. Further, Buss and Schmitt (1993) reported that males prefer promiscuous females for short-term sexual encounters, so these findings suggest that bisexual women may be viewed as promiscuous and may be viewed as more "valuable" because of that. A third explanation follows commodity theory (Brock 1968) which simply states that the value of a commodity will increase in value when it is perceived to be scarce. In the context of escorts, clients may view bisexuality as a sexual minority and view an opportunity to be with a bisexual woman as a more unlikely option compared to a heterosexual woman. Regardless of the reason(s) for the higher price, women advertising bisexual services do charge more for the same service. Another performance indicator of escorts may be how many clients she has, how many hours of services they pay for, and how often she has repeat customers. One last indicator might also include ratings. There are several websites that serve as a place to review escorts so these sex workers have their work-related ratings in an arena where other escorts and potential clients can view their ratings. Lastly, Bernstein (2007) reported that female escorts felt sexy, beautiful, and powerful after they received consistent praise from clients which is certainly a type of positive feedback directly related to performance that is mostly likely associated with an increase in future behaviors associated with receiving that positive feedback.

Pornography actresses, like other sex workers, primarily appear to work in the industry for money which is a primary success indicator. Other indicators may be nominations or winning of awards, number of fans, number of videos made during a set period of time, contracts with major producers, and similar. Money and sex were the two primary reasons why women chose to become a pornography actress, followed by attention (Griffith et al. 2012). Nominations of awards and adoration of fans are probably meeting the attention domain. Many pornography actresses have websites and the number of members or visitors could be used as a performance indicator of popularity which is part of their success. It should be pointed out that these careers are not mutually exclusive. In other words, there are some women who may be a porn actress, escort, and work as an exotic dancer, whereas others may only work in one of those occupations.

4 Conclusion

SCCT indicates that there is a feedback loop between performance attainments and future behavior. In viewing the career development of bisexual female sex workers, mastery experiences promote development of abilities, self-efficacy, and outcome expectations. As these workers provide more services, they most likely become more skilled in their abilities to provide sexual services like most other professions. They certainly have obstacles in the form of social stigma, laws, victimization, and similar that they must adjust to in order to continue working in the industry. As their skills improve, they may receive more positive feedback from clients, co-workers, fans, and reviews, depending on the particular sector of sex work in which they participate. The degree to which this framework can be applied to sex workers from other geographic regions remains to be seen.

The sex work industry is one of the few occupations where bisexual women possess an economic advantage compared to their heterosexual counterparts. It appears as though segments of the sex work industry offer an environment where women can freely express their sexual orientation as a bisexual and use it as a benefit. It is unfortunate that there are most certainly travesties that occur in the sex trade and there are sex workers that are victimized and this varies across and even within different cultures. However, there are also environments in which women appear to voluntarily and willingly begin and maintain a career in one of the sex industry sectors and the same factors that apply to more common occupations, seem to apply to these segments of sex work. It is a common question to ask why anyone would sell sex for money and the answer is not straightforward or unidimensional. This is a first step in providing a framework for understanding the structure by which a bisexual woman might consider, begin, and maintain a career in the sex industry.

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Discrimination at Work on the Basis of Sexual Orientation: Subjective Experience, Experimental Evidence, and Interventions

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1 Introduction

Do lesbians and gay men experience discrimination at work, and can this be prevented? The present chapter reviews evidence from three complementary perspectives. First, focusing on the perceived organizational working climate, we review studies in which samples of lesbians, gay men, bisexuals, and transgender individuals described their work experiences. Because such reviews are already available in English (e.g., Croteau 1996), we limit this section to German-language studies. In the second part of our review, we change to an observer's perspective: How are lesbian, gay, and heterosexual employees perceived, and under which conditions does this result in sexual-orientation based discrimination at work? We provide the first comprehensive review of the international evidence available. These two parts of our review focus on the status quo. The final part reviews evidence on diversity training's effectiveness in improving attitudes related to sexual orientation.

2 Perceived Organizational Working Climate: German-Language Studies

In Germany the General Equal Treatment Law forbids discrimination on the basis of a person's gender, ethnicity, religion, disability, and sexual identity (in German: "*Allgemeines Gleichbehandlungsgesetz*", AGG). Consequently, violations of this

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law are enforceable. Whereas Germans' attitudes towards lesbians, gay men, and bisexual women and men have been described as neutral or slightly positive on average (Steffens and Wagner 2004), more negative attitudes were found among subgroups, such as older participants and those living in more rural areas. Consequently, lesbians, gay men, bisexuals, and transgender employees in Germany experience discrimination at work and have to deal with the resulting consequences on their well-being and mental health. To understand these processes, work life and sexual orientation need to be discussed as interrelated parts of a person's identity. Against this theoretical backdrop, we review the perceived working climate of sexual minority groups in Germany.

2.1 Work Life and Sexual Orientation as Interrelated Parts of Identity

Work is an important part of identity because it is an environment in which people interact daily. Interactions can be characterized by mutual support, but at the same time by conflicts and unequal treatment. At work, people gain a social network that extends into private relations such as family and neighborhood (Schuler 1995). Different from private relations, work relations are constituted by the assumption that sexuality is irrelevant: Work is characterized as an "asexual sphere" (Rosenstiel et al. 2005). However, the fact that the work place is one of the places where heterosexual people most often fall in love with their partner contradicts this assumption (see Frohn 2007; Köllen 2012).

From the perspective of identity theory, sexual orientation is an integrated part of identity (King et al. 2008). When compared to other social categories, such as gender and skin color, sexual orientation is different because it is invisible at first sight (Badgett 1996; Steffens and Wagner 2009). The process of disclosing one's sexual orientation at work is influenced by heteronormativity and heterosexism (Steffens and Wagner 2009). Herek (1990) defined heterosexism as a system in which any form of non-heterosexual behaviors, identities, relationships, and communities is refused or stigmatized. Similar to racism or sexism, heterosexism is integrated as a norm into daily habits and institutions such as religion (Clair et al. 2005). Heterosexual employees demonstrate their sexual orientation directly or indirectly in the form of wedding rings, pictures of their partner, and stories about their weekend, their children, and family celebrations (Knoll et al. 1997). Conversely, if lesbians and gay men volunteer comparable information it may be interpreted as information about one's sex life and thus as crossing the border of "social versus sexual" (Knoll et al. 1997; Köllen 2012).

Someone who hides her or his sexual orientation cannot involve herself/himself as a whole person into the work place. The minority stress model (Meyer 2003) postulates that stigmatized social groups, such as lesbians and gay men, because of their minority status are confronted with additional stress that goes beyond the stress other people may experience in their work life. This additional stress lowers productivity, job satisfaction, and well-being, generally resulting in negative health outcomes. Moderating factors such as social support can buffer these negative outcomes. Meyer (2003) postulated that heterosexism leads to psychological stress and health problems. The minority stress model distinguishes between distal and proximal stressors. Distal stress includes experiences of discrimination and violence whereas proximal stress includes fear of rejection and concealment. These distal and proximal stressors faced by lesbians and gay men are the reason why they suffer more often from psychological disorders than heterosexuals (e.g. Sandfort et al. 2001). The model proposes that social support is one important buffer against the negative consequences of minority stress. Few studies have investigated minority stress at work.

2.2 German-Language Studies on Discrimination at Work on the Basis of Sexual Orientation

Knoll et al. (1997) conducted one of the first studies that focused on the work experiences of lesbian and gay employees and used dimensions relevant to the minority stress model. Very similar questionnaires were used by Frohn (2007) and Niedlich and Steffens (2016). Data can be compared in order to test whether discrimination experiences tend to decrease. In addition, Köllen (2012) analyzed the consequences of discrimination on job satisfaction. Köllen (2013) also examined the work situation of bisexual employees. Steffens and Wagner (2009) presented a study with a representative sample from Germany in 2001. Buba and Vaskovics (2001) present similar results, using quantitative and qualitative methods. Finally, qualitative approaches were used by Zillich (1988) and Maas (1999) for gay men and Losert (2008) for lesbians. An overview of publications on self-reported discrimination at work on the basis of sexual orientation is summarized in Table 1.

In the following, we summarize the findings of these studies, using the core dimensions of the minority stress model. Specifically, we focus on experiences of distal stress, including concrete experiences of discrimination and violence, and proximal stress, including fear of rejection and concealment. We continue with health problems resulting from these stressors. Additionally, findings on social support and coping strategies are discussed as possible buffers of minority stress.

2.3 Perceived Organizational Working Climate and Work Experiences

Meyer (2003) considered *concrete experiences of discrimination on the basis of sexual orientation as distal stressors* because they are objective and stressful events. In their questionnaire, Knoll et al. (1997) included more than 20 concrete

Table 1 Overview of German-language studies on self-reported discrimination at work on the basis of sexual orientation

			Dimensions of minority stress			
Study	Design (qualitative vs. quantitative)	Sample	Distal stress: concrete experiences of discrimination and violence	Proximal stress: fear of rejection and concealment	Consequences on mental health and job satisfaction	Social support and coping strategies
Knoll et al. (1997)	Quantitative	2522 lesbians and gay men	Most common forms: Unpleasant jokes & innuendos, talking behind the back	Concealment and fear of rejection as a present problem	Discrimination decreases job satisfaction & makes sick	Protection by law and the company can prevent lone fighter mentality
Frohn (2007)	Quantitative	2712 lesbian and gay employees	Telling lies, imitating, unpleasant interest in one's private life as the most common reported forms of discrimination	Concealment as a relevant problem; established option that sexual orientation should be irrelevant at work	Closeted employees report more psychosomatic symptoms than disclosed ones	Support through company and colleagues as an important factor
Niedlich and Steffens (2016)	Quantitative	225 lesbian gay employees	Unpleasant jokes & innuendos, talking behind the back as the most common forms of discrimination	Concealment and fear of rejection as a present problem	Discrimination correlates negatively with job satisfaction and reported symptoms	Social support can buffer negative consequences of minority stress
Frohn (2014)	Quantitative	2369 lesbian, gay, bisexual and trans* employees[a]	Bisexuals report more discrimination than lesbians and gay men	Bisexuals are less open compared to lesbians and gay men	Bisexuals report more physical problems; job satisfaction correlates positively with openness for LGB, negatively with discrimination	Possibility to communicate supports openness and performance-related variables

Köllen (2016)	Quantitative	1308 lesbians and gay men with a work place	General working climate in the company and diversity management	Positive effect for thematization of homosexuality in the company	Lesbian and gay marketing has positive effects on job satisfaction; highly satisfied employees are more open	Implementation of diversity management is highly supportive
Köllen (2013)	Quantitative	77 bisexual employees			Only internal thematization positively affects the working climate; external gay marketing campaigns affect it negatively	Supporting working climate positive for openness and decreases pressure to conceal or deny own bisexuality
Buba and Vaskovics (2001)	Qualitative& quantitative	581 lesbians and gay men 56 interviews	One out of seven conceals their sexual orientation; one important reason is the fear of being blocked in career chances, being confronted with prejudice and several forms of discrimination			
Zillich (1988)	Qualitative	65 guided interviews with gay men	Four constructed types representing a diverse range of gay men's situation in work life			
Maas (1999)	Qualitative	28 gay men in leading positions	Presentation of seven strategies of stigma-management in work life, ranging from pretending to be heterosexual to explicit thematization of own sexual orientation			
Losert (2008)	Qualitative	10 lesbians	Presentation of a variety of reasons why lesbians are "out" or "closeted" in their work place; strategies for dealing with heteronormativity at work			

Note:
[a]Data collection was in 2006

forms of discrimination, ranging from imitating to exclusion and physical violence. Comparing Knoll and colleagues' data to a study conducted in 2013 by Niedlich and Steffens (2016), we found that telling unpleasant jokes (1997: 54 %, 2013: 40 %), talking behind one's back (1997: 48 %, 2013: 34 %), unpleasant interest in one's private life (1997: 36 %, 2013: 22 %), and sexual innuendos (1997: 26 %, 21 %) were the most common forms of discrimination. Frohn (2007) found a similar pattern. The findings suggest that discrimination at work is decreasing but is still an existing problem in the lives of lesbian and gay employees.

Concerning the question of which group experiences the most discrimination, in telephone interviews Steffens and Wagner (2009) found that gay men appeared to be the most and bisexual women the least insulted, threatened, or attacked groups at work. Insults in everyday life were the most frequent form of discrimination and were reported ranging from 8 % (bisexual women) to 55 % (gay men). Gay men indicated that they suffered from being attacked, threatened, and excluded by co-workers. Also, a high percentage of bisexual men (8 %) reported that they had been attacked in their work life. In sum, all studies showed that direct discrimination is a slowly decreasing but still present problem for lesbian and gay employees.

Meyer (2003) considered *fear of rejection and concealment as proximal stressors*, which can be caused by negative experiences. According to the studies cited above, 72 % in 1997, 60 % in 2007, and 54 % in 2013 considered it necessary to conceal their sexual orientation at work. Further, the long-term decision of not talking about one's sexual orientation with any of the colleagues was a decreasing but still existing problem (1997: 28 %, 2007: 16 %, 2013: 12 %). Often this is accompanied by the argument that it is not adequate to discuss sexual orientation at the work place. This decision could be connected not only to wanting to protect oneself from possible discrimination but also to the fear that colleagues could disclose one's sexual orientation. To out someone else as lesbian or gay includes power because the control of who knows about this personal information is taken from this person. Further, employees who perceive the working atmosphere as supportive are more open and self-confident with their sexual orientation (Köllen 2012). In the case of bisexual employees, Frohn (2014) found that they communicated their sexual orientation less openly than lesbians and gay men. In sum, experiences of discrimination and violence as distal stressors, and fear of rejection and concealment as proximal stressors are current problems in lesbians' and gay men's work life.

Findings by Knoll et al. (1997), Frohn (2007), and Niedlich and Steffens (2016) demonstrated that the work place is an important aspect in the lives of study participants (1997: 82 %, 2007: nearly 90 %, 2013: 94 %). The findings of all three studies suggest that *physical and mental problems* are direct consequences of discrimination. All three studies showed a clear difference in self-reported symptoms. Employees who are highly discriminated against reported more psychological symptoms than employees experiencing little discrimination. The feeling of being unable to avoid discrimination could be associated with these physical problems. Further, Knoll et al. (1997) discussed that a constant unpleasant feeling and missing control over specific situations has consequences on job satisfaction. All studies concluded that lesbians and gay men experience lower job satisfaction when faced with discrimination and assume that this goes along with reduced job performance. For example, 46 % of lesbian and gay employees agree that they carefully choose in discussions at work whether to use examples with a lesbian or gay content (Frohn 2007). This can hamper employees to fully engage in the development of ideas in the work process. People faced with additional stress because of hiding their sexual orientation showed more somatic symptoms. As all three studies demonstrated, people who are open about their sexual identity feel more connected to their company, have higher commitment at work, and feel more satisfied with their work.

Köllen (2013) presented different findings for bisexual employees. Making homo- and bisexuality a topic inside the company (for example on the company's intranet or in staff magazines) affects the working climate positively for bisexual employees. In contrast, the existence of gay marketing campaigns affects this relationship negatively. Main results of the study showed that the more positive the working climate is perceived, the more explicitly out bisexual employees are, and the less they try to conceal their bisexuality at work (Köllen 2013).

Meyer (2003) assumed that both *social support and coping strategies* could buffer minority stress. In sum, socially supported people can act as a "whole person" in their work life (Frohn 2007). They lose fewer resources to minority stress than closeted employees. Köllen (2013) found that a supporting working climate results in a higher degree of openness and decreased pressure to conceal or deny one's own bisexuality at work.

The presented pattern of findings from German-language countries is similar to what has been reported for the U.S.A.: Heterosexism and discrimination on the basis of sexual orientation are related to increased physical stress and mental health problems (e.g., Waldo 1999; Smith and Ingram 2004; Chung 2001).

Qualitative research allows describing and explaining one's own experiences and decisions. Several qualitative studies yielded different typologies (Losert 2008; Maas 1999; Zillich 1988). Zillich (1988) aimed to show the range of different relations gay men have in work-life. He presented four types indicating a variety of strategies how gay men align their social roles as employees with their sexual orientation that is an important aspect of their private and work-related identity. Maas (1999) focused on identity and stigma-management strategies gay men in leadership positions develop. Some interviewed men pretended to be heterosexual or avoided talking about their private life in work-related contexts. Other employees disclosed their sexual orientation and developed strategies to avoid discrimination: Interviewees emphasized finding supportive colleagues and stressing positive characteristics. Some interviewees did explicitly apply for a job in organizations with non-discrimination policies. Similarly, Losert (2008) described that lesbian employees had a variety of "coming-outs" and also suffered from a discriminating working climate.

Limitations of the presented studies are that the findings on self-reported discrimination are not based on random samples and thus do not represent all potential participants for a certain research question (with the exception of Steffens and Wagner 2009). Furthermore, lesbians and gay men who fear discrimination could avoid participation; others could participate precisely because of political or personal motivation (Steffens and Wagner 2009). Also, samples tend to have intermediate (to high) socio-economic status regarding their education and qualification level (Frohn 2007; Knoll et al. 1997). Finally, strong evidence of declining discrimination at work in German-language countries could only be obtained with longitudinal studies.

3 Experiments Testing Sexual-Orientation Based Discrimination at Work: International Evidence

The interpretation of the data presented in the previous section is complicated by several factors. Importantly, because many lesbians and gay men are not out at work, it is unknown how many would be discriminated against if all of them were open about their sexual orientation. Moreover, people often underestimate that they have personally suffered from discrimination (e.g. Barreto and Ellemers 2015). Thus, investigating the evidence on "objective" sexual orientation-based discrimination at work requires a different approach. Previous research examined gender-based discrimination in impression formation, hiring, and promotion by presenting identical information about a person, but varied the applicants' or employees' name and gender between experimental conditions. For example, an identical resume was presented with a female first name to half of the participants and with a male first name to the other half. This research has greatly enhanced understanding of gender-based discrimination at work (see Steffens and Viladot 2015, for a review). On this basis, we introduce a theoretical model and use it to review exhaustively experimental research on sexual-orientation based discrimination at work (see Horvath and Ryan 2003, for a similar model). Several experiments have similarly manipulated the perceived sexual orientation of targets in various contexts. In these experiments, information on targets was presented in written form (e.g. Steffens and Jonas 2010; Steffens et al. 2015), or the perceived sexual orientation of interaction partners was manipulated (e.g. Dasgupta and Rivera 2006).

Our theoretical model is presented in Fig. 1. We assume that for explaining discrimination based on sexual orientation, several participant features need to be taken into account. Participants high in prejudice against lesbians and gay men should generally form more unfavorable impressions and expect lower performance of them than of heterosexual women and men (see Tilcsik 2011). A central construct in our theorizing is masculinity/femininity: Participants endorsing popular stereotypes of lesbians and gay men as higher in masculinity/femininity, respectively, than same-gender heterosexuals (e.g., Geiger et al. 2006; Kite and Whitley 1996) should expect lesbians to be more masculine than heterosexual women and gay men to be more feminine than heterosexual men. Differences in the impressions of task competence and social skills should result if participants consider task competence particularly masculine and social skills to be typically feminine traits. This should be the case unless unambiguous individuating information is presented

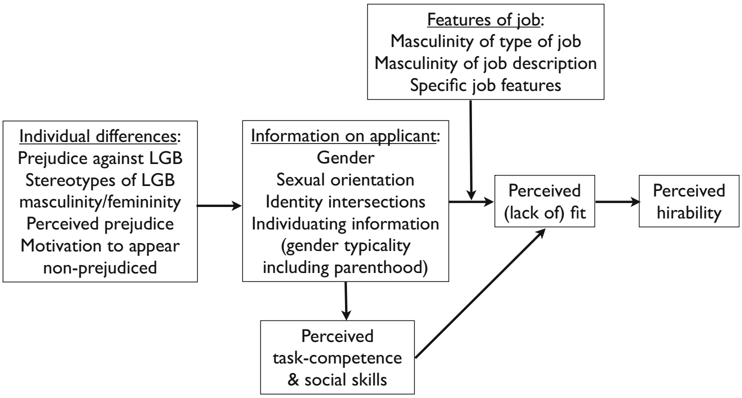

Fig. 1 Heuristic theoretical model specifying factors within individuals, information presented on targets, and features of jobs for explaining discrimination on the basis of sexual-orientation ("LGB" bias) in job contexts

(e.g. Deaux 1984). For example, if photos of very feminine applicants are presented, both lesbians and heterosexual women should be assumed to be feminine. If applicants provide unambiguous evidence that they behave in dominant and assertive ways, sexual orientation and gender should not lead to different expectations on the basis of stereotypes (e.g. Steffens and Viladot 2015).

Moreover, knowledge about discrimination could influence impression formation processes. Participants low in prejudice who believe that lesbians and gay men face much discrimination should, given unambiguous credentials, attribute *higher* skills to successful lesbians and gay men (see Foschi 2000). When using explicit response scales, it also needs to be excluded that a higher motivation to self-present as non-prejudiced leads to less reported bias against lesbians and gay men (e.g. Dunton and Fazio 1997). Intersections of sexual orientation with (other) minority social identities also influence impressions. For example, blacks are perceived as more masculine than whites (Galinsky et al. 2013), which could influence perceptions of gay blacks. If more information on applicants is given, in addition to applicants' gender and sexual orientation, this information should also influence impressions (e.g. Locksley et al. 1980). If this is the case, effects may emerge than cannot be predicted based on the constituent social-group memberships.

When predicting effects of impressions formed of applicants, job features are another aspect that needs to be taken into account. The lack-of-fit model (Heilman 1983) postulates that the match between one's personality or behavior and the gendered aspects of the job in question is more relevant to employment discrimination than applicant gender per se. Masculine-typed jobs as well as job descriptions stressing masculine traits should lead to a better perceived fit of masculine applicants and thus to higher hirability judgments for them. To the degree that a lesbian applicant is ascribed more masculinity than a heterosexual female applicant, a bias in favor of lesbians should emerge for masculine-typed jobs. Conversely, whenever gay men are ascribed less masculinity than heterosexual men, there should be a bias against gay men for masculine-typed jobs. Converse predictions apply for feminine-typed jobs. Moreover, based on the perception of blacks as particularly masculine, black gay men could appear a better fit to a given job than white gay men ("too feminine") or black heterosexual men ("too masculine") (see Remedios et al. 2011). But this should only be the case if ethnicity is a salient category. Perceived features of applicants and perceived features of jobs, in combination, should determine hirability judgments. Interestingly, as implied above, based on this model, we assume that sexual orientation-based prejudice can take any form: Gay men, lesbians, heterosexual women, and heterosexual man are potentially (dis)advantaged, depending on the type of job. In the following, we discuss the experiments that manipulated perceived applicant sexual orientation. Extensive literature searches in social-science databases (e.g., PsycINFO) yielded a total of only 18 published experiments (see Table 2).

3.1 Individual Differences

According to our model (Fig. 1), the geographical area in which experiments are conducted is important because prejudice levels differ (for evidence, see Hammarstedt et al. 2015). Generally, prejudice levels are lower the bigger the city in which one lives (e.g. Steffens and Wagner 2004). In Europe, roughly, the average level of anti-gay prejudice is much higher in the south and east than in the north and west; moreover, across Europe, prejudice levels have decreased over time (e.g. Kuyper et al. 2013). In line with those socio-cultural conditions, experiments have found high levels of discrimination in Greece and Austria, investigating the probability to be invited for a job interview. In Belgium as well as in recent studies in Germany, no discrimination of gay men or lesbians was observed, which is in line with the more gay-friendly climate in those countries. The latter studies used scales pertaining to perceived competence, social skills, and hirability, thus investigating hypothetical decisions. Recently, Weichselbaumer (2015) found hiring discrimination of lesbians in Munich, a southern German city in a rather conservative area, but none in Berlin, a gay-friendly place in which many anti-discrimination measures are in place (also see Tilcsik 2011).

Findings from the U.S. are in line with the idea that more sexual orientation-based prejudice is present in the south (also see Crow et al. 1998) and mid-west (also see Horvath and Ryan 2003) than in the west and north-east (Tilcsik 2011). In fact, in Tilcsik's study, no hiring discrimination was observed in the west and north-east. In line with the idea of less prejudice in large cities, in none of these four regions was discrimination observed if only big cities were investigated (Bailey et al. 2013). In contrast, the oldest study we are aware of observed discrimination in Toronto (Adam 1981), which we attribute to the generally higher prejudice levels back then. These ideas are corroborated by studies in which individual levels of

Table 2 Overview of experiments manipulating sexual orientation of job applicants

Study	Geographic area	Manipulation	Dependent variable(s)	Job	Sample	Outcome
Adam (1981)	Toronto, Ontario, Canada	Gay vs. no activism	Interview invitation	"Articling position" in law firms	All Ontario law firms ($N = 163$)	Non-labeled applicants were offered twice as many interviews as gay/lesbian activists (32:17)
Ahmed et al. (2013)	Sweden	Gay vs. heterosexual activism and reference to male vs. female partner	Interview invitation or job offer	Five female-dominated, four male dominated, one neutral occupation	3990 employers	Overall 14 % gay male and 22 % lesbian discrimination, due to gay male discrimination in male-dominated and lesbian discrimination in female-dominated occupations
Bailey et al. (2013)	U.S. (4 cities)	Gay vs. other activism	Invitations[c]	Different jobs for academics	1536 employers	No gender or sexual-orientation discrimination
Crow et al. (1998)	Southern U. S.	Explicit information on gender, sexual orientation, skin color	Hypothetical hiring of 6 targets	Accounting position	548 employees	Positive discrimination of white heterosexual women, discrimination of gay men/lesbians, particularly Blacks
Drydakis (2009)	Athens, Greece	Gay vs. environmental activism	Interview invitation, wage offer	Different low-skilled jobs	1714 employers	26 % discrimination of gay men, no wage discrimination
Drydakis (2011)	Athens, Greece	Gay vs. environmental activism	Interview invitation, wage offer	Different low-skilled jobs	1057 employers	28 % interview discrimination of lesbians, 6 % wage discrimination
Hebl et al. (2002)	Texas	Base cap "gay" vs. "Texan"	Formal (4) & inter-personal indicators (5)[a]	Retail jobs (mall)	84 employers	No formal, but interpersonal discrimination of gay men & lesbians
Horvath and Ryan (2003)	U.S. (Midwest)	Gay vs. no activism	Hirability scale	Technical writer	236 undergraduates	(Positive) discrimination of heterosexual (men) women
Nadler and Kufahl (2014)	U.S.	Reference to male vs. female partner	Hirability scale	Marketing manager	365 MTurk employees	No gender or sexual-orientation discrimination
Niedlich et al. (2015)	Germany	Reference to male vs. female partner	Competence scale, masculinity	Public-relations spokesperson	118 (Exp. 1) young volunteers, 158 under-graduates (Exp. 2)	Competence discrimination of gender-typical heterosexual women

(continued)

Table 2 (continued)

Study	Geographic area	Manipulation	Dependent variable(s)	Job	Sample	Outcome
Niedlich and Steffens (2015)	Germany	Family status married vs. registered partnership w. m/f	Competence, social skills, hirability scales	Engineer, kindergarten leader	266 undergraduates and volunteers	Competence and social-skills discrimination of heterosexuals
Peplau and Fingerhut (2004)	U.S.	Explicit information on sexual orientation	Competence, warmth, family & career orientation scales	Consultant	184 undergraduates	Only heterosexual women are discriminated (competence & career orientation) as mothers
Pichler et al. (2010)	U.S. (Midwest)	Leader, gay vs. other student group	Suitability, hirability scales	Sales manager vs. nurse	294 undergraduates & professionals	Suitability: (Positive) discrimination of (lesbians) gay men by men
Van Hoye and Lievens (2003)	Belgium	Reference to male vs. female partner vs. single[b]	Hirability scale	Human resource manager	135 selection professionals	No sexual-orientation discrimination (for men)
Tilcsik (2011)	U.S.	Treasurer, gay vs. -left-wing group	Interview invitation	Different jobs for academics	1769 employers	Overall 40 % gay male discrimination; none in west/north east
Weichselbaumer (2003)	Austria	Gay activism vs. volunteer work	Interview invitation	Accountant, secretary	613 employers	12 % lesbian discrimination
Weichselbaumer (2015)	Germany (Berlin, Munich)	Lesbian vs. activism	Positive response or invitation to application interview	Office workers (secretaries and accountants)	663 observations	Berlin: no signs of sexual orientation-based discrimination; Munich: lesbians discriminated compared to heterosexual women

Notes:
[a]Formal: Job availability, job application offer, call, bathroom use; interpersonal: interaction length& number of words, negativity (perceived & independently rated), perceived interest
[b]The authors argue that singles over 30 years are often suspected to be gay
[c]Including: call back, interview, invitation to submit more info

anti-gay prejudice affected findings (Niedlich and Steffens 2015) and political "conservatives" showed more hiring bias (Crow et al. 1998).

An important qualification of recent failures to find discrimination is that these could be due to the motivation to appear non-prejudiced, in particular if legislation forbids discrimination (see Fig. 1). One study found no formal discrimination in Texas, but indicators of interpersonal discrimination such as short durations of conversations and a colder perceived atmosphere by applicants (Hebl et al. 2002). It is thus obvious that findings pertaining to discrimination rates cannot be generalized beyond the time and place where the research was carried out. However, we believe that other experiments testing processes that lead to discrimination, based on models such as that presented in Fig. 1, could be more generalizable. For example, if more individual prejudice leads to more discrimination, this relationship could be independent of a particular social context.

3.2 Information on Applicants

Experiments investigating sexual orientation-based discrimination need to decide how to manipulate sexual orientation, which can, in turn, affect findings (see Tilcsik 2011, for extended discussion). There is no such obvious manipulation as presenting different gender first names. Two experiments simply informed participants of the sexual orientation of the individual (Crow et al. 1998; Peplau and Fingerhut 2004). There are reasons why people could disclose their sexual orientation in applications. For example, working in an organization where one is not discriminated could be an important priority for some applicants. A second reason is voluntary work experience that implies important qualifications and may thus be mentioned in applications. Thus, sexual orientation would be incidentally disclosed if someone had been engaged in a lesbian or gay organization. Third, in some countries (such as Germany), civil status may be informative regarding sexual orientation, and at the same time, civil status is routinely included in resumes.

As Table 2 shows, the majority of experiments have used a piece of information on activism in a lesbian/gay organization for communicating sexual orientation in an applicant's resume. Including activism in a matching, but non-gay/lesbian organization, as a control, is certainly preferable to a no-information control condition. Choosing activism as a manipulation has some obvious drawbacks. First, one can never be sure to find a control condition in which the chosen activism is perceived as positively (negatively) as lesbian/gay activism. For instance, Ahmed et al. (2013) discussed that their control information (engagement for the Swedish Red Cross) may not be perceived as activism, but as philanthropy and thus more positively. Second, if discrimination results, it is perfectly ambiguous whether employers have reservations against lesbian/gay applicants or whether they have reservations against lesbian/gay activists. In other words, activism could be regarded as additional individuating information (see model in Fig. 1).

Several other experiments have used reference to a male/female partner to indicate applicants' sexual orientation. This manipulation is far from perfect, too, because drawing attention to a heterosexual relationship during application should be perceived as much less informative and salient than mentioning a homosexual relationship. Also, in contrast to activism, it may signal applicants' "domesticity" (Weichselbaumer 2015, p. 133), thus again conveying individuating information. Moreover, in our experience, this piece of information needs to be presented in a particularly pronounced way for all participants to understand it. For example, in Germany, "registered partnership" is a civil status reserved for homosexual relationships, but not all Germans know what a registered partnership implies.

3.3 Job Features

Whereas two studies focused on low-skilled jobs such as shop sales, restaurant services, and office jobs (Drydakis 2009, 2011), most others used jobs or job descriptions of academic jobs (see Table 2). In some studies, job information was held constant; other studies used a wide range of different jobs. Several studies selected masculine-typed jobs, feminine-typed jobs, or gender-neutral jobs on purpose, which allows testing whether findings are in line with the model presented in Fig. 1.

In contrast to the model, the masculinity/femininity of the applicant profile had no effect on the amount of discrimination against lesbians (Weichselbaumer 2003) (A study in a different context, adoption, also failed to find effects of applicant masculinity, see Steffens et al. 2015). However, as our model predicts, masculinity of the job led to significantly more discrimination against gay men, compared to jobs where no masculine traits were required (Tilcsik 2011). Ahmed et al. (2013) reported discrimination against gay men for masculine-typed jobs and discrimination against lesbians for feminine-typed jobs. Conversely, also in line with the model, higher perceived masculinity of lesbians as compared to heterosexual women resulted in higher competence ascriptions (Niedlich et al. 2015) and lesbian mothers were regarded as more competent and career oriented than heterosexual mothers (Peplau and Fingerhut 2004).

3.4 Weaknesses of Existing Studies

Some experiments included manipulation checks, where participants were asked at the end what the sexual orientation of the applicant was (Nadler and Kufahl 2014; Niedlich et al. 2015). In the field experiments, obviously no manipulation check could be included, so it is unclear whether all employers noticed applicants' sexual orientation.

Surprisingly, many experiments did not rotate candidate templates across sexual orientations, but tried to arrive at equivalent versions of resumes (e.g., Drydakis 2009; Drydakis 2011; Horvath and Ryan 2003), or different videos of the same actors were presented in the gay/lesbian versus straight conditions (Nadler and Kufahl 2014). This is unfortunate because it seriously compromises the experimental approach. For illustration, think of several photos of the same person made within 1 min. Most people think they look much better on some photos than on others: Even though individual and time are (almost) held constant, impressions may differ considerably.

In the field experiments that sent out fake applications, participants were probably employers or human resource managers (see Table 2). Other samples consisted of volunteers or undergraduate students. For obvious reasons, selection professionals are more adequate samples. However, it needs to be considered that often, no differences in findings are obtained between those types of samples (Pichler et al. 2010). Moreover, it depends on the research question which sample is adequate. If discrimination rates are to be assessed, selection professionals are clearly mandatory. If general processes are under scrutiny, for example correlations, then any sample could be sufficient with enough variance in both variables.

Overall, bisexual and trans* discrimination has been overlooked in this research and should be investigated in future studies. Finally, as the contradictory findings indicate, contextualization of the studies into the social-cultural situation is indispensable: Findings can only be understood in light of the legal and social situation of sexual minorities at the time and place the study was conducted.

3.5 Conclusion Regarding the Experimental Evidence

Experiments that manipulate the sexual orientation of fictitious applicants in hiring contexts promise valuable insights on discrimination based on sexual orientation and on the processes that lead to such discrimination. This research is still in its infancy, however. Some evidence has been presented that is in line with the model presented in Fig. 1. Clearly, individual level of prejudice plays a role, and differences in perceived masculinity/femininity, based on sexual orientation, may lead to more positive or more negative impressions of lesbian and gay applicants, compared to heterosexuals. The evidence on type of job is a bit mixed. Other factors specified in Fig. 1 have not been investigated at all. Taken together, much more research is needed to arrive at a clearer picture of where and under which conditions applicants are discriminated against on the basis of their sexual orientation. Given the evidence we presented on sexual orientation-based discrimination, the question arises of what can be done to overcome it.

4 Interventions: How Can Discrimination Based on Sexual Orientation Be Reduced?

Diversity initiatives became popular to prevent discrimination at the workplace and provide employees from various backgrounds with an inclusive and beneficial work environment (Hays-Thomas and Bendick 2013). Diversity training in particular aims at changing employees' social attitudes and improving intergroup relations (see Ehrke et al. 2014). But whereas there are some diversity dimensions, such as race or gender that are apparent at "first sight" and dominate diversity training, there are also other more "invisible" dimensions, such as sexual orientation or sexual identity, that are often overlooked in diversity training (cf. Hays-Thomas and Bendick 2013; Kaplan 2006). Consequently, there is little research evaluating the effects of diversity training on heterosexuals' attitudes towards LGB people. Therefore, we review international research including empirical findings that provide strategies potentially beneficial for LGB-diversity training. As we report studies not included in the latest review (see Bartoş et al. 2014), we provide an extended and updated picture of current knowledge about promising strategies for interventions aiming to improve sexually prejudiced attitudes and behaviour.

In practice, various approaches are used in diversity training to improve sexually prejudiced attitudes. Previous research predominantly focused on education and contact. University courses educating students about diversity improved attitudes towards gay men and lesbians (Case and Stewart 2010; Engberg et al. 2007; Pettijohn and Walzer 2008). Also, an evaluation of LGBTQ-diversity training for police officers provided evidence that an educational approach was beneficial for diversity training (Israel et al. 2014). After being educated about LGBTQ-issues in a 5-h mandatory session, police officers' knowledge and confidence to deal with LGBTQ issues was significantly increased. A recent meta-analytic study (Bartoş et al. 2014) supports educating heterosexuals about sexual diversity to have strong positive effects on knowledge about LGB issues and moderate positive effects on emotions, behavior, and behavioral intentions related to LGB people. These authors also concluded that a combination of education and contact moderately reduced sexual prejudice and furthermore reduced discomfort and anxiety when interacting with LGB people.

Even imagined contact seems to reduce sexually prejudiced attitudes. Turner et al. (2007) demonstrated imagined contact with a gay man to reduce intergroup anxiety, increase perceived diversity, and improve evaluations of gay men. Birtel and Crisp (2012) showed that imagining a negative and a positive contact situation was even more beneficial than imagining only positive contact situations. Participants who had to think of a negative encounter with a gay man followed by a positive encounter showed less anxiety and more positive attitudes towards gay men than participants who imagined two positive encounters.

Contact also has been demonstrated to effectively improve attitudes towards gay men and lesbians in the long-term (Anderssen 2002; Herek and Capitanio 1996). In longitudinal studies, more contact with gay men and lesbians and better contact quality predicted a stronger improvement in attitudes over time and more positive attitudes after a 1-year (Herek and Capitanio 1996) and a 2-year period (Anderssen 2002).

These findings suggest that it could be beneficial to focus more on changing behavior during diversity training to subsequently influence attitudes. Madera et al. (2013) support this idea with findings from LGBT-diversity training that used a goal-setting strategy to affect LGBT-supportive behaviors: Students who were asked to set goals of LGBT-supportive behaviors during training showed increased LGBT-supporting behaviors, but not improved intergroup attitudes after 3 months. However, 8 months after training LGBT-supportive behaviors *and* attitudes were improved, suggesting that an approach focusing on behavior can affect attitudes in the long term. This finding could help understanding why studies found that setting a norm of tolerance—a strategy similar to the goal-setting strategy—positively affected behaviors, but not attitudes towards LGB people (Bartoş et al. 2014; Nadler et al. 2014). Measuring long-term effects could help testing whether norm setting can also affect attitudes via changing behavior.

One of the major aims of most diversity training is to increase awareness of prejudice and discrimination (see Ferdman and Brody 1996). Case and Stewart (2010) showed that a course on diversity raised awareness of heterosexuals' privileges, reduced sexually prejudiced attitudes, and increased support of same-sex marriage among students. Increased awareness may motivate participants to actively suppress prejudice. Several studies showed that avoiding prejudiced statements and controlling attitudes towards gay men and lesbians could improve sexually prejudiced attitudes and emotions (see Bartoş et al. 2014), again supporting the idea to alter behavior to achieve attitude change.

Also holding people accountable for their behaviors showed positive effects on sexual prejudice. Nadler et al. (2014) demonstrated accountability to be an effective strategy to diminish the negative effects of disclosing sexual orientation in the hiring process. Study participants rated the anticipated performance of a gay applicant significantly less favorable than that of a non-gay applicant. But the hiring bias disappeared when participants were told before that they had to explain their assessment of the applicants afterwards. Thus, accountability successfully reduced hiring bias against gay applicants.

Role-plays and perspective taking are popular strategies in diversity training (Ehrke et al. 2014; Ferdman and Brody 1996; Madera et al. 2011). Hodson et al. (2009) demonstrated that a role-playing exercise called Alien Nation increased empathy via perspective taking, and improved attitudes towards gay men and lesbians via increased empathy. Thus, using role-play and other perspective-taking activities in diversity training could enable heterosexuals to not only become aware of the discrimination LGB people face but also to empathize with them and develop more positive attitudes towards them.

In sum, these findings demonstrate that there are various effective strategies to improve sexually prejudiced attitudes and behavior. Many of those strategies can even be combined in interventions. Nevertheless, many questions remain open. First, would strategies predominantly identified in studies with student samples also work with employees? A meta-analysis of diversity-training effectiveness suggests that those strategies could be even more successful with employees than with students

(Kalinoski et al. 2013). Generally, diversity training showed stronger effects for employees than for students. Thus, more research with more representative samples is needed. Second, future research should test whether the combination of certain approaches is most effective. Field interventions usually combine various activities, such as education, awareness raising, and perspective taking. Kalinoski et al. (2013) reported field studies to improve affective outcomes more effectively than lab studies. Examining how different approaches interact could help to create synergetic effects and improve effectiveness of LGB diversity training.

A final open question is that more research is needed regarding unintended negative effects on attitudes for some groups of participants and backlash towards (LGB) diversity training (Falomir-Pichastor and Hegarty 2014; Iverson and Seher 2014; Kaiser et al. 2013; Kaplan 2006). For example, Kaplan (2006) addressed backlash from people who could perceive participating in LGB diversity training to be in conflict with their religious beliefs. Thus, the interplay of different diversity dimensions during diversity training should be considered in future research. Also, it should be examined how factors such as group status (Kaiser et al. 2013) and perceived threat (Falomir-Pichastor and Hegarty 2014) moderate and/or mediate effects of LGB diversity training. This could help to develop strategies that reduce unintended effects and backlash against LBG-diversity training.

5 Conclusion

The research reviewed in this chapter demonstrates that sexual-orientation based discrimination at work is declining, but still presents problems in German-language countries. Experimental research of sexual-orientation based discrimination internationally shows that people's prejudice levels as well as stereotypes pertaining to the strengths and weaknesses of gay men, lesbians, and heterosexual women and men can lead to different patterns of discrimination—of unequal treatment based on the social categories that applicants indicate that they belong to. Such discrimination is unjustified, and measures should be taken to avoid it. The studies that have tested diversity training's effectiveness in improving sexually prejudiced attitudes have yielded promising findings. Nevertheless, much more evaluation research is needed in order to deduce clear guidelines of how to conceive and conduct such training most effectively.

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On the Violence of Heteronormativity within Business Schools

Nick Rumens

1 Introduction

This chapter examines the business school as a site of normative violence and discusses how the violence of heteronormativity shapes the experiences of lesbian, gay, bisexual and trans (LGBT)[1] students and staff. There are other forms of normative violence at play within these institutions. Cisnormativity, for example, as Bauer et al. (2009) refer to it, relates to the oppression experienced by trans people within societies where cisgender people are identified and privileged as 'normal'—that is, normal in the sense of keeping the body intact rather than engaging in processes of gender transitioning. Cisnormativity is a useful analytical tool for highlighting how trans people's lives can be erased through the privileging of a non-trans norm. Clearly, different modes of normative violence and their consequences for LGBT people within business schools require urgent attention. Regarding heteronormativity, it is of grave concern that organization research shows how heteronormativity in the workplace is pervasive and problematic for LGB employees (Colgan and Rumens 2014; Anteby and Anderson 2014; Skidmore

[1] I have invoked the LGBT acronym throughout this chapter with care, not least because such acronyms are prone to smoothing over and essentializing differences within and between L(esbian), G(ay), B(isexual) and T(ransgender). In some cases I have modified the LGBT acronym as some academic studies cited in this chapter specifically refer to LGB but not T people. At other times I use LGB to refer to issues of sexuality that affect these minority groups and the term LGBT to incorporate trans people where gender is also salient. Trans is a complex and sometimes unwieldy term that often has to include an array of gender identifications such as transgender, transsexual, genderqueer, male-to-female, female-to-male, and so on. The term trans, like LGB, is used in this chapter to signify, but by no means account for in a homogenous and essentializing manner, the diversity of how individuals may identify and live out LGBT lives.

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2004). Heteronormativity operates as a net-like set of power relations that constitutes and privileges heterosexuality as 'normal' in numerous social and cultural contexts, to the extent that heterosexuality is rarely recognized as something that is culturally and socially constructed. Instead, heterosexuality is often understood as a 'neutral' or 'natural' category of sexual orientation against which other sexualities (typically LGB sexualities) are judged as 'abnormal' (Ahmed 2006). As such, heteronormativity has a vital role to play as a power/knowledge regime in reproducing a heterosexual/homosexual binary that establishes heterosexuality as 'natural' and 'normal' (Yep 2002). Acknowledging this, the organizational literature on LGB sexualities, in particular those studies that mobilize poststructuralist theories, demonstrates how heteronormativity has shaped the ordering of desires, behavior, human relations and identities in the workplace on a daily basis, with deleterious effects for LGBT employees (Ozturk 2011; Rumens 2012; Ward and Winstanley 2003; Williams et al. 2009). This may be evidenced in policies that favor heterosexual family arrangements, cultural norms that construct LGB sexualities as the Other and personal interactions that stigmatize LGB sexualities in the workplace (Hearn and Parkin 1987; Humphrey 1999; Priola et al. 2013). Of course heteronormativity can constrain the lives of heterosexuals too (Yep 2003), and it is crucial to acknowledge this if we are to recognize that the challenge of dismantling heteronormativity is too important and formidable for it to be the sole responsibility of LGB employees.

Yet for all the insights we may derive from the literature on organization sexualities about the manifestations of heteronormativity in the workplace and its effects on LGB employees, the heteronormative contours of the very institutional contexts in which academic research on LGB sexualities is undertaken, and disseminated in the management classroom, remains woefully under-researched (Ozturk and Rumens 2014). This neglect is striking because heteronormativity is ubiquitous in all areas of life (Yep 2003), giving credence to the argument that business schools can be heteronormative institutions, as studies reveal (Fotaki 2011, 2013; Giddings and Pringle 2011; McQuarrie 1998; Ozturk and Rumens 2014). As such, I argue that scholarly attention needs to be (re)directed toward the very institutions that serve as crucibles for generating organizational research on sexuality and gender that is published in vibrant edited collections such as this one, and disseminated in and beyond the management classroom. In so doing, I hope to inspire research that advances our understanding of how specific normative forms of violence influence the opportunities for conducting organizational research on LGBT workplace issues, how it shapes the student learning experience in the management classroom and how it can be challenged.

Pursuing these themes in this chapter, I examine heteronormativity as a form of violence that is frequently, sometimes inadvertently, enacted in business schools and within the management classroom. Heteronormativity has been conceptualized as a mode and site of violence that can take many inimical forms: psychological, psychic, social, cultural, normative, physical and material (Yep 2002, 2003; Warner 2000). For the purposes of this chapter, I am interested in the heteronormative violence that constitutes and regulates bodies according to binaries of sex (male/

female), gender (masculine/feminine) and sexuality (heterosexual/homosexual). This normative violence, I argue, is concerned with how norms within discourses exercise regulatory power in the process whereby subjects seek recognition as viable subjects within the field of heteronormative power relations (Butler 1990, 2004). In other words, it is the kind of violence that is incited in the constitution of the subject in terms of identity and subjectivity. I use Judith Butler's work as an anchor point in that sense, as Butler argues that, in order to be conceived as a person, we depend on there being 'norms of recognition that produce and sustain our viability as human' (2004: 33). Violence is done by restrictive norms when they squelch and inhibit the possibilities for subjects to be constituted as viable—as a person, as human. For Butler, gender and sexual norms can serve in a regulatory capacity, reproducing a sense of viability that subjects do not fully choose. As such, to oppose sexual and gender norms that sustain heteronormativity can engender the possibility of violence (that can be physical, psychic, normative) as a form of correction, coercing subjects to conform to dominant norms that govern the condition of viability. With this in mind, I argue that LGB people within business schools are often vulnerable to the effects of heteronormative violence that keeps the gender and sexual order 'natural', curtailing the capacity of academics and students to study and challenge heteronormativity in the workplace. I begin by examining the business school as a heteronormative institution.

2 Acknowledging Business Schools as Heteronormative Institutions

In thinking through heteronormativity as a site of normative violence, and the business school as a site of heteronormativity, it is important to discuss the institutional landscape of the business school. The volume of literature on business schools has grown significantly over the last few decades or so, as those who work within them have paid more attention to interrogating the purpose of these institutions (Parker 2002, 2014; Ferlie et al. 2010; Starkey and Tempest 2005). Arguing from a critical management studies sub-discipline, a growing number of academics have pointed out that business schools are less known for nurturing radical ideas and theories on management, and more renowned for incubating managers who go on to run large corporations (Ford et al. 2010; Parker 2002; Grey 2004). Accordingly, much energy and resources have been expended in building up and (re) aligning business schools with the values of corporate capitalism through, for example, MBA programs, executive management education and conducting research that is focused on maximizing business performance and efficiency. Such efforts have attracted a chorus of criticism from those academics who regard business schools as in thrall to corporate capitalism, thereby eschewing any shred of credibility as intellectual engine rooms for advancing alternative ways of organizing and managing (Ford et al. 2010). Indeed Alvesson et al. (2009), lamenting the paucity of critical approaches toward the study of management within business schools, aver that the content of curricula in 'most management departments or business schools…is predominately conservative or "right wing" in orientation' (2009: 18). This criticism has implications for how we understand the value and purpose of business schools within society, whether we should accept that such institutions are conservative finishing schools for managers or, more ambitiously, whether we dare to imagine business schools as institutions that can inspire different ways of organizing beyond the constraints and dominance of managerialism as a paradigm for organizing (Parker 2002).

Related to this latter viewpoint is a compelling but often overlooked argument that business schools must play a leading role in educating students about issues of social injustice and organizational inequality related to gender (Kelan 2013; Fotaki 2011; McTiernan and Flynn 2011) and sexuality (Rumens 2016). One reason for business schools to shoulder this responsibility is that these institutions have been shown to be dominated by men (both staff and students) numerically and culturally (Kelan 2013), reproducing key business values that are aligned to men and masculinities characterized by competitiveness, control, individualism and assertiveness. This line of reasoning is resonant at a time when parts of the world are still mired in a financial crisis. In this context Knights and Tullberg (2012) investigate the link between managing masculinity and mismanaging the corporation which resulted in government bailouts for the banks and a near collapse of Western economies. Cultivating a sociological form of analysis steeped in the critical literature on men and masculinities, Knights and Tullberg explore how self-interest, often represented as an influencing factor in the mismanagement of corporations, is not just a reflection of the neo-liberal economic consensus, but also of masculine discourses within the business class elite that make the pursuit of ever spiraling remuneration almost obligatory. Those business schools informed by a cultural climate marked by the alignment of business values with particular types of competitive men and masculinities are a deterrent for women wishing to join business schools, further deepening gender inequalities that perpetuate the dominance of men and masculinities (Kelan 2013). The naturalization of such values and the resulting gender inequalities they produce within business schools imbues a sense of urgency into the assertion that these institutions must address issues of inequality because there is much at stake for students and staff. Business schools shape and are shaped by the identity, values, assumptions, and aspirations of those individuals employed and enrolled within them as staff and students, many of the latter going on to become influential individuals within powerful economic corporations. As such, business schools are not mere containers for the individuals they employ and seek to educate, as they can both occasion and constrain the outlooks, values and lives of individuals who work and study within them. One issue of concern then is about the possible modes of engagement among staff and students with the apparent conservativism that informs the management curriculum of many business schools (Alvesson et al. 2009). This conservativism, when it is colored by heteronormativity, influences how business schools are positioned to engage with LGB academics and students, particularly in regard to how these institutions are motivated to understand the full import of heteronormativity within their own brick walls.

2.1 Generating Organizational Research on LGBT Lives and Issues

In light of the above, I assert that business schools can be violently heteronormative organizations insomuch as they shape agendas for research and management curricula that can exclude and marginalize LGBT people and issues. Douglas Creed is similarly emphatic, arguing that 'many business schools will not be amenable places for conducting research on heterosexism in organizations' (2005: 392). Indeed, Giddings and Pringle (2011) describe their position as two lesbian academics employed within a New Zealand business school as 'working in the mouth of the dragon', given the hostile climate these institutions can foster toward research and teaching on gender and sexuality. In regard to academic research, normative violence is evident in those business schools where LGB lives and issues struggle to be articulated and supported as serious topics of research. Potential avenues of research for generating future knowledge on LGB workplace issues may be foreclosed or signposted as career cul-de-sacs. Emergent research illustrates this. For example, some of the gay male business school academics interviewed in Ozturk and Rumens (2014) bemoaned how some of their peers and managers persuaded them to abandon their research aspirations in the field of LGB business studies in favor of research interests that were more 'palatable' and career savvy (e.g. research aligned with functionalist approaches toward improving organizational performance). These 'palatable' research interests were seen as being more likely to gain research funding and, in turn, generate publishable outputs in high quality management journals. One consequence of this is that opportunities may be foreclosed for academic staff to undertake organizational research on LGB topics that has potential impact within the public realm for disrupting and challenging workplace heteronormativity, improving the work lives of LGB and heterosexual employees. We badly need research that problematizes and resists organizational strategies to assimilate LGB people into organizational cultures that are already heteronormative. What is more, there are serious implications for how we teach business students against a landscape of stifled and adjusted scholarly ambition to pursue organizational research on LGB sexualities. At a time when scholars claim that sexuality has never been so managed and controlled within the workplace (Hearn 2014), standardized representations of organizations in which sexuality is wrongly deemed to be a contaminant that must be managed out of the workplace are left unchallenged, leaving the heteronormativity of organizational life undetected and uncorrected.

At the same time, it would be wrong to ignore the opportunities that have arisen for some business school scholars to pursue LGB research agendas as a result of the intensified marketization of higher education, articulated in discourses of the 'entrepreneurial academic' and 'university', 'excellence' and 'research impact' (Taylor 2014). The Research Excellence Framework (REF) in the UK is a case in point, whereby higher education institutions are subject to periodic review of their research output by a centralized system of quality assessment. With regard to the contentious issue of assessing academic output, the Association of Business Schools has produced a ranked journal list, providing business schools with a tool for assessing the academic performance of employees as well as evaluating the publication records of prospective academics during the recruitment and selection process. Despite the drawbacks of creating a catalogue of journals, not the least of them being the paucity of gender and sexuality journals included in the ABS list, ranking journals has helped to shift attention away from the subject matter to where research is published (Clarke et al. 2012). On the one hand, this can divert attention away from why some topics require academic research but, on the other hand, the instrumentalism that such lists and journal rankings engender can be mobilized by scholars as currency in order to progress careers. For some academics, myself included, the creation and maintenance of the ABS list has produced unexpected opportunities to research sexual orientation as a credible organizational topic, but on the condition that research outputs are published in what narrowly counts as 'top tier' journals in business and management.

For instance, in a meeting with a Dean at a former institution to discuss my research on LGB workplace issues I was, within in a matter of minutes, challenged as to why I was intent on pursuing a 'flimsy topic', but also 'reassured' that he [the Dean] 'didn't care' what I researched as long as I published in '4 or 3 star' ABS rated journals. Such a stance may well be familiar to those scholars researching subject areas that are considered too critical, radical and not primarily concerned with improving organization performance, especially within business schools that adopt a conservative management curriculum. One way of sustaining an academic career on research topics considered to be 'critical' or 'radical' is to publish in the journals ranked favorably by the ABS, although journals of this caliber, and willing to accept such papers, are limited in number. A perennial challenge that I am faced with, and no doubt confronted by other researchers interested in LGBT sexualities and genders, is which ABS journals might be receptive to research in this area. Indeed, how LGBT research is written up and offered to top ranked business journals is no small matter. While published organizational research on LGBT issues displays signs of theoretical diversity (Colgan and Rumens 2014), I wonder if the tendency might be that much of the research published in top ranked management journals cements a discourse on organization sexuality and gender as purely a 'business issue'. By that I mean how, for instance, management attaches importance to LGB issues within a business-friendly formulation of sexual orientation as an organizational resource that can be harnessed to improve organizational performance. Such an approach and the type of research it generates is valuable, but it is not necessarily the type of research that poses the greatest challenge to neo-liberalist capitalism's inherent heteronormativity which, as Griffin (2007) avers, frequently associates successful human behavior almost exclusively with a gender identity embodied in dominant forms of heterosexual masculinity.

So in the UK at least, it is, arguably, an unexpected twist that journal rankings and other disciplinary technologies, that are part and parcel of managerialist regimes within higher education, which have reproduced and even exacerbated gender inequalities within business schools (Özbilgin 2009), may offer *some* hope for *some* academics to pursue organizational research on LGBT lives and issues, albeit with conditions attached. How these conditions are understood and experienced is a matter for further research, not least because they are likely to vary considerably but also because, fundamentally, they leave unchallenged the heteronormative values that permeate the foundations of business schools and management departments. In other words, business schools can (un)intentionally subject scholars researching LGBT workplace issues to forms of normative violence that can encourage more docile academic selves and identities. Especially those that conform to dominant organizational norms that govern what counts as 'credible' research, where it is published and how it is transferred to the management classroom and within the wider business community.

2.2 LGBT Business School Students and Forms of Normative Violence

In relation to student experiences of heteronormativity, business schools can be extremely inhibiting. If business schools are experienced as inhospitable places to disclose as LGB, then LGB identified students may be less likely to engage in social and academic activities within these institutions. It is frustrating that published research on LGB business school students' experiences of heteronormativity appears to be non-existent, but research on LGB students in engineering makes for an interesting comparison (Cech and Waidzunas 2011; Trenshaw et al. 2013). Although the experiences of engineering students is an imperfect index of the complexities experienced by business school students negotiating heteronormativity, they provide significant and resonant snapshots of the state of play in cognate academic disciplines dominated numerically and symbolically by heterosexual men and masculinities.

In the US, Cech and Waidzunas (2011) found pervasive prejudicial cultural norms and perceptions of competence particular to the engineering profession which limited LGB students' opportunities to succeed, relative to their heterosexual peers. For example, some gay male engineering students were deemed by their heterosexual counterparts as 'incompetent' because they did not match the stereotype of the engineer as highly technical, logical and poor at dealing with people. This judgement is also based on a stereotype of gay students as being good with people, flamboyant and effeminate, and gives rise to a series of identity dilemmas for those gay male engineering students who feel they did not match one or both stereotypes. As a way of coping with the heteronormative college climate they experienced, some LGB students opted to ‘pass’ as heterosexual, downplay cultural characteristics associated with LGB identities, and acquired engineering expertise to make themselves indispensable to others. These additional work burdens often came at a cost including academic and social isolation, with some students leaving higher education altogether and the engineering profession. Cech and Waidzunas (2011) reach a grim conclusion that engineering schools can be hostile places for many LGB students, with some students feeling anxious about their future career prospects if they participate in the field of engineering as openly LGB. At the same time, the students interviewed by Cech and Waidzunas (2011) suggested remedial action to address some of the most negative issues highlighted in the study, such as creating the conditions of possibility for increased visibility for LGB students through mentoring programs, LGB student groups and other openly LGB students and faculty staff. But for faculty staff and other LGB students to provide a role model for LGB students requires a faculty climate that is supportive of LGB issues. In a related study of LGBT engineering and science academics in the US, Bilimoria and Stewart (2009) found that faculty staff described overt hostility towards them as LGBT identified individuals, feeling immense pressure to ‘cover’ their sexuality at work, but also an obligation to support LGBT students and junior colleagues.

It is reasonable to suggest that some LGBT business students may experience similar issues and problems on campus. Nonetheless, we cannot presume this or take for granted that business schools are safe or hostile environments for LGBT students in regard to their exposure to forms of normative violence such as heteronormativity and, relatedly, cisnormativity. Crucially, in some educational contexts there may be significant differences in how LGBT business school students are accorded recognition and thus subject to the norms that shape specific modes of normative violence. As Butler (2004: 8) points out: ‘norms and conventions that permit people to breathe, to desire, to love and to live, and those norms and conventions that restrict or eviscerate the conditions of life itself. Sometimes norms function both ways at once, and sometimes they function one way for a given group and another way for another group’. For example, Beemyn (2005) laments how transgender students in the US frequently face some of the most virulent forms of violence (e.g. cisnormativity) because they are positioned as subjects who transgress hierarchical gender and sexual binaries (e.g. masculine/feminine; heterosexual/homosexual) by which gender and sexuality are understood in restrictive dualistic modes of thinking. Areas of campus life where transgender students experience discrimination because of gender-exclusive policies and practices include health care, residence halls, lavatories, locker rooms, public inclusion and training. Such research conveys a troubling account of higher education from a trans student perspective, especially as higher education is a crucial context for forming and developing sexual and gender identities (Ellis 2009), and students within business schools are no exception.

Responses to these problems are varied, contextually contingent and patchy. For example, in the UK, some universities have set up LGBT support groups and introduced diversity policies inclusive of LGBT people, among other things, to achieve accreditation as a ‘Diversity Champion’ in the Workforce Equality Index (Stonewall 2014). This publication, pitched as a reliable ‘annual guide to Britain’s most gay-friendly employers’, is produced by Stonewall, a leading LGB rights charity organization. At present 73 universities appear on the ‘Diversity Champions’ program as members ‘committed to working with Stonewall to improve their workplaces for their lesbian, gay and bisexual staff’ (Stonewall 2014). However, only five appeared as champions in the 2014 index. Notably, detail is not provided in the Equality Index about how different faculties and departments such as business schools within each university might vary in their engagement with LGB students and staff. Furthermore, the Index does not address issues affecting trans students and staff. As such, much remains empirically open in this matter because it is unwise to prejudge what ‘gay-friendly’ badges (e.g., a ‘diversity champion’) signify at ground level insofar as LGBT students and staff members’ daily lives are concerned.

Encouragingly, many LGBT people in their roles as academics and students organize politically in ways that move from striving for LGBT representation on campus, to questioning the very normative processes that permit and curtail the possibilities for living openly LGB lives. For instance, Renn’s (2007) US study of LGBT student leaders and queer activists demonstrates how some students adopted a queer activist identity, of which an important part was participating in campus protests, marches in Washington, DC, and local political action campaigns. For these students, being ‘queer’ implied an obligation to take political action and risks, as one student remarked: ‘I asked myself if I was willing to risk my life for activism, in order to make things easier for LGBT people . . . and I decided yes, that I was . . . That just really increased my involvement, when I became dedicated to becoming an activist’ (2007: 324). Similar albeit tempered sentiments are expressed elsewhere by business school students who have organized to create safe spaces for LGBT students to gather and feel supported. The Lesbian, Gay, Bisexual and Transgender Student Association (LGBTSA), an organization of LGBT students and their partners at Harvard Business School (HBS), provides formal and informal support for members and works to build awareness of LGBT issues in the workplace at HBS and in the local business community. This organization is linked to another called Allies, a student club with members who are LGBT supporters at HBS. LGBTSA claim to recognize the challenges around coming out as a LGBT business student at university and in the wider sphere of work, undertaking work to create a supportive environment for LGBT students in the classroom, in recruiting, and on campus. The group has established links with LGBT-friendly companies and not-for-profit organizations which is commendable and promising, but I wonder if such connections with HBS and local businesses enable such groups to tackle the roots of heteronormativity in the corporate landscape. One concern, currently unexplored, is the limits of business school student groups in that respect, and whether they inadvertently create a ‘gay-friendly closet’. By this, a term borrowed from Williams et al. (2009), I mean that the visibility and participation of LGBT students within HBS and in the business community is contingent on norms of recognition that specify how LGBT people should identify in terms of behavior, appearance and attitudes; typically, as gender normal, professional, middle-class, apolitical and monogamous. Again, this can be understood as a form of normative violence that carrels LGBT people into identity categories that allow them visibility to participate openly at work but at a cost personally and professionally (Rumens and Kerfoot 2009). Such issues are particularly pertinent in the context of the management classroom.

3 Normative Violence in the Management Classroom

Research shows that the management classroom can be a site of normative violence for LGB students and academics (Ozturk and Rumens 2014; Giddings and Pringle 2011; McQuarrie 1998). For example, heteronormative values can be so deeply ingrained within the management curriculum that the representation of LGB sexualities in teaching materials can be marginal or non-existent. I find it disheartening that numerous management textbooks make few references to LGB people or those who identify as trans, queer, questioning, and so on. When LGB subjects figure in management textbooks they are safely contained where we might expect to find them: within chapters on diversity management and workplace equality. Management textbooks have been criticized for constructing employees as disembodied, genderless and docile subjects whose interests and desires align neatly with those of their employers (Cameron et al. 2003). But even in the case of desiccated normative constructions of employees within mainstream management textbooks, the default setting for gender and sexuality is male and heterosexual (Kelan 2008). Put differently, we might mistake the textbook employee as a subject attached to a non-descript identity category when in actual fact, it is frequently gendered as male/masculine and assumed to be heterosexual. This has implications for those business school scholars who consciously tilt the management curriculum toward LGBT students.

McQuarrie (1998), writing from an Australian business school context, adopts a similar position in her argument that LGBT issues are frequently absent and unacknowledged in management education. Sexual orientation is often missing in management course content, even in diversity management teaching where it seems to secure temporary accommodation. Elsewhere, Giddings and Pringle (2011) mention how one female lesbian student in a New Zealand business school claimed she had only heard the term ‘lesbian’ uttered twice throughout her degree course. Both examples, sobering first-hand accounts of the prevalence of heteronormativity in the management classroom which codes gay and lesbian sexualities as the ‘Other’, help to explain how and why the discussion of LGBT workplace issues can be difficult. The normative violence enacted through exclusionary practices within management curriculum content is dangerous because it normalizes the absence or partial representation of LGBT sexualities and genders, with the possible outcome that management students may reject from the outset or merely tolerate academic arguments about the oppressive aspects of business schools and management studies. Under such circumstances, LGBT business school students may reach a number of disturbing conclusions including: (1) LGBT sexualities and genders are not relevant in the management curriculum; (2) the corporate closet and/or gender normal appearances and behaviors are the only viable options for career advancement as a LGBT employee; (3) that employers are uninterested in LGBT employees and issues when in fact they really are for all manner of reasons, both positive and negative. Angered and frustrated by an apparent refusal or overly cautious approach adopted by some business schools to take on LGBT issues within the management curriculum has led some scholars, including myself, to problematize normative modes of violence such as heteronormativity and cisnormativity and introduce LGBT issues into the management classroom.

Scholars who utilize teaching materials that instigate discussions of LGBT sexualities and genders in the context of management education can find themselves caught on the horns of a dilemma: it is an opportunity to educate students on workplace LGBT issues and perspectives, but it is also an occasion for negative reprisals if, for instance, pedagogical activities trigger prejudice and backlash, initiate unplanned or constrain identity disclosures in the classroom. Heterosexual teachers who venture into this subject area are also at risk of being presumed to be LGBT, and thus susceptible to negative reactions from some students. Teaching sexuality and gender can be a tricky business for educators seeking to challenge how discourses of management are overlaid by discourses of masculinity and underline the importance of how and why gender matters in organizations (Sinclair 2000, 2005). Coming out as LGBT in the management classroom, as a student or as a member of staff, can incite heteronormativity violently. It can influence how LGBT subjects are (not) accorded recognition as people, cast instead as sexual/gender deviants, just as it can enhance the personal integrity of the subject coming out in the eyes of others. As research shows, coming out in different types of educational classroom settings is motivated by different reasons (Connell 2014). One compelling motive for LGBT educators to disclose is the wish to connect with LGBT students, especially those who may be closeted, in order to provide a supportive environment in which to discuss LGBT issues. I adopt a similar stance but it is not always an easy one to maintain, especially when I was a junior academic concerned with eliciting good student feedback in order to pass my probationary period. As a junior academic, teaching LGBT topics felt controversial when on probation and situated within the confines of management curriculum marked by conservativism, so generally I adhered to a professional ethic of discretion. Obviously, it cannot be presumed that LGBT academics are happy to disclose to students, especially if they feel sexuality and gender has little or no relevance to the subject matter they teach, which is possibly the case for many LGBT business academics teaching on mainstream business and management degree programs. To a great extent, however, we know very little about these identity disclosure dilemmas among business school faculty staff and students in the management classroom, although Ozturk and Rumens (2014) provide some insight.

In our study on heteronormativity in business schools (Ozturk and Rumens 2014), we found that some gay male academics were keen to be recognized as openly gay men within the business school, but the organizational and cultural norms governing the conditions of visibility and participation within the business school reproduced a gay/queer binary. Viable, visible gay identities within business school contexts were those which adhered to heterosexual norms, occasioning opportunities for gay men to identify as ‘normal’ in terms of heterosexual respectability and conformity, with queer positioned as its Other. Indeed, Edgar, one of our interviewees, suggested it was ‘dangerous to come out as queer … business students will conjure up all manner of things in their heads about being sexually promiscuous, a rainbow flag-waving political nutter … someone who is out to cause trouble’. Other interviewees veered away from a queer identity, especially in the management classroom, in order to maintain a sense of personal integrity as an openly gay male academic that would also serve as a role model to LGBT students and other staff. Yet such normative conditioning of the self to appear compliant with dominant heteronormative constructions about what is ‘gay’ rather than ‘queer’ reproduces a cultural logic of exclusion through the placement of gay and queer within a hierarchical binary. In this binary, queer is narrowly understood as only ever being disruptive, over-sexualized, radical and even destructive and, as such, must be contained or managed out altogether. Indeed, Morrish and O’Mara (2011: 987) aver that many higher education institutions in the UK and the US ‘prefer the invisibility of queers, lest they bring universities and colleges into disrepute’. In other words, universities might prefer that the potential disruptiveness of queers and queerness to destabilize heteronormativity is never realized.

Reflecting on the above, my experience of teaching LGBT issues to business and management students has often been fraught and uncomfortable. Teaching on general organization behavior and management modules is often the most challenging for me as, at times, I have to defend the place of LGBT workplace issues as part of the module content. I have been interrupted by disgruntled undergraduate students in lecture theatres asking why LGBT issues are relevant to management, while some students have articulated a moral and professional panic about LGBT people in the workplace. For instance, one MBA student employed as a medical director in a hospital argued that trans people had no place in delivering patient care as they would frighten patients because of their physical ‘monstrosity’ (his words), reinforcing conservative norms underpinning cisnormativity about trans employees as abject and unhuman. On another occasion, guest lecturing for a colleague running an equality, diversity and inclusion undergraduate option module, I assumed I had a captive student audience that needed little persuasion about the salience of sexuality as a legitimate diversity management issue. Yet, upon entering the classroom, one student came up to me and asked: ‘Are you the lecturer who’s here to talk about being gay at work?’ Before I could respond, the student looked disapprovingly at my shoes and said: ‘your shoes are so gay’. As someone who seldom seems to be able to respond with a smart or witty answer in such situations, I laughed nervously and wondered if my somber brown shoes were ‘gay’, or perhaps not ‘gay’ enough? Interrupting what felt like a prolonged and awkward silence, I replied to the student: ‘well, they’re hardly a pair of ruby red slippers’, which seemed to have a disarming effect. The lack of compunction with which this student felt able to label an aspect of my body as 'too gay', an expression in heteronormative parlance that typically functions as an insult (Woodford et al. 2013), punctuated my naiveté about positioning students on a continuum of acceptance by which business and management modules they were enrolled on.

On those occasions when teaching LGBT workplace issues has gone well, I have experienced another sense of discomfort that stems from being positioned by students as a mouthpiece for the LGBT community. This is one potential drawback for those LGBT business school academics who act as role models, since the role can imply or sometimes necessitate an ambassadorial responsibility to build bridges between LGBT and straight worlds. In these moments, I have been acutely aware of another pertinent issue; namely, the patchy coverage between LGBT sexualities and genders in the management classroom, with gay and lesbian sexualities disproportionately receiving greater coverage in my teaching than bi and trans issues. This state of affairs is reflected more widely in the greater amount of organizational scholarship published on LG rather than BT issues (Colgan and Rumens 2014). What this leads me to say is that the one topic area I am most passionate about is sometimes the subject I enjoy teaching the least in the management classroom. But this is no excuse to shy away from the challenge of developing a critical pedagogy that problematizes normative forms of violence such as heteronormativity in the management curriculum, and refuses a preoccupation with the reproduction of harmful gender and sexual binaries, and the hetero-norms that sustain them.

4 Conclusion

In this chapter I have discussed how business schools are sites of normative violence toward LGBT students and academics, with a particular focus on heteronormativity. LGBT people must depend on legal protection from physical forms of violence, where it is available, but also rely on institutions to ensure safeguards against normative forms of violence. But there appear to be few safeguards in some business schools to protect LGBT people from heteronormative violence executed through regulatory norms upon which a subject's sense of viability as a person depends. It is my hope that this chapter, a composite account of academic sources and my reflections as an openly gay male business school academic, will throw into sharper relief a research agenda centered on how can business schools foster research and teaching that problematizes and dismantles heteronormativity. In one sense, this chapter and the others that comprise this edited collection bear testimony to what is possible toward this end. Still, further analysis is needed to pin down more precisely the interaction between normative forms of violence and LGBT sexualities and genders within business schools. To that end, we must explore what can be done to make these institutions not only safer places for LGBT students and staff to learn and work, but also how they might nourish alternative identities and selves that transcend the limits of sexual and gender normativity.

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The Role of Apparent Sexual Orientation in Explaining the Heterogeneity of Wage Penalties Among Gay Employees

Thierry Laurent and Ferhat Mihoubi

1 Introduction

Since the late 1980s, following the seminal paper by Badgett (1995), several econometric studies in different countries have emphasized the existence in the labor market of a difference in wages between homosexual employees and their heterosexual counterparts (for a survey of these studies see, for example, Ahmed and Hammarstedt (2010) or Laurent and Mihoubi (2012)). Such an unexplained and inexplicable wage gap constitutes what is commonly called *wage discrimination*.

The main results highlight the existence of significant wage discrimination against gay men, usually between −7 and −15 %. However, in most cases, they fail to find any significant wage discrimination against lesbians. A recent econometric study concerning the French labor market confirms results obtained during the last two decades in other countries: gay men suffer a –6 % wage penalty (see Laurent and Mihoubi 2012).

A limitation inherent in this type of study derives from the fact that, unlike gender or ethnic origin, sexual orientation is not an individual characteristic clearly observable by the employer. Consequently, to the extent that some homosexual employees are not identified as such by their employers, the average wage discrimination measured in a sample of all homosexual employees underestimates the effective wage penalty incurred by workers whose sexual orientation is known to

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the employer (cf. Black et al. 2003) *i.e.* the costs of *coming out* and disclosure in the workplace.

All these studies share a common econometric method to assess wage discrimination, which consists of estimating a gendered wage equation including a dummy variable representing sexual orientation. Such an approach is based on the implicit assumption that discrimination is based on the actual sexual orientation of workers: homosexual *vs.* heterosexual.

This can be rather a strong assumption because the actual sexual orientation of an employee—except for uncloseted workers—is never completely determinable by the employer. Generally, informational imperfections in the workplace (asymmetric information) result in the employer not knowing the *actual* sexual orientation of an employee but only the *perceived* sexual orientation *i.e.* the probability "estimated" by the employer—conditional on all the available information—as to whether or not an employee is homosexual.

Using actual sexual orientation instead of perceived sexual orientation to measure wage discrimination may lead to measurement errors, difficulties in interpreting results, some misleading conclusions and an intrinsic inability to explore the heterogeneity of wage discrimination among gay employees.

The aim of this chapter is to revisit the method of assessing wage discrimination based on sexual orientation by suggesting a two-step approach: first, a model of "perceived sexual orientation" will be elaborated; next this model will be used to derive a new variable for wage equations—instead of using actual sexual orientation. The application of this method to French data confirms the role played by perceived sexual orientation, appearing to be a highly significant variable.

This is a first attempt to assess the impact on wage of sexual orientation as it is perceived by the employer. The suggested approach allows us to provide a more precise assessment of the degree of wage discrimination against homosexual employees. Additionally, it makes possible a better understanding of heterogeneity of the wage penalty and an evaluation of the economic cost of *coming out* in the workplace.

The first section presents the main issues and the related literature. The second is devoted to the construction of the database and to the presentation of the main statistical characteristics of the sample used. The third section presents the econometric method, the main results and a robustness analysis.

2 Background

2.1 Problem

Assessment of wage discrimination based on sexual orientation raises several issues such as estimation bias and/or potentially misleading interpretation of results. From a methodological point of view, the main difficulty is that, unlike gender or ethnic origin, sexual orientation is not perfectly and directly determinable by the employer (note that the term "employer" as used here refers both to the recruiter, the supervisor, the person with whom promotions are negotiated, the person responsible for an employee's career *etc*. It must be seen as a shortcut to bypass the great difficulty of precisely identifying the "wage setter" within the firm).

This is a point that is surprisingly neglected in the related literature, especially when one realizes that heterosexism, homophobia, fear of discrimination *etc*., lead many homosexual employees to hide their sexual orientation or, at a minimum, to cautiously manage information disclosure in the workplace. Falcoz (2008) underlines that about 30 % of lesbians and gays in France say they do not disclose their sexual orientation in the workplace, which is considered as the main place where it is important to hide one's sexual orientation. As Dejordy (2008) points out, many individuals with "invisible" stigmatized social identities decide not to reveal them in organizational settings and Barreto et al. (2006) highlight that such comportments undermine performance-related self-confidence.

Given such a context of asymmetric information, it is clear that the sexual orientation of employees is not common knowledge in the workplace; it rules out the assumption that actual sexual orientation is known to the employer.

However, as Badgett (1995) points out, sexual orientation must be—in one way or another—known to the employer, before one may speak of wage discrimination against homosexual workers.

The only way to reconcile the possibility of discrimination in the workplace based on sexual orientation with the fact that actual sexual orientation of employees is not always observable is to assume that employers form "beliefs", about the sexual orientation of their employees. Such beliefs can be influenced by observation of some individual characteristics of employees.

Although observation of these characteristics of course does not permit an employer to make a perfect assessment of the sexual orientation of a worker, it does allow him or her to associate each employee with a "belief" *i.e.* a subjectively assessed probability that the employee in question is gay. This belief is simply the probability of being considered gay by an employer *i.e.* the *perceived sexual orientation* (PSO). In such a framework it is this probability or a proxy for it—and not the non-observable real sexual orientation—that should be included in a wage equation aiming to estimate discrimination based on sexual orientation.

Contrary to methods used in previous studies, this new approach leaves room to study the economic impact of heterogeneity among gay people; indeed, the estimated wage penalties incurred by gay workers considered as gay by their employers with different (high *vs.* low) probabilities will be different.

2.2 *Perceived Sexual Orientation*

The fact that one can get accurate information on actual sexual orientation of other people through a careful observation of some of their individual characteristics is not new. However, the implications of this fact for analysis and understanding of workplace discrimination based on sexual orientation have never been brought into play.

2.2.1 The Role of Stereotypes

According to Rule and Ambady (2008a, b) when individuals present themselves to others they communicate their sexual orientation both intentionally, *via* cues such as clothing and hairstyle, and unintentionally, *via* their nonverbal behavior. Some research on this topic suggests that one could assess male sexual orientation from minimal cues, such as voice, facial expressions, behavioral display, clothing style and fit, jewelry, posture, body type, walk or gait, and both the types and frequencies of gestures (see Carroll and Gilroy 2002; Gaudio 1994; Pierrehumbert et al. 2004; Rule and Ambady 2008a, b). Many examples of how sexual orientation is "detected" in the workplace from minimal cues are collected and examined in Soucek (2014).

One common explanation of how one can accurately judge sexual orientation starting from minimal cues relies on the role of gender stereotypes used as categorization tools: stereotyping gays and lesbians as gender "inverts" leads perceivers to use the voice or gendered facial cues to infer sexual orientation. Johnson et al. (2007) and Rieger et al. (2010) shed a light on the role of gender inversion in sexual orientation perception from the body and voice. Freeman et al. (2010) showed that people use gender-inverted facial cues to get information on sexual orientation and that the use of such cues can lead to accurate judgments.

Other perceptible gender stereotypes include ways of walking, clothing or gesturing. Of course, the question remains of why gays and lesbians exhibit more gender-atypical characteristics than their straight counterparts. Freeman et al. (2010) suggest that it could be explained by the power of "inverted" stereotypes, such that gay men and lesbians, either consciously or unconsciously, tend to alter their voice and groom their face in gender-atypical ways in order to fit stereotypes associated with their group *i.e.* to look or sound gay. This behavior, identified and analyzed by Yoshino (2006) as *reverse-covering*, exacerbates in return the stereotyping process.

2.2.2 The Role of Observable Variables

As said above, information about the sexual orientation of employees may be acquired by any employer through observation and analysis of a set of easily observable individual characteristics. These include for example: marital status, existence of children, neighborhood of residence, presence or absence of a worker's partner at public company events, behavior at work, rumors reported by other employees, military service, degree of participation of the employee in the social life of the firm *etc*.

A neat statistical analysis of available information contained in the set of all these individual variables, along with stereotypical categorization, contributes to the formation of "beliefs", allowing the employer to subjectively assess the likelihood that an employee is gay or straight.

2.3 Methodology

Using original and detailed data collected through a web survey conducted by us in 2011 regarding the characteristics and behavior in the workplace of 3000 French gay employees, we apply a two-step econometric method to evaluate the individual wage penalties faced by people inside this set of heterogeneous gay workers.

As a first step, we use probit/logit econometric analysis to compute, for each gay worker i, his probability PSO_i of being considered by his or her employer to be homosexual. At the end of this first step a variable PSO_i ranging between 0 (when the probability of being considered to be gay by the employer is equal to zero) and 1 (when the probability of being considered to be gay by the employer is equal to 1) is assigned to each gay worker in our sample.

To assess the impact of the perceived sexual orientation on wages, we then estimate earnings equations where the logarithm of the monthly wage is explained both by job characteristics Z_i, employee personal characteristics X_i and the specific perceived sexual orientation variable: $ln\ w_i = \alpha.Z_i + \beta.X_i + \gamma.PSO_i + \mu_i$.

As mentioned above, this method revises the usual way of estimating wage discrimination based on sexual orientation, as it makes it possible to identify different degrees of wage penalty depending on the types of employees to whom the penalty is applied. Whatever the estimation of γ, the estimated wage penalty of an "invisible" gay worker (who could be considered a heterosexual worker, at least from an informational point of view) will be equal to zero ($\gamma.PSO_i$ with $PSO_i = 0$), while the same penalty for a perfectly identified gay worker will be equal to γ ($\gamma.PSO_i$ with $PSO_i = 1$). The wage penalty of all the other "types" of gay employees will range in the interval]0, γ[, depending on their perceived sexual orientation.

It is worth noting that this method makes it possible to estimate the individual cost of *coming out* in the workplace, defined as the monetary penalty for the disclosure of sexual orientation *i.e.*, an increase in the variable of perceived sexual orientation from $PSO_i < 1$ to $PSO_i = 1$. Of course such a cost is different for each type of gay employee. The lower the initial *PSO*, the higher the associated cost of *coming out*. Finally, the degree of wage discrimination based on sexual orientation, in a particular labor market, can be defined as the amount γ of discrimination incurred by a worker whose sexual orientation is perfectly known to the employer.

3 Data

3.1 Database

The difficulty in applying the method suggested in the above section is that one must have a database that includes sufficient information about employees to allow modeling of the "perceived sexual orientation" of an individual. This means that for each individual, we need three sets of variables:

– The control variables Z_i corresponding to job characteristics: qualifications, job tenure, type of job, working hours, firm size, sector of activity *etc*.
– The control variables X_i corresponding to the personal characteristics of an employee: age, nationality, degrees, family status, location *etc*.
– The variables Y_i impacting the perceived sexual orientation PSO_i of the employee *i.e*. the set of observable variables used by the employer, to form his or her beliefs about sexual orientation: marital status, existence of children, neighborhood of residence and all variables used as categorization tools for stereotyping people, *etc*.

This last set of variables—which is irrelevant when actual sexual orientation is used in the wage equation as opposed to perceived sexual orientation—is obviously difficult to acquire.

An online survey conducted in 2011 on the detailed characteristics and behavior in the workplace of French employees allowed us to collect answers to more than 70 precise questions covering all the variables listed above. This specific survey entitled *Lifestyles in the workplace* was distributed as a supplement to the *French Gay and Lesbian Survey* (EPGL) run by the *French Institute for Public Health Surveillance* (InVS), a governmental institution reporting to the Ministry of Health. Table 7 of Appendix summarizes the questions included in the survey.

More than 10,000 respondents completed the 2011 EPGL survey, of which 3177 filled out a supplemental survey. Starting from this raw data, we ruled out any survey that was incomplete (–246), filled out incorrectly or inconsistently (–64). We then calibrated the sample by ruling out respondents indicating that their earnings or those of their partner were above 10,000 €/month (–98; to avoid contamination of our sample by respondents who confused monthly and annual earnings) and people under 18 or over 65 (–51). As the main goal of this chapter is to assess the heterogeneity of wage discrimination among gay employees, we finally ruled out heterosexuals (–267), transsexuals (–30), women (–496), non-wage earners (–504) and workers indicating a wage equal to zero (–13). After these filters were applied, the final sample used in the chapter contains 1408 observations.

3.2 Descriptive Statistics

The dataset comprises 1408 male homosexuals. Their main characteristics are presented in Table 1. To focus on the specific role played by perceived sexual orientation, descriptive statistics have been split according to the employer's (supposed) knowledge of the employee's sexual orientation. The lower level of knowledge is defined by the answers "*Certainly not*", "*Probably not*" or "*I do not know*" to the question "*Do you think that your supervisor and the person in charge of your career know your sexual orientation?*". We will refer to this level of knowledge as "Sexual orientation unknown by employer" (Table 1, column 1). The intermediate level of knowledge corresponds to the answers "*Probably, yes*" or "*Yes, I am absolutely sure*" to the same question. We will refer to this level of knowledge as "Sexual orientation likely known by employer" (Table 1, column 2). The highest possible level of knowledge occurs when the respondent has clearly indicated that he has disclosed his sexual orientation both to a supervisor and to the person in charge of his career: we will refer to this situation as "Disclosure of sexual orientation" (Table 1, column 3).

It is worth noting that the average wage decreases with the supposed knowledge by the employer of the employee's sexual orientation. This result is consistent with discrimination against gay employees in the workplace. The wage penalty is equal to –1.31 % if sexual orientation is "likely known" by the employer rising to –3.4 % if the employee has disclosed his sexual orientation. However at this stage we have to be careful as those wage gaps are imputed unconditionally to the other characteristics of the employee (skill, working time, education *etc.*). We cannot exclude that knowledge of sexual orientation of employees is correlated to their productive characteristics.

Another interesting point is that discrimination in the workplace, as it is *experienced by the respondents*, is also related to the degree of employer knowledge of sexual orientation. Only 7 % of employees having an "unknown" sexual orientation indicated that they faced discrimination in the workplace, as against 14 % for employees having a sexual orientation that is "likely known" by the employer or for those who had disclosed their sexual orientation. Similarly, only 7 % of employees having a sexual orientation unknown by the employer declared that they incurred a wage penalty, as against 13 % for those who disclosed their sexual orientation or those whose sexual orientation was "likely known" by the employer. It clearly seems as if the degree of an employer's knowledge of the sexual orientation of an employee has a positive impact on the level of discrimination experienced by that employee.

As expected, we also observe that when sexual orientation is not known to the employer, the respondent:

– Declares more often that he hides his sexual orientation : 63 % *vs.* 20 % (when sexual orientation is "likely known" by the employer) and 1.6 % (when sexual orientation is disclosed)

Table 1 Descriptive statistic

Variables			SO unknown by employer		SO likely known by employer		Disclosure of SO		All	
			Mean	Std-Dev	Mean	Std-Dev	Mean	Std-Dev	Mean	Std-Dev
Sample		Population size/ratio (%)	622	44.18 %	419	29.76 %	367	26.07 %	1408	100 %
Individual characteristics	Age	≤30	21.38 %	0.02	14.79 %	0.02	17.17 %	0.02	18.32 %	0.01
		30−34	18.81 %	0.02	14.56 %	0.02	11.44 %	0.02	15.63 %	0.01
		35−39	18.81 %	0.02	20.53 %	0.02	21.25 %	0.02	19.96 %	0.01
		40−44	16.08 %	0.02	21.24 %	0.02	19.62 %	0.02	18.54 %	0.01
		45−49	13.18 %	0.01	15.04 %	0.02	19.35 %	0.02	15.34 %	0.01
		50−54	6.75 %	0.01	10.50 %	0.02	4.36 %	0.01	7.24 %	0.01
		55−59	4.18 %	0.01	1.67 %	0.01	5.72 %	0.01	3.84 %	0.01
		≥60	0.80 %	0.01	1.67 %	0.01	1.90 %	0.01	1.14 %	0.01
		Average age (years)	37.84	0.36	39.45	0.42	39.43	0.47	38.73	0.24
	Degrees	Master's or PhD	60.93 %	0.02	56.80 %	0.02	52.32 %	0.03	57.46 %	0.01
		College	21.38 %	0.02	19.33 %	0.02	20.16 %	0.02	20.45 %	0.01
		High school	7.36 %	0.01	15.51 %	0.02	16.62 %	0.02	12.22 %	0.01
		No degree	10.29 %	0.01	8.35 %	0.01	10.90 %	0.02	9.87 %	0.01
	Family situation	Married	1.13 %	0.01	0.24 %	0.01	0.82 %	0.01	0.78 %	0.01
		Civil union	13.99 %	0.01	22.19 %	0.02	32.70 %	0.03	21.31 %	0.01
		At least one child	7.23 %	0.01	5.73 %	0.01	10.62 %	0.02	7.67 %	0.01
		Live with child(ren) between 10 and 15	2.73 %	0.01	1.67 %	0.01	2.72 %	0.01	2.41 %	0.01
	Origin	North-African family name	1.13 %	0.01	1.19 %	0.01	2.72 %	0.01	1.56 %	0.01
	Social environment	Comes from a privileged social group	2.41 %	0.01	2.86 %	0.01	4.63 %	0.01	3.13 %	0.01
	Location	Town < 200,000 pop.	27.17 %	0.02	23.87 %	0.02	20.44 %	0.02	24.43 %	0.01
		Paris metropolitan area	30.23 %	0.02	32.22 %	0.02	34.88 %	0.03	32.03 %	0.01

	Health	Disease lowering productivity at work (excluding AIDS)	12.54 %	0.01	14.56 %	0.02	16.62 %	0.02	14.20 %	0.01
	Drugs consumption	Occasional cocaine use	6.11 %	0.01	10.50 %	0.02	12.00 %	0.02	8.94 %	0.01
	Social life	Attending gay bars/clubs *etc.*	20.42 %	0.02	28.40 %	0.02	27.80 %	0.02	24.72 %	0.01
		Living with a partner	31.35 %	0.02	41.76 %	0.02	56.13 %	0.03	40.91 %	0.01
		No friends	3.21 %	0.01	2.15 %	0.01	4.63 %	0.01	2.41 %	0.01
	Information provided on Sexual Orientation	Stereotyped behavior	34.24 %	0.02	48.21 %	0.02	50.41 %	0.03	42.61 %	0.01
		SO known by colleagues	44.69 %	0.02	95.94 %	0.01	98.64 %	0.01	74.01 %	0.01
		Sexual orientation hidden	63.18 %	0.02	20.04 %	0.02	1.63 %	0.01	34.30 %	0.01
JOB CHARACTERISTICS	Wage	Monthly wage (€)	2526	49.21	2493	62.10	2441	67.84	2494	33.55
	SO discrimination experienced	Yes (*vs. No*)	7.23 %	0.01	14.31 %	0.02	14.71 %	0.02	11.29 %	0.01
		Wage penalty	6.78 %	0.01	12.72 %	0.02	12.94 %	0.02	10.23 %	0.01
	Sector	Public	41.32 %	0.02	36.75 %	0.02	30.52 %	0.02	37.14 %	0.01
	Firm size	<100 employees	22.03 %	0.02	27.45 %	0.02	40.05 %	0.03	28.34 %	0.01
	Working hours *Average hours per week*	Contractual working hours	35.45	0.24	35.64	0.35	35.00	0.34	35.39	0.17
		Extra working hours	7.04	0.49	7.41	0.62	6.91	0.61	7.12	0.33
	Qualification	Highly skilled	22.51 %	0.02	21.00 %	0.02	18.26 %	0.02	20.95 %	0.01
		Skilled	55.31 %	0.02	53.22 %	0.02	52.32 %	0.03	53.91 %	0.01
		Unskilled	21.22 %	0.02	23.15 %	0.02	25.61 %	0.02	22.94 %	0.01
	Type of job	Tasks (*vs. conception/supervision*)	39.71 %	0.02	42.72 %	0.02	36.78 %	0.03	39.84 %	0.01
		In direct contact with customers	68.49 %	0.02	78.28 %	0.02	78.47 %	0.02	74.01 %	0.01
	Job tenure	Number of years	8.87	0.35	10.00	0.43	9.30	0.49	9.32	0.24
	Employment contract	Civil servant	31.03 %	0.02	24.34 %	0.02	21.25 %	0.02	26.49 %	0.01

(continued)

Table 1 (continued)

Variables			SO unknown by employer		SO likely known by employer		Disclosure of SO		All	
			Mean	Std-Dev	Mean	Std-Dev	Mean	Std-Dev	Mean	Std-Dev
Sample		Population size/ratio (%)	622	44.18 %	419	29.76 %	367	26.07 %	1408	100 %
		Long-term contract (CDI)	59.00 %	0.02	65.63 %	0.02	68.66 %	0.02	63.49 %	0.01
		Fixed-term contract (CDD)	7.88 %	0.01	8.11 %	0.01	8.17 %	0.01	8.03 %	0.01
		Temporary contract	0.64 %	0.003	0.72 %	0.004	0.54 %	0.004	0.64 %	0.002
		Other (non-permanent) contract	1.45 %	0.01	1.19 %	0.01	1.36 %	0.01	1.35 %	0.003

- Discloses his sexual orientation to his colleagues less frequently (45 % *vs*. 96 % and 99 %).
- Visits gay places less frequently (20 % *vs*. 28 % and 28 %)
- Displays less often gay stereotyped behavior (34 % *vs*. 48 % and 50 %)
- Lives alone more often (69 % *vs*. 58 % and 44 %)
- Has a registered civil union less often (14 % *vs*. 22 % and 33 %)
- Has a job requiring contact with customers less often (68 % *vs*. 78 % and 78 %)
- Works more frequently in the public sector (41 % *vs*. 37 % and 31 %)

Considering all of these characteristics, it is possible to construct a scale, from very hidden gay workers—those whose sexual orientation is unknown and who seem to face low levels of wage discrimination—to gay employees that have disclosed their sexual orientation and seem to face higher levels of discrimination.

4 Results

4.1 Econometric Method

Ideally, to measure the sexual orientation of an employee as perceived by the employer, the latter should be directly interviewed during the survey. This is not the case in our survey since only employees filled out the questionnaire. However, the survey contains numerous questions relating to what the employer knows or may know.

In the case of disclosure of sexual orientation to a supervisor and to the person in charge of career, we consider the employer to have perfect knowledge of the employee's sexual orientation. In other cases, employee's answers to questions concerning the degree of knowledge of his sexual orientation by his employer can be used to estimate the perceived sexual orientation of the employee by his employer (PSO). Formally, PSO corresponds to the conditional expectation of the employee (with the subscript w) given his information set, of the employer's (with the subscript e) conditional expectation that the employee is gay given his information set *i.e.* $E(E(\text{gay}|I_e)|I_w)$.

Obviously, the set of information used by the employee contains his exact sexual orientation as well as private information not available to the employer. In this regard, the employee information set includes the information set of the employer and we satisfy the law of iterated expectation. In other words: $I_e \subseteq I_w$ and $E(E(\text{gay}|I_e)|I_w) = E(gay|I_e) = Prob(gay|I_e) = \text{PSO}$.

Note that the law of iterated expectation for a specific observation applies only if the employee perfectly measures the information set used by his employer, otherwise the employee may make a measurement error. However under the assumption of a random measurement error, the law of iterated expectation applies on average. We will consider this latter case later on.

Table 2 Estimating perceived sexual orientation (PSO)

Question in the survey	Answer of the respondent	Designation in the paper	Question in the survey	Answer of the respondent	Designation in the paper	Reported perceived sexual orientation RPSO	Estimation process	Predicted perceived sexual orientation PPSO
Did you disclose your SO, both to the supervisor and to the person in charge of your career?	*Yes*	Disclosure of SO						1
	No	No Disclosure of SO	Do you think that your supervisor and the person in charge of your career know your sexual orientation?	*I am sure not*	Sexual orientation unknown by employer	0	Estimation of a probit model $RPSO_i = \Phi(I_e) + \varepsilon_i$	Prediction of the probit: $PPSO = \widehat{RPSO}$
				Probably not				
				I do not know				
				Probably yes	Sexual orientation likely known by employer	1		Continuous variable on the support]0,1[
				I am sure yes				

Of course, in our survey we do not observe PSO but only the "reported perceived sexual orientation" *i.e.* the employer's perception of the sexual orientation of the employee, as it is reported by the employee (RPSO): a two state variable defined as 0 in case of "*sexual orientation unknown by employer*" and 1 for a "*sexual orientation likely known by employer*" (*cf*. Sect. 3.2). This variable provides a coarser description of the theoretical perceived sexual orientation $E(E(\text{gay}|I_e)|I_w)$ which is a continuous variable on the support [0,1]. To approximate the PSO we thus estimate a probit/logit model using:

– As dependent variable, the two-state variable RPSO
– As explanatory variables, all the variables that may influence the information set I_e of the employer; *i.e*., *(1)* variables to which employers have access (family status, neighborhood of residence, age *etc*.) and *(2)* other variables likely to provide to the employer, in one way or another, some information about the sexual orientation of the employee (disclosure of sexual orientation to colleagues, frequentation of gay places, stereotyped behavior *etc*.)

The approximate or predicted PSO (PPSO) is computed for every employee who has not disclosed his sexual orientation to his employer using a prediction generated by the logit/probit model. The purpose of this step is not to replicate the RPSO that can be contaminated by measurement error from the employer's information set, but to provide a consistent prediction of the PSO using all potential variables that might enter the employer's information set. Obviously, for employees who have disclosed their sexual orientation to a supervisor and the person in charge of their career, the PPSO is systematically set to one. Table 2 provides a synthetic description of the methodology used to estimate PPSO.

4.2 Main Results

To specify the PSO equation for the 1054 employees who have not disclosed their sexual orientation to their employer, we have considered a large set of variables related to sexual orientation of employees to which the employer has or could have access. Retaining only the variables that have a significant impact on the employer's perception of sexual orientation, we get the results reported in the first column of Table 3.

The results are consistent with the expected signs and magnitudes. The dissemination of information about sexual orientation increases the probability an employee will be perceived as gay: stereotyped behavior increases the PSO by 5.9pp, while colleagues' knowledge of sexual orientation increases it sharply by 43pp. The same kind of information is provided if the employee lives with a partner (+7pp on the PPSO) or if he frequents gay places (+6pp). At the opposite end of the spectrum, if the employee hides his homosexuality or if he has at least one child, the PSO is reduced by –20pp and –9.2pp, respectively. Several factors may magnify the informational mechanisms just described. Marital status or the absence of child each have an increasing effect on the PSO with age: each additional year of age increases PSO by +0.6pp. (It should be noted that the reference group is an unmarried individual having no children). The "visibility" of an employee at the firm is also positively correlated with PSO: to work in contact with customers increases PSO by +6pp and to work in a firm with less than 100 employees increases it by +5pp. Finally, the absence of friends has a strong positive impact on PSO (+15pp).

In a second step, instead of using actual sexual orientation or even RPSO in the wage equation, we use PPSO (employer's PSO as predicted by the PSO equation). The results are reported in the second column of Table 3. The signs of all the significant coefficients are consistent with the usual findings. Higher educational degree, privileged social background, greater skills, working hours or more seniority in the job have a positive effect on wages. At the opposite end of the spectrum, having a young child, a north-African family name, suffering from a disability that lowers productivity, having no friends, working in the public sector, in a small firm, having an operational job function, a non-permanent labor contract, all have a negative impact on wages.

The main result is that perceived sexual orientation has a significant negative impact of –6.5 % on earnings. At first glance, this result seems quite similar to the –6.3 % wage penalty estimated by Laurent and Mihoubi (2012) for French gays. However we need to be cautious comparing these two results because it was the actual sexual orientation, not the PPSO, which was used as an explanatory variable in our prior article. This means that the –6.3 % wage penalty estimated in Laurent and Mihoubi (2012) was an average penalty estimated on all gay employees, regardless their PSO. In contrast, the –6.5 % wage penalty estimated here represents the maximum penalty faced by an "uncloseted" gay employee whose PSO is equal to one; the average wage penalty is thus much lower here and can be approximated by –6.5 % $\times$ the average PPSO (55.2 % on our sample) = –3.6 %.

Table 3 Perceived sexual orientation (probit model) and wage equation

			PSO equation	Wage equation
INDIVIDUAL CHARACTERISTICS	PPSO	Predicted perceived sexual orientation		–0.065***
	Age	Age	0.023*** (0.6pp)	0.032***
		Age-squared		–0.001***
	Degrees	Master's, PhD		0.148***
		College, A level or High school diploma, or no degree		
	Family situation	Has a child(ren)	–0.353** (–9.2pp)	0.080**
		Does not have any child		
		Living with child(ren) between 10 and 15		–0.100**
		Has registered a civil union		0.060***
		Not married, nor civil union		
	Social environment	Comes from a privileged social group		0.158***
		Does not come from a privileged social group		
	Origin	North-African family name		–0.138**
		Not a north-African family name		
	Dissemination of information on sexual orientation	Hides his sexual orientation	–0.756*** (–19.8pp)	
		Does not hide his sexual orientation		
		Stereotyped behavior	0.226** (5.9pp)	
		No stereotyped behavior		
		Lives with a partner	0.283*** (7.4pp)	
		Does not live with a partner		
		Colleagues know his sexual orientation	1.604*** (42.9pp)	
		Colleagues do not know his sexual orientation		
		Frequents gay places (bars/clubs *etc*.)	0.222** (5.8pp)	

(continued)

Table 3 (continued)

			PSO equation	Wage equation
		Does not frequent gay places		
	Health	Disease lowering productivity at work (excl. AIDS)		–0.044*
		No disease lowering productivity		
	Drugs consumption	Occasional cocaine use		0.060**
		No occasional cocaine use		
	Social life	Has no friend	0.576* (15pp)	–0.105**
		Has friends		
	Location	Town <200,000 pop.		0.048**
		Paris metropolitan area		0.156***
		Others places		
JOB CHARACTERISTICS	Sector of activity	Public		–0.089***
		Private		
	Firm Size	<100 employees	0.208** (5.4pp)	–0.096***
		≥100 employees		
	Working Hours	Contractual working hours (hours per week)		0.010***
		Extra working hours (hours per week)		0.003***
	Qualification	High skills		0.226***
		Intermediate skills		
		Low skills		–0.195***
	Type of job	Tasks, operational job function		–0.132***
		Conception /mission/ supervision		
		Job involving direct contacts with customers	0.223** (5.8pp)	
		Job with no contact with customers		
	Job tenure	Number of years		0.005***
	Employment contract	Fixed-term contract		–0.119***
		Long-term contract		
		Other (non-permanent) contract		–0.260***

(continued)

Table 3 (continued)

		PSO equation	Wage equation
	Intercept	–2.19***	6.465***
	Sample size	1054	1408

Marginal effects between brackets: in pp (percentage point) except pp/year for age. The reference group is written in italic

*coefficients statistically significant at 10–5 % level, **coefficients statistically significant at 5–1 % level, ***coefficients statistically significant at <1 % level, no star: coefficient not significant at 10 % level

It is worth noting that in the literature related to wage discrimination based on sexual orientation, as the gay variable introduced in the wage equation is common to all gay employees, we cannot exclude a contamination of the estimation results by labor supply effects. For example, a higher level of specialization of gay people in domestic chores could result in lower wages. Similarly, because gay men are relatively more exposed to HIV than heterosexual men, their labor productivity could be negatively affected and consequently their wages. The use of the PSO prevents these two pitfalls. If employers' propensity to discriminate is identically distributed among firms, the PSO provides an unambiguous identified measurement of wage discrimination.

Another virtue of using PSO is to account for the heterogeneity in the degree of perception of the sexual orientation by the employer. As such, it makes it possible to describe the heterogeneity of exposure to discrimination in the workplace. The wage penalty distribution (corresponding to the product of the wage penalty coefficient and the predicted PSO) is depicted in Table 4. For the 1054 employees who have not disclosed their homosexuality to their employer, the discrimination ranges from –4.34 % for the first quartile to –0.37 % for the third quartile. The 1.90 standard deviation is quite impressive and depicts the dispersion of the discrimination experienced by gay workers. Adding the 354 employees that have disclosed their sexual orientation to their employer (considering thus the full sample of 1408 employees) produces a leftward shift in the discrimination distribution of one percentage point and increases the dispersion of the discrimination.

Finally, in order to assess the magnitude of the economic cost associated with the *disclosure* decision, we have tested to determine whether the *disclosure* of sexual orientation and the PSO have similar impact on wages. The results do not disprove this hypothesis. As a consequence, the cost of *disclosure of sexual orientation* is identical to the cost experienced by an employee who has not disclosed his orientation to the employer but is nonetheless perceived as "100 % gay" by the employer (PSO = 1). Of course, the cost of a *disclosure* depends closely on the PSO of the worker before he came out: it ranges from a low of 0 %—if the employee is already perceived as "100 % gay" by the employer—to a high of –6.5 % if he is perceived by the employer as "100 % heterosexual". On average the *disclosure* cost is thus –6.5 % – (–2.6 %) = –3.9 %, where –2.6 % is the average wage penalty incurred by an employee who has not come out.

Table 4 Wage penalty distribution

Sample of 1054 employees that have not disclosed their sexual orientation				
First quartile	Median	Third quartile	Mean	Standard-deviation
–4.34 %	–2.90 %	–0.37 %	–2.60 %	1.90
Full sample of 1408 employees				
First quartile	Median	Third quartile	Mean	Standard-deviation
–6.50 %	–3.99 %	–1.16 %	–3.60 %	2.34

5 Developments

5.1 Further Investigations on Perceived Sexual Orientation

The properties of the predicted PSO are depicted in Fig. 1—main graph—which reports on the sorted 1054 differences between the PPSO and the RPSO. This gap can be viewed as a kind of "prediction error" made by the employee concerning the perception of his sexual orientation by his employer *i.e.* the difference between what the employee thinks that the employer knows about his sexual orientation (RPSO) and the estimation of what the employer probably knows (PPSO). This prediction error can be related to the measurement error made by the employee about the employer's information set. Some employees overestimate their perceived sexual orientation (bottom-left black area) while some others underestimate it (top-right black area). The sizes of the two black areas are quite similar, indicating that the two groups are symmetrically distributed. In addition, extreme errors are quite scarce. The graph in the top-left corner of Fig. 1, represents the distribution of employees according to their "prediction errors" (in absolute value): 37 % of employees are characterized by a "prediction error" as to their perceived sexual orientation that lies under 20 % ; only 3 % of them make gross errors (prediction errors greater than 80 % *i.e.* completely at odds with the employer's PSO). In other words most of the RPSOs are consistent with the PPSOs.

The PSO can be viewed as a score built by the employer on the employee's sexual orientation: a higher score is related to a higher probability that the employee is gay. The PSO equation tries to reproduce this score. One tool frequently used to measure the discrimination power of a score is the so-called ROC curve. This curve can be used to measure the ability of the PSO equation to reproduce the classification made by employers. The graph in the bottom-right corner of Fig. 1 reports on the ROC curve applied to the PSO equation. On the x-axis one minus the *specificity* describes the proportion of false positive (*i.e.* the proportion of gay employees predicted as gay by the PSO equation but that are not perceived as gay by their employer—at least according to the employees' beliefs) and on the y-axis the *sensitivity* measures the proportion of true positive (the proportion of employee correctly predicted as gay by the PSO equation). The diagonal line reproduces the asymptotic classification obtained with random guesses. A curve bellow the diagonal is symptomatic of a classification that is worse than the random one. The discrimination power

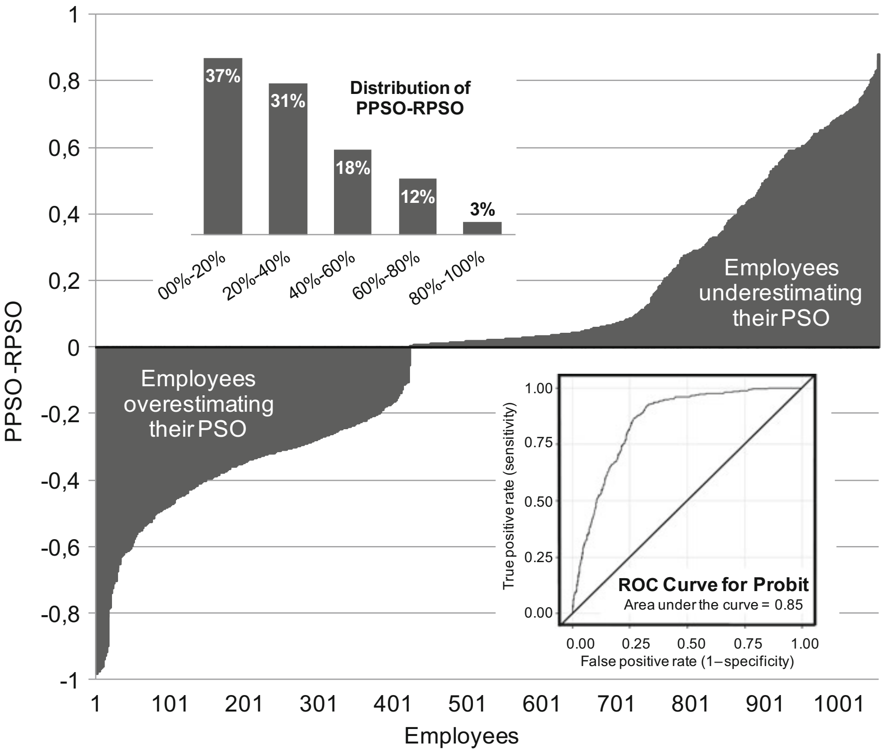

Fig. 1 Analysis of the PSO equation

increases with the size of the integral between the x-axis and the ROC curve (*i.e.* a ROC curve closer to the North-East corner). Applied to the PSO equation the ROC curve is clearly above the diagonal curve and the area under the ROC curve is equal to 0.85 which is a fairly good result, much better than a random discrimination.

5.2 *Robustness*

All the results presented in the previous sections are of course contingent to the measurement of the PSO. To challenge these results, we consider in this subsection two alternative measures of the PSO.

The first one takes advantage of the graduation in the survey answers, to the questions: "*Do you think that your supervisor knows your sexual orientation?*" and "*Do you think that the person in charge of your career knows your sexual orientation?*". For both questions the following answers are proposed: "*Certainly, yes*", "*Probably yes*", "*I do not know*", "*Probably not*", "*Certainly not*". We can thus

Table 5 Ordered multinomial model

Ordered answers	Question: Do you think that your supervisor knows your sexual orientation?	Question: Do you think that the person in charge of your career knows your sexual orientation?
8	*I'm sure yes*	*I'm sure yes*
7	*I'm sure yes*	*Probably yes*
	Probably yes	*I'm sure yes*
6	*Probably yes*	*Probably yes*
5	*Probably yes*	*I do not know*
	I do not know	*Probably yes*
4	*I do not know*	*I do not know*
3	*Probably not*	*I do not know*
	I do not know	*Probably not*
2	*Probably not*	*Probably not*
1	*I'm sure not*	*Probably not*
	Probably not	*I'm sure not*
0	*I'm sure not*	*I'm sure not*

construct an ordered multinomial model considering the following decreasing ordering (Table 5).

The PPSO built with this model is very close to the one obtained with a probit model and the wage penalty (see Table 6, column 1) remains quite unchanged: –6.6 % *vs*. –6.5 % with the probit model.

The second alternative measurement of PSO attempts to avoid a potential selection effect related to firm size. In small firms the supervisor and the person in charge of the career of the employee are usually the same person. As a consequence, the RPSO is "mechanically" more often equal to one in small firms than in big ones. To challenge our results, we alternatively used a RPSO defined as equal to one when the supervisor or the person in charge of the career "*knows probably*" or "*knows with certainty*" the sexual orientation of the employee.

Results obtained with this alternative definition of RPSO appear in column 2 of Table 6. The number of employees that have disclosed their sexual orientation to their employer has mechanically increased with this broader definition of *disclosure* to the employer. However, the new results are very close to those obtained initially. The wage penalty incurred by an employee perceived as gay by his employer is just slightly higher than in the first estimate: –6.9 % *vs*. –6.5 %.

Table 6 Robustness of the results: alternative measures of PSO

			Column 1 Multinomial ordered model		Column 2 Probit model *Alternative definition of RPSO*	
			PSO equation	Wage equation	PSO equation	Wage equation
INDIVIDUAL CHARACTERISTICS	PPSO	Predicted perceived sexual orientation		–0.066***		–0.069***
	Age	Age	0.038***	0.032***	0.02***	0.033***
		Age-squared		–0.001***		–0.001***
	Degrees	Master's, PhD		0.148***		0.149***
	Family situation	Has a child(ren)	–0.620***	0.080**	–0.363*	0.080**
		Living with child(ren) between 10 and 15		–0.100**		–0.102**
		Has registered a civil union		0.059***		0.061***
	Social environment	Comes from a privileged social background		0.158***		0.157***
	Origin	North-African family name		–0.138**		–0.138**
	Dissemination of information on SO	Hides his sexual orientation	–1.282***		–0.788***	
		Stereotyped behavior	0.395***		0.290***	
		Lives with a partner	0.291**		0.302***	
		Colleagues know his sexual orientation	2.118***		1.583***	
		Frequents gay places (bars/clubs *etc.*)	0.307**		0.186	
	Health	Disease lowering productivity at work (excl. AIDS)		–0.044*		–0.044*
	Drugs consumption	Occasional cocaine use		0.060**		0.062**
	Social life	Has no friends	0.535	–0.106**	0.551	–0.107**
	Location	Town < 200,000 pop.		0.048**		0.048**
		Paris metropolitan area		0.156***		0.155***

Job characteristics	Sector of activity	Public		–0.089***		–0.088***
	Firm Size	< 100 employees	0.431***	–0.095***	0.186	–0.095***
	Working Hours	Contractual working hours (hours per week)		0.010***		0.010***
		Extra working hours (hours per week)		0.003***		0.003***
	Qualification	High skills		0.226		0.226***
		Low skills		–0.195***		–0.195***
	Type of job	Tasks, operational job function		–0.132***		–0.131***
		Job involving direct contacts with customers	0.177***		0.304***	
	Job tenure	Number of years		0.005***		0.005***
	Employment contract	Fixed-term contract		–0.119***		–0.120***
		Other (non-permanent) contract		–0.260***		–0.261***
	Sample size		1054	1408	950	1408

*coefficients statistically significant at 10–5 % level, **coefficients statistically significant at 5–1 % level, ***coefficients statistically significant at <1 % level, no star: coefficient not significant at 10 % level. Intercepts available on request

6 Conclusion

This chapter is a first attempt to revisit the method commonly used to assess wage discrimination based on sexual orientation, by suggesting the use of perceived sexual orientation, instead of actual sexual orientation.

We propose a two-step method to estimate the impact on wages of perceived sexual orientation. The first step consists of using a probit/logit analysis to compute, for each gay employee, the probability of being considered homosexual by his employer. We then estimate in a second step a wage equation using this specific probability as an explanatory variable.

The study yields several results. First, the perceived sexual orientation variable plays a crucial role in the wage equation, highlighting the fact that wage discrimination is not homogeneous among gay workers: the wage gap between an employee perceived as gay by his employer and another not perceived as such stands over –6 %. Secondly, the individual cost of *coming out* in the workplace can be estimated, on average, at –3.9 % in terms of annual earnings, corresponding to an annual loss of about 1200 €, *i.e.*, a 25 % “tax” on annual savings (the average wage in our sample is equal to 2494 € and the average savings rate in France is 16 %).

Finally, it is interesting to note that using the perceived sexual orientation of employees instead of their actual—but non-observable—sexual orientation does not invalidate the results obtained in previous studies concerning the existence of a wage discrimination against gay employees. Nevertheless it has a twofold advantage. The first one is to provide a theoretical and tractable framework making it possible to better understand the occurrence of wage discrimination and of its heterogeneity. The second one is to be able to counter those who persist in saying that as sexual orientation is non-observable, it is fallacious to include it in a wage equation—that consequently there is no real evidence of wage discrimination based on sexual orientation. Such an argument can now be seen as over-simplistic, leading to an invalid conclusion.

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Appendix

Table 7 "Lifestyles in the workplace": survey

Field	Types of questions
Family, origins & citizenship	Gender, age, country and place of birth, nationality at birth, parents' nationalities, origin of the first and last names, marital status, gender of the partner, number of children, number and age of children living with the respondent, religion, parents' religion, memberships (political party, association, union *etc*.)
Sexual orientation	Sexual orientation, impact of the SO on the choice of friends/on the choice of place of residence/on choice of occupation and sector of activity, frequency of frequentation of LGBT places, opinion of respondent on the amount of information on his SO transmitted to other people by his behavior (gesture, clothing style, voice *etc*.), voluntary disclosure of SO to the supervisor/to the person in charge of the career/to the colleagues, opinion of the respondent on the level of knowledge of his SO by his or her supervisor/the person in charge of his career/his colleagues, existence of a strategy to hide his sexual orientation
Earnings	Monthly earnings, type of earnings, amount and type of earnings of the partner
Residence and housing	Place of residence, size of town, homeowner *vs*. homebuyer *vs*. tenant, quality of the neighborhood, quality of public transportation
Education & labor market	Degrees, driver's license, situation on the labor market, situation of the partner in the labor market, socio-professional category (SPC) of the respondent, SPC of the father/mother/partner, qualification, skills, characteristics of sector of activity, type of occupation, how "gay-friendly" the occupation is, firm size, type of labor contract, job tenure, weekly hours of work in the workplace/out of the workplace, days of vacation, nightly work *etc*.
Professional career & discriminations	Weeks of unemployment in the last 3 years, career promotions inside the firm over the past 3 years, job/company changes over the past 5 years, number of professional trainings within the firm, job implying contacts with customers or clients, level/frequency and types of discrimination incurred by the respondent in his company
Health	HIV/AIDS status, HIV/AIDS treatments, knowledge of HIV/AIDS status of the supervisor/the person in charge of the career/the colleagues, work interruptions for medical purposes, depressive disorders, depressive treatments, psychotherapy, use of antidepressants or anxiolytics, other health problems that can influence individual labor productivity, use of drugs, type of drugs used

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The Influence of Sexual Orientation and Gender on Perceptions of Successful Leadership Characteristics

Nicholas P. Salter and Benjamin Liberman

1 Introduction

Although over 40 years have passed since the start of the gay civil rights movement (Carter 2004), stereotyping and discrimination against people based on sexual orientation continues to exist (Barron and Hebl 2011; Herek 2003, 2007). This is not solely an issue in their personal lives; lesbian, gay, and bisexual (LGB) employees are often the target of negative attitudes and discriminatory behavior from their colleagues at work (Harding and Peel 2007; King and Cortina 2010; Nadal 2011; Ragins and Cornwell 2001; Rostosky and Riggle 2015). Sexual orientation can become a salient issue that affects one's work experience, regardless of whether or not the individual chooses to disclose it or if the person even considers it to be an important aspect of his or her personal identity.

One area in particular where sexual orientation can have an impact is on perceptions of leadership. Followers have predetermined ideas as to who is an effective leader and who is not (Fischbein and Lord 2004). These schemas are not always based solely on a leader's actual ability but on other characteristics including demographics (e.g., gender or sexual orientation). Because the leadership ability of minority group members is often questioned in a way that majority group members are not (Eagly and Chin 2010) and because there is often a societal social stigma against LGB people (Herek 2007; Herek et al. 2009), gay and lesbian leaders face many obstacles (as will be discussed) in achieving equality in the workplace. For instance, a gay male may have the ability to be a good leader, but if his followers do not like gay people, he may not be perceived as successful in his

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role, and his followers may be extra critical of his leadership decisions. Therefore, lesbian and gay males may struggle as leaders, regardless of their experiences or actual ability.

However, LGB workers may not only be subjected to completely unfavorable stereotypes of their group membership while at work. For instance, people may hold perceptions and beliefs about LGB individuals that are positive in nature, such as being thought of as friendly or empathetic. Additionally, characteristics may be attributed to lesbians and gay males that are not positive or negative, but simply neutral. Some of these beliefs may be comparative in nature (i.e., "lesbians and gay males are better at certain traits than heterosexuals, but worse at others"), but it need not be the case. In some ways, gay males and lesbians can be perceived as similar to heterosexuals. In general, there are a wealth of research questions that could be studied with regards to perceptions of lesbians and gay males at work. However, less research has studied these non-negative perceptions of lesbian and gay employees; most research has focused on the negative aspects of lesbians and gay males in the workplace, instead of the positive or simply neutral aspects. What expectations do people hold about lesbian and gay male employees? How are these beliefs different from their heterosexual counterparts?

Studying beliefs about gay males and lesbians (positive, negative, and neutral) is especially important to consider in the context of leadership because of the inherent connection leaders have with their followers (Fischbein and Lord 2004). If a follower has a belief about how LGB leaders should or do behave (either positive or negative), it may affect the leader-follower relationship. Beliefs about lesbian and gay male leaders is a topic that has received little empirical research (Fassinger et al. 2010; Muhr and Sullivan 2013) and no investigations have examined the stereotype content of gay male and lesbian leaders. Therefore, the goal of this study is to analyze what stereotypes people hold about gay male and lesbian leaders. Beliefs about general effectiveness as well as other characteristics are studied, and these stereotypes are compared to those of heterosexual male and female leaders.

1.1 Gender, Sexual Orientation, and Leadership

LGB individuals face difficulties in the workplace (Harding and Peel 2007; King and Cortina 2010; Nadal 2011; Ragins and Cornwell 2001; Rostosky and Riggle 2015). Herek and colleagues (Herek 2007; Herek et al. 2009) have extensively studied stigmatization (or related negative stereotypes and associations) of LGB people as well as its consequences. They have suggested that stigma can manifest in two ways: cultural stigma and individual stigma. Cultural stigma refers to how heterosexism and homophobia is culturally ingrained into our society, often without people even realizing it. For instance, when getting married, paperwork asking the name of the "bride" and "groom" can cause discomfort for same-sex couples (who do not have a "bride" and a "groom"). On the other hand, individual stigma is directed at and experienced by an individual. Herek and colleagues have suggested that individual stigma can be exhibited in three ways. First, enacted stigma refers to an individual targeting an LGB person in an unfavorable or discriminatory manner because of the person's sexual orientation. Next, felt stigma refers to the target of the enacted stigma reacting negatively to being stigmatized against. Finally, internalized stigma refers to people believing the negative stigma. This belief may be held by either the stigmatizer (i.e., the person speaking against an LGB person believes what he or she is saying) or by those stigmatized (i.e., an LGB person experiences so much stigma that he or she believes it must be true). Overall, stigma and negative beliefs about LGB people manifests itself in multiple ways in society.

These beliefs and attitudes can lead to various negative outcomes for LGB people, especially in the workplace. For instance, LGB employees experience disparate treatment compared to heterosexuals because of the stigma against them. Studies have found that gay men are paid on average less than equally qualified heterosexual males (Barron and Hebl 2011). Also, studies have found job applicants who were perceived to be lesbian (from their resumes) were less likely to be contacted for an interview than job applicants perceived to be heterosexual (Adam 1981; Weichselbaumer 2003). Furthermore, fictitious gay and lesbian job applicants have been rated less favorably than heterosexual applicants with the same qualifications in lab research (Horvath and Ryan 2003), and field research has shown that gay and lesbian applicants experience higher levels of interpersonal discrimination than heterosexual applicants (Hebl et al. 2002; Singletary and Hebl 2009). Finally, stigma can also have negative internal consequences for LGB people. For instance, stigma can lead to overall distress as well as lower job satisfaction (Carter et al. 2014; Ragins and Cornwell 2001; Ragins et al. 2007; Smith and Ingram 2004).

Fassinger et al. (2010) suggested that these negative attitudes and behaviors towards gay males and lesbians in general might lead to people harboring unfavorable opinions about gay male and lesbian leaders in specific. Therefore, they may not be seen as prototypical successful leaders. This could have negative long-term consequences for gay males and lesbians, including being denied the opportunity to rise to leadership positions, thereby not having the opportunity to demonstrate themselves to others that they can be successful leaders. Although there is a theoretical rationale for this assertion that gay males and lesbians may not be perceived as successful leaders (as outlined by Fassinger et al.), empirical research has not yet answered this question.

When discussing perceptions of gay male and lesbian leaders, a discussion of gender and leadership is relevant. Sexual orientation and gender are inextricably intertwined, and one cannot consider sexual orientation without also considering gender (Fassinger et al. 2010; Ragins et al. 2007) because people's attitudes and expectations about lesbians and gay males are often based in part on their beliefs about masculinity and femininity (Herek 1988; Kite and Whitley 1996). With regards to gender, research indicates that stereotypes about male and female leaders are very prevalent in organizations (Heilman and Eagly 2008; Powell et al. 2002; Schein 2001). In general, findings from various investigations indicate that the traits associated with being male (and not female) have generally been associated with managerial or leadership positions (Duehr and Bono 2006; Koenig et al. 2011; Kulik and Bainbridge 2005; Schein 1973, 2001). In other words, when people "think manager," they typically "think male." For instance, people often think of leaders as agentic and task-oriented, and they also think of men as embodying these same traits (Eagly and Johannesen-Schmidt 2001). Extensive research suggests that the qualities associated with being female (such as being communal and relationship-oriented) are negatively related to perceptions of leader performance (Cejka and Eagly 1999, Eagly and Karau 2002; Heilman 2001; Phelan et al. 2008).

How might these gender stereotypes operate among gay male and lesbian leaders? For example, will gay male leaders be perceived positively on account of their gender, or will they be perceived negatively due to their sexual orientation (which, as previously discussed, can result in them being seen in a negative light)? Will gay males be perceived as better leaders than heterosexual females due to their gender, or worse due to their sexual orientation? To date, previous research has not addressed this question; research has not compared the effects of gender versus sexual orientation on perceptions of leadership success. Therefore, it is unclear how these groups will be perceived in contrast to each other.

What is clear, though, is that heterosexual male leaders will likely be perceived as better leaders than the other three groups (i.e., heterosexual females, gay males, and lesbians). Heterosexual male leaders are perceived positively due to both their gender (Duehr and Bono 2006; Koenig et al. 2011; Kulik and Bainbridge 2005; Schein 1973, 2001) and their sexual orientation (Hebl et al. 2002; Singletary and Hebl 2009). Therefore, we suggest that heterosexual men will be viewed as more successful leaders that heterosexual women, lesbian women, or gay men. We do not hypothesize, though, how the other three target groups will be perceived in relation to each other.

Hypothesis 1 Heterosexual male leaders will be described as more similar to successful leaders than any of the other three target groups will be (e.g., heterosexual female, gay male, or lesbian leaders).

1.2 Gendered Stereotypes of Gay Males and Lesbians

Thus far, we have discussed previous research relevant to sexual orientation and leadership perceptions, most of which addresses the question of who will be viewed as a successful leader. But beyond simple "positive" and "negative" associations, people also hold other beliefs and expectations about gay male and lesbian leaders. Although this topic is understudied, addressing it is an important step in developing a broader understanding of the experiences of LGB people at the workplace.

Research suggests that followers hold implicit leadership theories (ILTs) as to what characteristics, behaviors, and other attributes describe leaders (Fischbein and Lord 2004). What characteristics, behaviors, and attributes do people believe to be relevant to gay male and lesbian leaders? Previous research on this topic with regards to this population in particular is sparse (as a large emphasis has been only on whether they are viewed positively or negatively). As previously discussed, gender and sexual orientation are often seen as intertwined, so research on gendered beliefs and expectations of gay males and lesbians addresses this question.

Sigmund Freud's inversion theory, which suggested that gay men take on the characteristics of heterosexual females and lesbians take on the characteristics of heterosexual males, was one of the earliest theories to address this topic (Freud 1905/1953). Although now considered simplistic, this theory has had a profound impact on how society views gay males and lesbians. For instance, empirical research suggests people still perceive homosexuals to demonstrate opposite-sex characteristics (Blashill and Powlishta 2009; Kite and Deaux 1987; Madon 1997; Taylor 1983). There may be a reason for this lingering societal belief; some research has found actual (not just perceived) similarities between homosexuals and opposite-sex heterosexuals, such as in empathy (Harris 2004), physical aggression (Sergeant et al. 2006), interpersonal styles (Nettle 2007), and personality (Lippa 2005, 2008). This is not to suggest total support for inversion theory because studies that find non-significant relationships may not be published, and the findings that have been published describe only a small selection of all human characteristics. However, the existence of at least some similarities may explain why people often perceive the model to be true.

Inversion theory has numerous implications for organizational and leadership settings. Employees have beliefs and expectations with regards to gender and leadership (Eagly and Johannesen-Schmidt 2001). If people have stereotypes about how men and women leaders should act according to their gender, and if people expect homosexuals to be similar to people of the opposite gender, then it is likely that people will have expectations as to how they believe gay male and lesbian leaders will be. Specifically, it is likely that people will perceive lesbian leaders to be similar to heterosexual male leaders, and gay male leaders to be similar to heterosexual female leaders.

Hypothesis 2 Stereotypes of lesbian and gay male leaders will be more similar to opposite-gender heterosexual leaders than to heterosexual leaders of the same gender.

1.3 Beyond Gender: Other Perceptions of Lesbian and Gay Leaders

In the organizational behavior literature, there is little research to inform what is believed of lesbian and gay male leaders. What perceptions about gay males and lesbians do people have (positive or negative) that are unrelated to gender? Some research has addressed this question by studying sexual orientation and leadership in a non-work context, though few identify leader-relevant stereotypes. For example, Jackson and Sullivan (1989) found that gay men are perceived to be compassionate, and Geiger et al. (2006) found that people perceive lesbians to be independent. Although research on gay males and lesbians in general can help to begin identifying perceptions of gay male and lesbian leaders, most research in this area has studied characteristics not directly related to leadership, such as stereotypes about romantic and sexual relationships (e.g., Brown and Groscup 2009).

Some research has explored what actual differences exist between gay male, lesbian, and heterosexual leaders. Although not directly addressing the question of what perceptions people hold of lesbians and gay men, actual differences may lead to perceived beliefs about differences, so a review of this scant research is useful. For instance, The Multi-Institutional Study of Leadership explored the traits of college student leaders (Martinez et al. 2006). They found that gay, lesbian, and bisexual leaders scored lower than their heterosexual counterparts on measures of consciousness of self, congruence, commitment, and collaboration, but higher on controversy with civility, citizenship, and change (though it should be noted that college students might exhibit leadership differently than organizational leaders). In another study of gay male leaders, Snyder (2006) used both interview and survey methods to find seven qualities these leaders excel at: inclusion, creativity, adaptability, connectivity, communication, intuition, and collaboration [although it is important to note that scholars including Fassinger et al. (2010) discussed methodological problems with this study].

In perhaps the most comprehensive review of research and theory relevant to this topic, Fassinger et al. (2010) developed an affirmative paradigm of LGB leadership. They suggested that there are many factors to consider when studying LGB leaders (and what makes these leaders' experiences unique from heterosexual leaders' experiences). In particular, they highlight three specific dimensions through which the topic must be studied: the sexual orientation of the leader (such as the extent to which the leader has disclosed their sexual orientation at work), gender orientation (such as how masculine or feminine the leader is perceived to be), and the situation (such as how accepting the followers are). This theoretical model suggests that each of these factors can have an effect on how these leaders are perceived. For instance, being out at work may result in negative perceptions of the leader, but following masculinity/femininity norms may result in positive perceptions of the leader.

However, beyond positive and negative associations of gay male and lesbian leaders, Fassinger et al. (2010) also discussed characteristics that theoretically may be linked with these leaders. Specifically, the authors suggested that, compared to heterosexual leaders, the experience of coming out and navigating the world as a sexual minority may result in these leaders excelling in challenging the status quo, inspiring a shared vision, showing flexibility, fostering inclusion and diversity, and demonstrating adaptability. However, they acknowledged that more research must be conducted to definitively determine what characteristics these leaders excel at. However, their work (as well as the work of others; Martinez et al. 2006; Snyder 2006) suggests specific characteristics that may be useful to study. For instance, research suggests that lesbian and gay male leaders may excel in diversity management, managing complexity, and adaptability.

Taken together, it is difficult to compose a coherent picture of what lesbian and gay male leaders excel and are considered successful at. Although some research has begun to address this question, there are little commonalities across what the findings have shown. Therefore, an exploratory aspect of the present study is to investigate what qualities lesbian and gay male leaders are perceived to have that are similar to and different from the "successful leader" prototype.

Research Question On which attributes are gay male and lesbian leaders perceived as significantly different from or similar to the "successful leader" prototype?

1.4 The Current Study

In this study, we analyze perceptions of successful leaders, as well as perceptions of heterosexual male and female leaders, gay male leaders, and lesbian leaders. The specific characteristics we study are informed by previous research. For instance, based on work on LGB leadership (Fassinger et al. 2010; Martinez et al. 2006; Snyder 2006), we analyze perceptions of diversity management, managing complexity, and adaptability. Based on research on gender and leadership (Cejka and Eagly 1999, Eagly and Johannesen-Schmidt 2001; Eagly and Karau 2002; Heilman 2001; Phelan et al. 2008), we analyze traits associated with gendered leadership: agency, task-orientation, communality, and relationship-orientation. Finally, we analyze two other styles current in leadership literature (Avolio et al. 2009): transformational leadership and ethical leadership.

2 Method

2.1 Participants

Participants were 198 employed adults from the United States who took part in an online study and were recruited from the website Mechanical Turk, where participants can complete online experiments and surveys in exchange for small payments. The study included multiple checks throughout the experiment to make sure that participants were paying attention to the questionnaire items (e.g., asking participants to select a specific response option in between the dependent measure questions) and were not simply filling out the questionnaire randomly and hurriedly to receive quick money. Before the data were analyzed, the sample was limited to participants who passed all of the attention and manipulation check items and to participants whose demographic characteristics were relevant to the proposed hypotheses. Data from 27 participants were excluded due to them incorrectly answering one or more attention check items and data from 15 participants that identified themselves as 'Gay', 'Lesbian', 'Bisexual', 'Questioning' or who did not respond to the sexual orientation demographic item were excluded from analysis since the study was examining solely heterosexuals' stereotypes of heterosexual, gay, and lesbian leaders. Therefore, data from 156 participants were included in the analyses.

The gender composition of the sample consisted of 67 % male and 33 % female participants and participants' mean age was 33.6 years (SD = 9.66). Seventy-nine percent of the sample was White, 4 % Black, 5 % Hispanic, 10 % Asian, 2 % two or more ethnicities, and less than 1 % identified themselves as 'other'. Participants reported having an average of 13.7 (SD = 8.74) years of work experience. Further, 62 % of participants indicated that they had management experience and their mean number of years in management was 4.5 years (SD = 4.06). Ninety-seven percent of the sample was currently employed full-time while 3 % were working part-time. The sample came from a variety of industries including business consulting, education, customer service, retail, and healthcare, among others.

2.2 Procedure

Participants responded to a post on Mechanical Turk[1] that contained a link that led to the study website. The study website welcomed participants to the study, provided details about the nature of the study, and asked for their informed consent. Participants were informed that the study was part of a research study investigating perceptions of leaders in the workplace. They were given instructions to review a series of descriptive terms commonly used to characterize people and to use the list of terms to indicate what they believe is the general stereotype for the target group they were viewing, regardless of whether or not they believe the stereotype to be true. A revised version of the Descriptive Index survey developed by Schein (1973) was administered to participants online. The participants were randomly assigned into target group conditions, receiving one of five versions of the Descriptive Index, rating either successful leaders (n=37), heterosexual male leaders (n=31), heterosexual female leaders (n=25), gay male leaders (n=27), or lesbian leaders (n=36). The surveys were identical in every way with the exception of the target group they were evaluating.

Descriptive Index The Descriptive Index is a survey containing adjectives and descriptors (e.g., competent, rational) that are used to measure gender-role stereotypes and characteristics of successful managers (see Schein 1973, for a full description of the survey's development). The Index has been used in prior research to examine the differences between male and female managers on perceived management and leadership characteristics (e.g., Brenner et al. 1989; Heilman

[1] Research studies have shown that data obtained from Mechanical Turk results in a more demographically diverse sample than standard Internet samples and American college student samples and also produce data that are as reliable and valid as those obtained via traditional methods (Barger et al. 2011; Buhrmester et al. 2011).

et al. 1989; Schein 1973). Two subject matter experts in the area of gender stereotypes and leadership reviewed the literature and revised the Descriptive Index to remove outdated adjectives (e.g., values pleasant surroundings) and to include traits identified in the literature as being critical to leadership effectiveness (e.g., managing complexity, adaptability) and reflective of current styles of leadership (e.g., transformational leadership, ethical leadership). The revised Descriptive Index contains 79 adjectives that pertain to agency, communality, task-oriented leadership, relationship-oriented leadership, transformational leadership, ethical leadership, diversity management, managing complexity, and adaptability characteristics (see Appendix for a full listing of the items that make up each attribute). The survey instructions asked participants to rate each item in terms of how characteristic it was of the target leader (e.g., gay male leader). Ratings were made using a 5-point rating scale ranging from 1 (not characteristic) to 5 (characteristic).

Dependent measures Based on previous research (Duehr and Bono 2006; Heilman et al. 1989), we utilized the 79 traits from the Descriptive Index traits to compose nine scales to measure gender-role and leadership stereotypes. Five of the nine scales were previously found to be reliable by Duehr and Bono (2006) (see Duehr and Bono (2006), for further information on these scales' construction). The nine scales (see Appendix) measured both masculine and feminine traits as well as leadership stereotypes including agency ($\alpha = .88$), communality ($\alpha = .88$), task-oriented leadership ($\alpha = .92$), relationship-oriented leadership ($\alpha = .92$), transformational leadership ($\alpha = .93$), ethical leadership ($\alpha = .93$), diversity management ($\alpha = .91$), complexity ($\alpha = .95$) and adaptability ($\alpha = .92$). Intercorrelations between the nine scales are reported in Table 1.

Background variables Information regarding participants' gender, race, age, sexual orientation, employment status, years of work experience, years of management experience, and industry type was also collected. To ensure anonymity, no other identifying information was requested.

Table 1 Intercorrelations between dependent measure scales

	1	2	3	4	5	6	7	8	9
1. Agency	–								
2. Communality	−.32*	–							
3. Task-Oriented Leadership	.61*	.04	–						
4. Relationship-Oriented Leadership	.02*	.76*	.39*	–					
5. Transformational Leadership	.16*	.62*	.54*	.79*	–				
6. Ethical Leadership	.27*	.36*	.68*	.58*	.69*	–			
7. Diversity Management	.13	.40*	.41*	.57*	.64*	.68*	–		
8. Managing Complexity	.54*	.05*	.79*	.38*	.53*	.70*	.46*	–	
9. Adaptability	.40*	.22*	.64*	.49*	.62*	.69*	.58*	.78*	–

*$p < .05$

3 Results

The results are presented in two sections. Following the procedure from past studies that have used the Descriptive Index, the first section used intraclass correlation coefficients to assess the degree of correspondence between ratings of successful leaders and ratings of heterosexual and gay men and women leaders, as well as between ratings of lesbian and gay leaders and heterosexual male and female leaders. In the second section, analysis of variance (ANOVA) was conducted on each of the nine attribute scales to make comparisons between groups on the dependent measures to determine which attributes were different between the sexual orientation and gender target groups and the successful leader prototype.

The degree of correspondence between the ratings of successful leaders and the ratings of heterosexual and gay men and women were examined by calculating intraclass correlation coefficients (ICCs). Consistent with past research that has utilized the Descriptive Index survey (Duehr and Bono 2006; Heilman et al. 1989; Schein 1973, 1975), ICCs were computed to assess the level of resemblance between the ratings of each sexual orientation by gender target group against the ratings of the successful leader prototype on each of the 79 attributes. The ICCs were calculated from randomized-groups analyses of variance where the groups, or classes, were the 79 descriptors (see Hays 1963, p. 424). The scores within each class or group were the mean item ratings for each descriptor, provided separately for each target condition. ICCs were computed between the successful leader condition and each of the sexual orientation by gender group conditions. The ICCs report the similarity of respondents' ratings of successful leaders to each of the four target group conditions that vary by gender and sexual orientation. The size of the correlation between any two comparison groups (e.g., successful leaders and gay male leaders) reflects the degree to which the groups are perceived to have characteristics similar to each other.

Large and significant ICC coefficients were found between ratings of successful leaders and heterosexual male leaders ($r = .80$, $p < .01$), between successful leaders and heterosexual female leaders ($r = .75$, $p < .01$), and between successful leaders and lesbian leaders ($r = .70$, $p < .01$). A small and non-significant ICC was found between ratings of successful leaders and gay male leaders ($r = .13$, ns). Table 2 presents the ICCs between successful leaders and the sexual orientation and gender target groups.

To determine whether significant differences existed between ICC scores, independent samples t-tests were conducted. The results show that the correlation between successful leaders and heterosexual male leaders was significantly greater than the correlation between successful leaders and gay male leaders, $t(76) = 5.42$, $p < .001$, as well as significantly greater than the correlation between successful leaders and lesbian leaders, $t(76) = 2.04$, $p < .05$. There were also no significant differences in the ICC scores between successful leaders and heterosexual male leaders and successful leaders and heterosexual female leaders, $t(76) = 0.87$, ns. Though the results show that the ratings of successful leaders and heterosexual male leaders were greater than the ratings of successful leaders and gay male and

Table 2 Intraclass correlation coefficients (ICC) across sexual orientation and gender target groups and prototype

Group	ICC
Successful/Heterosexual male leader	$.80^{**}_{a}$
Successful/Heterosexual female leader	$.75^{**}_{ab}$
Successful/Gay male leader	$.13_{c}$
Successful/Lesbian female leader	$.70^{**}_{b}$

Note. ICC scores with different subscripts differ significantly from each other
$^{**}p < .01$

lesbian female leaders, these results provide only partial support for Hypothesis 1, as ratings of heterosexual female leaders corresponded just as highly with ratings of successful leaders as heterosexual male leaders.

Findings also reveal that the ICC between successful leaders and heterosexual female leaders was significantly greater than the ICC between successful leaders and gay male leaders, $t(76) = 8.65$, $p < .001$, but the ICC score between successful leaders and heterosexual female leaders was not significantly different from the ICC of successful leaders and lesbian leaders, $t(76) = 0.76$, ns. Additionally, the ICC between successful leaders and lesbian leaders was significantly greater than the ICC between successful leaders and gay male leaders, $t(76) = 3.83$, $p < .001$. In summary, these results suggests that the ratings of heterosexual men are more similar to successful leader ratings than those of lesbian or gay male leaders, whereas the ratings of heterosexual women are more similar to the ratings of successful leaders than those of gay male managers. Ratings of gay male leaders had significantly less correspondence with the successful leader prototype, compared to heterosexual male, heterosexual female, and lesbian leaders.

To test hypothesis 2 which proposed that the stereotypes of gay and lesbian leaders were more similar to opposite-gender heterosexual leaders than to heterosexual leaders of the same gender, additional ICC scores were calculated between gay and lesbian leaders and each heterosexual leader group. The ratings of gay male leaders did not correspond significantly with ratings of heterosexual male leaders ($r = -.24$, ns) but there was a moderate and significant ICC between gay male leaders and heterosexual female leaders ($r = .48$, $p < .01$). Large and significant ICC coefficients were found between ratings of lesbian leaders and heterosexual male leaders ($r = .74$, $p < .01$) and between lesbian leaders and heterosexual female leaders ($r = .53$, $p < .01$). Consistent with hypothesis 2, the findings show that the ratings of gay male leaders corresponded more highly with heterosexual female leaders and less with heterosexual male leaders. However, the ICC score was large and significant between lesbian leaders and heterosexual male leaders and was moderate and significant between lesbian leaders and heterosexual female leaders. Table 3 presents ICC scores for each gay or lesbian leader/heterosexual leader comparison.

Again, independent samples t-tests were conducted on the ICCs to determine whether lesbian and gay male leaders are stereotyped in ways consistent with traditional gender roles. Findings revealed significant differences, supporting hypothesis 2. The ICC between gay male leaders and heterosexual male leaders

Table 3 Intraclass correlation coefficients (ICC) between lesbian/gay leaders and heterosexual male/female leaders

Group	ICC
Gay male/Heterosexual male leader	**−.24**
Gay male/Heterosexual female leader	**.48****
Lesbian female/Heterosexual male leader	*.74***
Lesbian female/Heterosexual female leader	*.53***

Note. Items in bold are significantly different from each other. Items in italics are significantly different from each other
It is important to note that while the theoretical limits of an intraclass correlation coefficient (ICC) are between 0 and +1.0, the real limits of an ICC are large negative values (less than −1.0) and large positive values (greater than +1.0). A negative ICC results from the mean square within targets having a higher value than the mean square between targets. Negative ICCs have been found in previous research examining gender stereotypes using the Descriptive Index (Brenner et al. 1989; Heilman et al. 1989). An in-depth discussion of the calculation of ICCs is available in Lahey et al. (1983)
$^{**}p < .01$

was significantly lower than the ICC between gay male managers and heterosexual female leaders, $t(76) = 9.06$, $p < .001$. Also, the ICC between lesbian leaders and heterosexual male leaders was significantly greater than the ICC between lesbian leaders and heterosexual female leaders, $t(76) = 2.74$, $p < .01$. Overall, across all 79 traits, stereotypes of gay male and lesbian leaders were more similar to their opposite-gender heterosexual leader than to their same-gender heterosexual leader.

To examine our research question and further determine on which attributes are lesbian and gay leaders perceived as significantly different from or similar to the successful leader prototype and to heterosexual leaders of the same and opposite gender, a series of one-way ANOVAs were performed on each of the nine scales. The ANOVA was conducted to determine which scales were rated differently across the five groups: successful leaders, heterosexual male leaders, heterosexual female leaders, gay male leaders, and lesbian leaders. Because nine ANOVAs were being conducted, an alpha level of .0055 (.05/9) was used as the criterion of significance to control the experimentwise error of $p < .05$ for all ANOVAs. Significant effects were found for all nine scale items. Bonferroni comparisons on all items were then calculated with an alpha level set at $p < .0125$ to examine which target groups were similar or significantly different from the prototype. Table 4 shows the mean comparisons between the successful leader prototype and the target groups; descriptions of the gay male and lesbian leader stereotypes follows here.

3.1 *Gay Male Leader Stereotype*

The gay male leader was perceived by participants to be significantly different from the successful leader prototype on five of the nine scales. Gay male leaders received

Table 4 Mean comparisons between successful leader and sexual orientation/gender target groups

	Agency	Communality	Task leadership	Relationship leadership	Transformational leadership	Ethical leadership	Diversity management	Managing complexity	Adaptability
Successful Leader	4.25	3.07	4.24	3.87	4.14	4.14	4.07	4.44	4.36
Heterosexual Male Leader	3.92[d]	2.51[c, d]	3.84[d]	3.08[a, c, d]	3.18[a, c, d]	3.53[a]	3.09[a, c, d, e]	3.85[a]	3.63[a]
Heterosexual Female Leader	3.65[a, d]	3.36[b]	3.89[d]	3.76[b, e]	3.86[b]	4.09	3.97[b]	3.96[d]	3.87
Gay Male Leader	2.96[a, b, c, e]	3.52[b, e]	3.08[a, b, c]	3.63[b, e]	3.77[b]	3.50[a]	3.78[b]	3.26[a, c]	3.65[a]
Lesbian Female Leader	3.87[d]	2.76[d]	3.62[a]	2.94[a, d]	3.38[a]	3.59	3.79[b]	3.60[a]	3.68[a]

Note. All ratings were done on 5-point scales, and the higher the number, the higher the rating (the more agentic, the more adaptable, etc.)
[a]Mean rating for the target group was significantly different ($p < .0125$) from the mean rating for the successful-leader prototype target group
[b]Mean rating for the target group was significantly different ($p < .0125$) from the mean rating for the Heterosexual male leader target group
[c]Mean rating for the target group was significantly different ($p < .0125$) from the mean rating for the Heterosexual female leader target group
[d]Mean rating for the target group was significantly different ($p < .0125$) from the mean rating for the Gay male leader target group
[e]Mean rating for the target group was significantly different ($p < .0125$) from the mean rating for the Lesbian female leader target group

lower ratings of agency, task-oriented leadership, ethical leadership, managing complexity, and adaptability than the prototype. Gay male leaders were viewed similarly to heterosexual female leaders on communality, relationship-oriented leadership, transformational leadership, ethical leadership, diversity management, and adaptability. In comparison to heterosexual male leaders and lesbian leaders, the mean ratings of gay male managers were significantly higher on communality and relationship-oriented leadership and were significantly lower on agency. On the attributes of transformational leadership and diversity management, gay male leaders were rated more favorably than heterosexual male leaders but gay male managers were rated lower than heterosexual male leaders on task-oriented leadership. In summary, gay male leaders were regarded as being similar to successful leaders around feminine characteristics such as communality and relationship-oriented leadership but were perceived less positively on masculine characteristics such as agency and task-oriented leadership compared with the other target leaders.

3.2 Lesbian Leader Stereotype

Respondents perceived the lesbian leader stereotype as significantly different to the successful leader prototype on five of the nine attribute scales. Lesbian leaders were seen as less adaptable, less able to manage complexity, having less relationship-oriented leadership, having less task-oriented leadership, and having less transformational leadership than the prototype. The mean ratings of lesbian leaders differed from gay male managers on three traits. Lesbian managers were rated as being less communal and lower on relationship-oriented leadership and more agentic than gay male leaders. Contrary to expectations, lesbian leaders' mean ratings were equivalent to those of heterosexual female leaders on nearly all of the attribute scales with the exception of being rated lower on relationship-oriented leadership. Also, lesbian leaders were rated higher than heterosexual male leaders on diversity management. In summary, although lesbian leaders were evaluated less favorably from the successful leader prototype on five of the nine scales, the lesbian leader stereotype consists of positive perceptions when compared with the other target groups as they are perceived as similar to heterosexual male leaders on eight of the nine traits, to heterosexual female managers on eight of the nine traits, and to gay male leaders on six of the nine traits.

4 Discussion

The goal of the current study was to examine the beliefs and perceptions individuals hold about lesbian and gay male leaders in comparison with heterosexual male and female leaders. Specifically, the current study aimed to assess the degree of correspondence between ratings of successful leaders and heterosexual male and female, gay male, and lesbian leaders while examining heterosexuals' stereotypes of the leadership-related attributes and characteristics of lesbian and gay male leaders. General support for the study hypotheses yield insights as to how these leaders are perceived.

The first hypothesis, which posited that heterosexual males would be described as the most similar to successful leaders than heterosexual female, gay male, or lesbian leaders, was somewhat supported. Heterosexual male leaders were indeed seen as more similar to successful leaders than gay male or lesbian leaders (and were seen as equivalent to heterosexual female leaders). Perhaps most striking in these analyses, though, was the dramatically low relationship between perceptions of gay male leaders and successful leaders. Heterosexual male and female leaders as well as lesbian leaders were all perceived as similar to successful leaders (though the strength of the relationship differed across the three groups). Gay male leaders were the only group who were not seen as similar to successful leaders; this ICC was substantially lower than ICCs for the other three groups.

The findings that gay men were rated much lower than lesbians were similar to those of Blashill and Powlishta (2009). One explanation suggested for this may be because lesbians (as a group) are seen as less homogenous; people perceive multiple "sub-types" of lesbians (e.g., Geiger et al. 2006), and this may not be as persistent for gay men (though experimental research has found evidence suggesting people do perceive to some extent sub-groups of gay men as well; Clausell and Fiske 2005). Another explanation may be because of role incongruity; people who do not act within their expected gender roles are often punished for it (Eagly and Karau 2002). Perhaps gay men are punished more so than lesbians for being perceived as stepping outside of their expected gender role. For instance, Martin (1995) found that masculine girls were perceived as similar to traditional boys, but feminine boys were not perceived as similar to traditional girls.

Another goal of the study was to examine if inversion theory applies to gay male and lesbian leaders. Results supported the hypothesis that gay male leaders are viewed as similar to heterosexual female leaders (and dissimilar to heterosexual men). Results found that lesbian leaders were perceived as similar to both heterosexual male and female leaders. However, the relationship between lesbian leaders and heterosexual male leaders was found to be significantly larger than the relationship between lesbian leaders and heterosexual female leaders, thus lending support for inversion theory. These results also lend support for the earlier assertion that lesbians are perceived differently than gay men.

The final goal of this study was to look at general stereotypes and beliefs about gay males and lesbians. Interestingly, although many differences were found across the different targets (i.e., heterosexual male, gay male, etc.), most of the differences were traits that were already associated with gender differences (i.e., gay men were seen as less task-oriented than heterosexual men; lesbians were seen as less relationship-oriented than heterosexual women). There were some differences found with traits that may be theoretically linked to sexual orientation rather than gender (such as the finding that gay men were better at diversity management than heterosexual males), but this was less common. This may suggest that the gendered stereotypes about lesbians and gay men are more prevalent than stereotypes having to do solely with their sexual orientation. A more focused exploration of non-gendered stereotypes about LGB people could help answer this question.

The research question findings also pointed out that gay men and lesbians are not always perceived similarly. For instance, gay men were seen as more communal and relationship-oriented than lesbians, and lesbians were seen as more agentic than gay men. Also, consistent with the findings supporting the first two hypotheses, inversion theory was more strongly supported for gay men than it was for lesbians; gay male leaders shared less in common with heterosexual male leaders than lesbian leaders shared in common with heterosexual female leaders. In general, a common theme across the current findings is that gay men and lesbians are often perceived differently. This is important to mention because as noted by Ruggs et al. (2013), researchers can at times study LGB people as if they were all the same. Although both groups are sexual minorities, they should not be grouped together and treated as such by researchers. Therefore, we advocate that future research should continue to study differences between gay men, lesbians, and bisexuals.

Overall, the results suggest that leaders are viewed differently depending on their gender and sexual orientation. These findings are particularly important because gender-based stereotypes have been shown to influence a variety of attitudes, judgments, and behaviors in workplace settings (Heilman 2001; Heilman and Eagly 2008). However, although it does seem the case that leaders are viewed differently, it is less clear why they are viewed differently. As previously discussed by Fassinger et al. (2010), there are many theoretical reasons (such as exposure to life experiences and overcoming stressful environments including discrimination) as to why the demographic characteristics of sexual orientation and gender could impact leadership effectiveness (and therefore why these leaders are viewed differently) and explorations of this line of research should be pursued. In addition, the findings of the current study point to the continued need for more guiding theory regarding what characteristics LGB leaders actually display (and in what ways they are similar to and different from their heterosexual counterparts).

In conclusion, the results of the present study highlight the importance of focusing scholarly attention around further understanding perceptions around LGB leaders in the workplace. Our findings indicate that people do perceive sexual minorities as embodying different characteristics, skills, and attributes that they bring to the leadership role than heterosexuals. Moreover, the results also suggest that individuals may use stereotypes around sexual orientation and gender as a heuristic in evaluating leadership behaviors, which has implications for performance appraisal and promotion decisions. Although more research is being conducted than ever before on LGB employees, research on LGB leaders specifically is still lacking in the organizational behavior literature. However, with society becoming more accepting of LGB people, LGB leaders will become more common in organizations. Understanding their unique experiences through psychological research can help ensure that these leaders are best positioned to thrive in their roles.

Appendix

Descriptive index scale items

Scale name	Items	Scale name	Items
Agentic Characteristics	Aggressive Ambitious Analytical Ability Assertive Dominant Forceful Self-confident	*Relationship-Oriented Leadership*	Compassionate Cooperative Fair Good listener Inclusive Intuitive Shows appreciation Sociable Tactful Understanding
Communal Characteristics	Aware of the feelings of others Creative Helpful Kind Passive Submissive Sympathetic	*Valuing Diversity*	Treats others of different backgrounds fairly Values diversity Respects differences in others Tolerant of people from different backgrounds Encourages diverse opinions to be heard Sensitive to the needs of diverse employees
Transformational Leadership	Attends to the needs of others Considerate Considers others' ideas Sympathetic Encouraging Energetic Enthusiastic Inspiring Open-minded Optimistic Sense of purpose Sincere Supportive Trustworthy	*Task-Oriented Leadership*	Competent Competitive Decisive Independent Industrious Intelligent Logical Objective Skilled in business matters Speedy recovery from emotional disturbances
Ethical Leadership	Contributes to maintaining the integrity of the organization Understands the impact of violating the standards of an organization Creates a culture that fosters high standards of ethics Behaves in a fair and ethical manner toward others Demonstrates a sense of corporate responsibility	*Complexity*	Deals well with complexity Accomplishes multiple tasks in an efficient manner Manages several roles or tasks simultaneously Deals effectively with pressure due to complex situations Maintains focus under

(continued)

Scale name	Items	Scale name	Items
	Models high standards of honesty and integrity Knows the difference between right and wrong Acts according to high moral and ethical standards Honest Immoral		adverse conditions Recovers quickly from setbacks Works effectively in ambiguous situations Performs effectively even with limited means
Adaptability	Adaptable Flexible Is open to change Adapts behavior in response to changing conditions Adjusts rapidly to new situations Willing to try new approaches to problems Able to "think outside the box"		

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Tolerance in the Polish Workplace Towards Gay Men and Lesbians

Ewa A. Golebiowska

1 Introduction

In a poignant and deeply personal essay published in June, 2010 in the Polish daily newspaper Gazeta Wyborcza, Marta Konarzewska, a former high school teacher of Polish, talked about social ostracism she experienced in her then place of work after she had defended two female students' right to post their picture in a blog. The blog, according to school authorities, promoted homosexuality. Konarzewska used the essay as a vehicle for describing the pervasiveness of sexual prejudice in Polish schools and the tremendous personal costs she had paid for remaining in the closet for many years on the job. Ultimately, she could not bear the social exclusion she suffered and decided to resign from her job—even though she was well-liked by students and more generally regarded as an effective educator (Konarzewska 2010).

Given that Ms. Konarzewska was not open about her homosexuality before she quit her job, perhaps one might question—without discounting the personal costs she bore by remaining in the closet—the extent to which her sexual orientation molded her supervisors' and co-workers' behavior. However, systematic evidence is also available about workplace discrimination on the basis of sexual orientation. Nationally representative surveys demonstrate that perceptions of discrimination lesbians and gay men suffer in the workplace are widespread (Antosz 2012). For example, in a survey conducted in late 2011, 73 % of all Poles expressed a belief that lesbians and gay men had to hide their sexual orientation in the workplace because they might become victims of discrimination (Antosz 2012, p. 80). Almost half of all respondents also perceived workplace discrimination based on sexual orientation to be more pervasive in Polish workplaces than any other form of

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discrimination, tied for first place with discrimination based on mental illness (Antosz 2012).

In keeping with these perceptions, surveys of the Polish LGB community show that most LGB Poles conceal their sexual orientation in the workplace for fear of discrimination they might suffer (e.g. Abramowicz 2007; Jozko 2009). Little systematic evidence concerning the actual incidence of discrimination on the basis of sexual orientation—or gender identity—exists (Jablonska 2011; Smiszek 2011). On the face of it, existing evidence does not suggest a severe problem. For example, in a recent online survey of Poland's sexual minorities, only 4.8 % of respondents who were open about their homosexuality reported experiencing workplace discrimination (Siedlecka 2012). Yet, such statistics need to be viewed with a grain of salt because they are based on convenience samples—and may thus not be representative of the experiences of all Polish LGB individuals—and because most LGB individuals feel they cannot be open about their homosexuality in the workplace.

Given that both sexual minorities and participants in nationally representative surveys believe that widespread discrimination on the basis of sexual orientation occurs in the workplace, an important question to ask is why this discrimination might occur. One possibility is that there are no adequate legal protections against discrimination on the basis of sexual orientation. Another possibility is that, in spite of the legal protections in place, hostile attitudes toward sexual minorities prevail in the Polish workplace and beyond and are more likely to determine their treatment than anti-discrimination laws. In this chapter, I explore both scenarios in order to illuminate the reasons behind the perceptions and realities of discrimination based on sexual orientation in the Polish workplace. To this end, I describe the institutional environment that governs the treatment of sexual orientation in the Polish workplace. Subsequently, using nationally representative survey data collected in 2010 by the Center for the Study of Public Opinion (CSPO) in Warsaw, I examine the nature and sources of Polish views on workplace equality based on sexual orientation. Going beyond existing research, which I review in more detail below, I focus on Polish willingness to give gay men and lesbians unrestricted access to all occupations. Because survey questions I use in my empirical analysis inquire about gay men or lesbians rather than LGB Poles and most of the literature fails to acknowledge bisexual individuals (Köllen 2013), I limit my remarks to that terminology when discussing the survey data at my disposal or research which I cite in support of my theoretical framework.

2 The Legal Environment of LGB Poles' Participation in the Workplace

Much of the law on the status of Polish sexual minorities in the workplace has been developed in about the last decade and has, generally, strengthened their legal footing to fight discrimination they may suffer. At the same time, recent anti-discrimination legislation simultaneously extends civil rights protections to LGB Poles in some areas and sanctions discriminatory treatment in others (Golebiowska 2014). The relevant protections can be found in the Polish Constitution, the Labor Code, and other statutory instruments.

The Constitution of the Polish People's Republic does not explicitly address discrimination on the basis of sexual orientation or gender identity, whether in employment or in any other domain. However, in Article 32, it implicitly includes sexual orientation and gender identity because it prohibits discrimination in the country's political, social, and economic lives "for any reason." Like any other such constitutional pronouncements, this ban only articulates a general norm that cannot be meaningfully applied in Poland's public life until after it has been spelled out in specific legislative instruments (Jablonska 2011).

In contrast, the country's Labor Code is the source of the most important legislation regarding the parameters of equal treatment in employment (Jablonska 2011). Equality in employment on the basis of sexual orientation was first codified in Poland's Labor Code in 2004, in large part in response to external pressures that Poland experienced prior to its accession to the European Union (Smiszek and Szczeplocki 2012). In spite of these pressures, employment is still the only area of public life in which the country has most explicitly followed European Union's directives to uproot discrimination on the basis of sexual orientation (Zima-Parjaszewska 2011).

The Labor Code specifically prohibits discrimination in employment on the basis of "sex, age, disability, race, religion, nationality, political views, union membership, ethnicity, religion, and <u>sexual orientation</u>" (emphasis mine) (Zima-Parjaszewska 2011). It defines and prohibits direct discrimination, indirect discrimination, bullying, and sexual harassment. It also prohibits retaliation for bringing claims against an employer. This ban on retaliation applies to the putative victims of discrimination and anyone who may help them to build their case.[1] Finally, the Labor Code places the burden of proof on the defendant. In so doing, it favors the victims of discrimination by requiring that their employers prove that they had not discriminated against them (Smiszek and Szczeplocki 2012).

Another important piece of legislation that regulates employer-employee interactions in Poland is the Law on Advertising of Job Opportunities and Institutions of the Labor Market. This law prohibits employers from seeking potentially

[1] In practice, co-workers who may have witnessed discrimination are reluctant to help because they fear their employer's response, not knowing their legal rights; may not want to be involved in a conflict; or do not wish to be associated with an LGBT employee (Zima-Parjaszewska 2011).

discriminatory information in their job ads (e.g., a job candidate's sex or sexual orientation). In addition, it prohibits employment agencies from discriminating against job seekers (Jablonska 2011).

The 2011 comprehensive anti-discrimination statute extends the coverage of existing, more piecemeal legislation. This law was passed rapidly after it had been "in the works" for several years. By its own admission, the Polish government rushed to pass it in order to avoid monetary penalties that would result from non-compliance with expectations incumbent upon all members of the European Union (Jablonska 2011, p. 105). "On the face of it, the statute seems to provide for a comprehensive ban on discrimination on the basis of sex, race, ethnic background, nationality, religion, faith, worldview, disability, age, and sexual orientation (Article 1)," though it does not cover discrimination in the private sector (e.g., in private-sector employment or rental housing) (Golebiowska 2014, p. 167).

In spite of its generally more comprehensive coverage, this statute narrows the list of grounds on which discrimination can be claimed from open-ended to closed-ended (Smiszek and Szczeplocki 2012). While sexual orientation is covered by the law, gender identity has not been included on the list. Even in the case of sexual orientation, this law also defines discrimination very narrowly because its prohibition of discrimination based on sexual orientation pertains most unequivocally to employment (Smiszek and Szczeplocki 2012, p. 172). In contrast, it does not ban discrimination on the grounds of sexual orientation in such areas as "labor market instruments and services, social security, healthcare, general and higher education, services (including housing services), goods, [and] the acquisition of rights or energy" (Smiszek and Szczeplocki 2012, p. 173). To make matters worse, this law sanctions discriminatory treatment on the basis of sexual orientation (and several other group memberships) broadly as long as "it is necessary in a democratic society in the name of public safety and order, protection of health and rights and freedoms of other people or in order to avert otherwise illegal activities" (Golebiowska 2014, p. 167).

Unlike the Labor Code, the comprehensive anti-discrimination statute also makes it more difficult for victims of discrimination to prove their cases in court because it shifts the burden of proof from the employer to the employee. To clarify, the employer is now presumed innocent and the employee must now prove that her/his rights have been violated (Smiszek and Szczeplocki 2012). Finally, an ombudsman position has been created under the law to implement its provisions (U.S. Department of State 2013). In short, while this important law strengthens the legal basis on which Poland's gay and lesbian individuals can combat discrimination of which they fall victim, it also allows many exceptions to the principle of equal treatment and broadly sanctions unequal treatment under some circumstances.

An important point that needs to be made in this section is that gender identity has a different status in Polish law than sexual orientation. As of now, there is nothing in the Polish law that explicitly addresses gender identity, whether in employment or in any other area (Szczerba 2011). However, it does not automatically follow that transgender individuals have no legal protections on which to rely.

For one, their case is covered by the general provisions of the Polish Constitution to which I alluded above as well as general references to equal treatment of all employees that are found in the Polish Labor Code. Most importantly, discrimination on the basis of gender identity in employment is regarded as an instance of sex discrimination and is prohibited in the European Union law with which Poland has to comply (Szczerba 2011).

3 Previous Research on Polish Public Opinion Regarding Gay and Lesbian Equality

While it plays an important role in the life of Polish sexual minorities, the legal environment cannot completely capture the climate of tolerance or intolerance that they face, whether in the workplace or in other domains of public life. It is also necessary to explore the attitudinal climate that sexual minorities face because laws are imperfectly predictive of individual attitudes and behaviors, especially when it comes to their responses to members of disliked and negatively stereotyped groups (Golebiowska 2014). In support of this contention, available over time data about reported discrimination in employment suggest that its levels have been relatively stable even as legal protections for sexual minorities got stronger (Smiszek 2011; c.f. Perdzynska 2009).

Generally speaking, systematic research on public opinion concerning sexual minorities' civil rights and liberties has been extensive (e.g. Herek 2004; Herek and Capitanio 1999; Herek and McLemore 2013). Yet, we know much less from social scientific analyses about the sources of Polish support for equality for LGB individuals because most of the relevant research to date has been primarily descriptive or focused on subgroup differences in Polish attitudes only—not to mention that it has not explicitly included bisexuals in its focus (e.g. Feliksiak 2013). Thus, many existing reports on Polish public opinion on homosexuality and gay and lesbian rights largely describe Polish attitudes but do not carefully analyze their sources (e.g. Antosz 2012; Feliksiak 2013; Wenzel 2005). For example, in a recent report, results from a nationally representative survey of Polish attitudes toward several different minorities, including non-heterosexuals, were summarized (Antosz 2012). Most relevant to the subject matter of this chapter, the report contained a detailed description of Polish views concerning different minorities in the workplace (e.g., those defined by their sex, age, disability, sexual orientation, or gender identity). When survey respondents were asked about their discomfort with a boss belonging to different minority groups, the greatest number reported discomfort with a gay boss (29 %) and only a slightly lower level of discomfort with a lesbian boss (24 %).[2] Respondents were also least comfortable with their child's math teacher

[2] No questions were asked about transgender individuals.

belonging to a sexual minority and least willing to favor government action to address unequal treatment on the basis of sexual orientation (Antosz 2012, p. 86).

In a major exception to the largely descriptive nature of writing on Polish attitudes toward non-heterosexuals, I have recently illuminated the nature, structure, and sources of Polish views on gay men's and lesbians' civil rights and liberties (Golebiowska 2014). I found that Polish public opinion in this area was organized in two broad dimensions: (1) a general tolerance dimension, which is comprised of views on gay men's and lesbians' rights to have sex, show their sexual orientation in public, marry, form civil unions, and adopt children, and gay and lesbian organizations' right to stage public rallies and (2) tolerance in the workplace dimension, which is comprised of attitudes toward working with gay men and lesbians, having a close co-worker who happens to be a gay man or a lesbian, and having a gay or lesbian supervisor. In my analysis of the etiology of Polish views, I found that respondents who were lower in religiosity, higher in political interest, and more supportive of Poland's membership in the European Union tended to be more tolerant of gay men and lesbians on both dimensions of tolerance. Younger and more leftist respondents exhibited more tolerance in general but did not differ from older respondents in their support for gay and lesbian equality in the workplace. Interpersonal contact with gay men and lesbians was also modestly correlated with respondents' acceptance of sexual minorities in their workplace, such that those who reported knowing a gay or lesbian individual were also more supportive of gay and lesbian rights (Golebiowska 2014).

Seemingly inconsistently with the survey findings I discussed above, Poles embraced equality for sexual minorities in the workplace to a much greater extent than on any other issue. Yet, there was more to the story. For one thing, the level of discomfort with a gay or lesbian boss in my study was very similar to that reported in a study to which I alluded above (Antosz 2012). For another, while an overwhelming majority of respondents indicated that they would not object to gay or lesbian co-workers, they were far less generous when asked whether there were any occupations which gay men or lesbians should not be allowed to have. A small majority would not allow gay men in all occupations and close to half said they would not accept lesbians in all occupations. Among those who would not allow gay men and/or lesbians in all occupations, solid majorities mentioned teaching and other professions that involve working with children as occupations that should be off limits to gay men and/or lesbians. Substantial numbers of those respondents also said that they would not allow gay men and/or lesbians to work in the health care field and a large minority would not allow gay men to be priests (Golebiowska 2014).

In summary, my previous examination of the nature, structure, and sources of Polish attitudes toward gay and lesbian rights identified an interesting puzzle in Polish public opinion on sexual orientation in the workplace. On one hand, Poles seemed—in principle—more supportive of equality in the workplace than in any other domain of public life. On the other hand, this seeming embracement of equality was shallow because it did not unconditionally carry over to support for gay and lesbian equality in specific occupations. Willingness to discriminate was especially high in the case of professions that involved a good deal of interpersonal contact with gay men and lesbians and especially when that contact involved children.

4 Polish Willingness to Allow Gay Men and Lesbians in All Occupations

In this chapter, I build on previous research and explore the dynamics of Polish willingness to allow gay men and lesbians in all occupations more carefully. To this end, I use data from a nationally representative survey conducted in 2010 by the Center for the Study of Public Opinion (CSPO) in Warsaw, Poland. A total of 1056 respondents participated in the survey. This investigation is even more significant for Polish gay men and lesbians in the workplace than an analysis of the sources of principled support for workplace nondiscrimination which I have conducted before. Ultimately, what matters more for the quality of life of gay men and lesbians is not just a superficial commitment to treating them equally but also readiness to respect their rights to work in any jobs for which they are qualified.

The empirical puzzle at the heart of my analysis—or variation in Polish readiness to allow gay men and lesbians in all occupations—is depicted in Fig. 1. The figure is based on an index of what I will call job-independent tolerance. It was created by adding up respondents' answers to the two questions asking whether

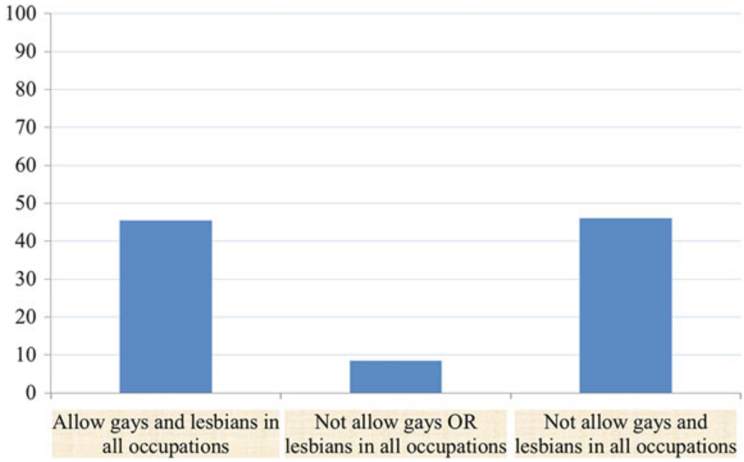

Fig. 1 Polish willingness to allow gays and lesbians in all occupations (in %)

there were any jobs gay men and lesbians should not be allowed to have.[3] It shows the percentages of Poles who would allow both gay men and lesbians in all occupations, those who would not allow both gay men and lesbians in all occupations, and those who would not allow either gay men or lesbians but not both in all occupations. Please note that these and other statistics I report in the chapter are based on the entire sample which is composed of both heterosexuals and members of sexual minorities. I cannot control for sexual orientation or gender identity because the question was not asked in the survey. The results I report should not be greatly affected, however, because there is no reason to assume that the Polish sexual minorities' share of the population differs from that in other countries.

This figure demonstrates that Poles are polarized on the question of whether gay men and lesbians should be allowed unrestricted access to all occupations. Overall, almost half of all respondents (46 %) would not allow either gay men or lesbians to be employed in some jobs and almost exactly as many (45.5 %) would allow both access to all jobs. A small percentage (8.5 %) takes a position that is contingent on the homosexual person's gender because they would allow either gay men or lesbians access to all jobs but not both at the same time.

5 Sources of Job-Independent Tolerance in Poland: Hypotheses

I draw on previous research on Polish attitudes toward gay and lesbian rights in order to formulate my hypotheses about the likely predictors of job-independent tolerance. Specifically, my model includes socio-demographic variables, economic and political perceptions, political variables, and intergroup contact. Education, age, gender, area of residence, and religiosity are the socio-demographic variables that should influence Poles' scores on the job-independent tolerance scale. The well-educated Poles should be more tolerant because they are higher in political knowledge (Peffley and Sigelman 1990), more likely to experience intergroup contact (Stouffer 1955), and are lower in religiosity (Boguszewski 2012a). Younger Poles, in turn, should be more tolerant because they are less religious (Boguszewski 2012a) and more likely to experience intergroup contact (Boguszewski 2012b). I also hypothesize that women should be more tolerant because they may hold more flexible gender role beliefs which have been shown to lead to more favorable attitudes toward gay men and lesbians (Kite and Whitley 1998). Less religious respondents should be more tolerant because they are less likely to be exposed to the Catholic teachings which condemn homosexuality (Krzeminski 2007). If respondents' area of residence proves to be significant in the presence of controls, those who live in larger towns or cities should be more tolerant because they are

[3] Factor analysis and reliability scaling suggest that the two questions can be combined into an additive index.

more likely to be exposed to diversity (Stouffer 1955) and tend to be less religious than those who live in the country or small towns (Boguszewski 2012a).

Scapegoating theory suggests that attitudes toward sexual minorities may be tied to economic perceptions (Bilewicz and Krzemiński 2010). I thus expect that respondents with more positive perceptions of their own finances and the country's economy will be more accepting of gay men and lesbians in all occupational roles.

I test potential impact of three political variables: respondents' opinions about Poland's membership in the European Union (EU), interest in politics, and ideological self-identification. Homosexuality and rights of sexual minorities were uniquely coupled with Poland's accession to the EU. As a result, attitudes toward sexual minorities' rights should be linked with attitudes toward the EU such that respondents who are happy about Poland's membership in the European Union should be more accepting of unconditional gay and lesbian equality in employment (Golebiowska 2014). On the other hand, higher political interest may lead to greater tolerance because it should result in greater exposure to diversity (Golebiowska 2014). Because Poland's left-wing elites have been more likely to voice tolerance of gays and lesbians and right-wing elites have been outspoken about their condemnation of homosexuality, respondents self-placing on the ideological left end of the left-right continuum should be more tolerant than those who self-locate on the right (Selinger 2008).

Finally, in keeping with much previous research, I expect that interpersonal contact with gay men and lesbians will be linked with greater acceptance of gay men and lesbians in all occupations, whether because this contact reduces anxiety about meeting gay men and lesbians or helps to empathize with sexual minorities' plight (Pettigrew and Tropp 2008).

6 Sources of Job-Independent Tolerance in Poland: Results

I test these expectations by regressing the job-independent tolerance index on all the predictors using OLS regression.[4] All variables in this analysis have been re-scaled to 0–1 and coded with an expectation of a positive correlation with the dependent variable, which is itself coded from "less" tolerance to "more." Given this coding, the magnitude of the significant influences on job-independent tolerance is directly comparable on the basis of unstandardized regression coefficients. The relevant results are reported in Table 1.

The story that emerges from Table 1 is quite simple. The two most important predictors of acceptance of gay men and lesbians in all occupations are age and ideological self-identification. Opinions on Poland's membership in the European

[4] Ordinal regression is technically more appropriate because the dependent variable is ordinal. However, because OLS and ordinal regression results are equivalent, I report OLS results be-cause they are easier to interpret.

Table 1 Sources of job-independent tolerance: Multiple regression results

Predictor	b (SE)
Socio-demographic factors	
Education	.01 (.08)
Age	.17 (.08)**
Religiosity	.09 (.07)
Gender	.04 (.04)
Size of town or city	−.02 (.05)
Economic and political perceptions	
Perceived finances	−.07 (.08)
Country's economic conditions	.04 (.10)
Political predispositions	
Ideological self-identification	.22 (.08)**
Interest in politics	−.10 (.10)
Opinion on EU membership	.16 (.09) *
Interpersonal contact with gay men and lesbians	.06 (.05)
R^2/F (sig F)	.05/2.66**
N	614

Notes. Entries are OLS coefficients and standard errors (in parentheses)
*$p < .10$, **$p < .05$

Union are also influential, though only marginally ($p < .08$). As expected, the direction of these effects is such that respondents who are younger, more likely to self-place on the left end of the ideological spectrum, and more supportive of Poland's membership in the European Union are also more likely to say that gay men and lesbians should be allowed in all occupations.

The results I have discussed thus far do not clearly demonstrate the substantive importance of the significant predictors. In order to show more clearly how important each of the significant influences is, I thus calculated predicted values on the dependent variable for respondents who are located at the low and high ends of each significant predictor. For purposes of this analysis, I define the low values as scores at the 5th percentile and the high values as scores at the 95th percentile. These two values capture the changes in respondents' scores on the job-independent tolerance scale as one moves across almost the entire range on a particular predictor. These low and high values for age, ideological self-identification, and opinions on Poland's membership in the European Union are depicted in Fig. 2.

The substantive significance of each predictor is visually demonstrated by the difference in the length of the orange and blue bars in each set of bars, which show the respective magnitude of the low and high predicted values for each predictor. These differences show the unique impact of each significant predictor with the effect of the remaining predictors in the model being held constant. Thus, the greater the difference in the length of the two bars--i.e., the larger the difference between the low and high values on a particular predictor--the larger is the independent effect of a particular variable.

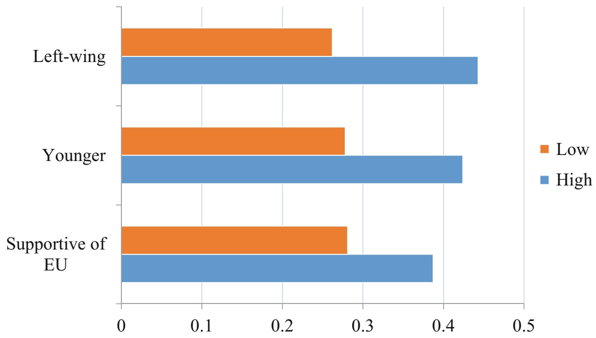

Fig. 2 Unique impact of significant predictors on job-independent tolerance (job-independent tolerance: labels on the Y-axis identify the more tolerant group). Note: Plotted values are the predicted values of tolerance for respondents at low (5th percentile) and high (95th percentile) values on the predictor. The values show the effect of one predictor while controlling for the effects of all other predictors in the model

To underscore how sizable the differences are as a function of age and ideological self-identification, the two strongest influences on job-independent tolerance, consider that moving from a low to a high value on age results in about a 15 percentage point movement and on ideological self-identification in an 18 percentage point movement. These are sizable shifts considering a 0–1 scaling of all variables in the analysis. For example, if we compare respondents with a low value for age—or those who were born in 1924—with respondents who have a high value for age—or those who were born in 1980, the predicted score on the job-independent tolerance scale for the older respondents is .278, while the score for the younger respondents is .424, about 15 percentage points more tolerant.

7 Summary, Conclusions, and Discussion

I started this chapter by noting the existence of widespread perceptions of discrimination that Polish sexual minorities face in their places of employment. In seeming contrast, I noted the low number of LGB individuals who report actually suffering discrimination because of their sexual orientation. While the latter seemed to question the validity of perceptions about the incidence of workplace discrimination, I argued that it alone was misleading to zero in on because most LGB individuals are too terrified to acknowledge their sexual orientation at work. Thus, the totality of existing evidence suggests that sexual minorities have good reason to expect hostility in their place of work.

In an effort to understand the rationale for the fears that sexual minorities experience in their places of employment, I examined the legal protections that are currently in place to help them challenge discrimination that they may suffer. In addition, I focused on acceptance of sexual minorities in the workplace in order to illuminate the attitudinal climate that they likely face at work. As part of this investigation, I set out to identify the most important influences on Polish willingness to discriminate against gay men and lesbians in employment.

My discussion of the legal framework which LGB individuals can use in order to challenge discrimination they suffer shows that there are by now some effective legal instruments to protect them in the workplace. Unfortunately, most victims of discrimination do not appear to rely on existing laws, whether because they do not know them well, do not know how to navigate the court system more generally, or fear losing their jobs, having to look for a new job, or outing themselves in the course of judicial proceedings (Zima-Parjaszewska 2011). Because few employees and job seekers look for judicial relief, few court cases have helped to spell out the more ambiguous provisions of existing laws (Smiszek 2011).

My examination of the attitudes gay men and lesbians confront in the workplace suggests that they at present face a chilly environment, with close to half of respondents in a recent nationally representative survey proclaiming that they would not allow them in all occupations. This widespread willingness to discriminate against gay men and lesbians in employment constitutes an empirical puzzle on which I shed some light by simultaneously testing a number of hypotheses about the likely sources of willingness to give gay men and lesbians equal access to all occupations. This analysis established that willingness to discriminate varies with respondents' age, ideological self-identification, and less significantly, opinions on Poland's membership in the European Union.

One caveat to keep in mind when interpreting the empirical results I reported in this chapter is that the survey questions which I used did not contain a reference to bisexuals. This omission raises a question of how different the results would be if the questions contained a reference to bisexuals or separately asked about their rights. Existing research on attitudes toward bisexual men and women in the U.S. suggests that those attitudes are even more negative than those toward lesbians and gay men though they appear to have a similar etiology as attitudes toward lesbians and gay men (e.g., Herek 2002). This suggests that the degree of intolerance I report here might be even higher though its underpinnings should not be substantially different if questions asking specifically about bisexuals' rights were available.

The results I report point to possible pathways through which currently negative attitudes toward workplace equality might undergo change in the future. Based on this analysis, generational replacement is the best bet for future changes in Polish support for gay and lesbian equality in the workplace. Because younger Poles are more supportive of equality today, when their less tolerant parents and grandparents are replaced with their offspring socialized to be more tolerant, support for gay and lesbian equality should rise in tandem. This is especially likely because younger people are also more supportive of Poland's membership in the European Union and those who are more supportive of Poland's membership are in turn more supportive of gay and lesbian equality in employment (Golebiowska 2015).

Another mechanism through which support for gay and lesbian equality in employment might increase over time would be a decline in the number of Poles who self-place on the right end of the Polish political spectrum, in turn raising a question of what might produce such a decline. Previous analyses suggest that ideological self-placement is most closely tied with individual religiosity, with more religious individuals being more likely to identify as right-wing (Golebiowska 2015). On a reasonable assumption that religiosity influences a person's ideology rather than the other way around, a reduction in the number of self-identified right-wingers might occur as a consequence of greater secularization. For now, the principal religious institution with which most Poles identify, the Catholic Church, has not been very charitable in its rhetoric on homosexuality and gay and lesbian rights. The Catholic Church is in fact seen by LGB Poles as the principal institution that discriminates and promotes discrimination against them (Krzeminski 2009). While Poles are somewhat less religious today, and this is especially true of younger, better-educated, and urban individuals, they nonetheless remain deeply religious on many indicators (Boguszewski 2012a; Marody and Mandes 2012). Thus, secularization may be under way but, because it is proceeding very slowly, the prospects for greater acceptance of LGB Poles through increased secularization are not especially bright at this point.

Finally, in spite of the hopes that previous studies on public opinion on gay and lesbian rights in Poland have been pinning on the salutary influence of interpersonal contact with gay men and lesbians (e.g., Krzeminski 2009), I have found it to matter relatively little in my previous analyses (2014) and not to matter at all in predicting Polish acceptance of gay and lesbian acceptance in all occupations. Thus, for now at least, it is hard to be optimistic about increases in tolerance in the workplace as a result of interpersonal contact with gay men and lesbians, at least as measured with information about survey respondents' gay or lesbian friends, in spite of the fact that the number of heterosexuals who report knowing someone who is gay or lesbian has been on the rise (Feliksiak 2013).

In closing, I have built on existing research in order to illuminate the realities of discrimination based on sexual orientation in the Polish workplace. Against the backdrop of the legal environment concerning the treatment of sexual orientation in the workplace, I have described attitudes toward workplace equality in all occupations and shed light on the underpinnings of Polish reluctance to acknowledge gay men's and lesbians' rights to be employed in any job for which they are qualified.

Appendix

Wording of all questions used; items that have been reverse-coded in all analyses are marked with *

Job-independent tolerance: Two questions asking whether there are any occupations (1) gay men and (2) lesbians should not be allowed to have; coded "yes" or "no"

Education: What is your education? Coded from "less than grade school" (1) to "PhD or higher" (12)

Age: In what year were you born? Coded from "1924" to "1992"

Religiosity: Do you take part in religious practices such as masses or religious meetings? Coded from "Yes, several times a week" (1) to "Never" (5)

Gender: Coded by the interviewer as "Male" (1) or "Female" (2)

Size of town or city: Coded by the interviewer from "village" (1) to "city of 500,000 or more residents" (6)

Perceived finances: How would you rate your household's finances? Coded from "bad" (1) to "good" (5)

* *Country's economic conditions*: How would you rate the state of Polish economy? Coded from "very good" (1) to "very bad" (5)

* *Ideological self-identification*: Political views are shown on this scale from left to right. Where would you place yourself? Coded from "left" (1) to "right" (7)

* *Interest in politics*: How would you rate your interest in politics? Coded from "very high" (1) to "none" (5)

* *Opinion on EU membership*: Do you personally support or oppose Poland's membership in the European Union? Coded from "definitely support" (1) to "definitely oppose" (4)

* *Interpersonal contact with gay men and lesbians*: Do you personally know any gay men or lesbians? Coded "yes" (1) or "no" (2)

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Understanding the Identity Work of LGB Workers Using the Practice Theory Lens

Emir Ozeren and Alper Aslan

1 Introduction

Scholars remark that identities are constructed within activities and interactions; within this stream, the term "identity work" is used to emphasize the fluidity of identities (Alvesson et al. 2008; Pratt 2012) as the most significant metaphor (Brown 2015). "Identity work" can be conceptualized as the range of activities in which individuals engage to create, present, and sustain personal identities that are congruent with and supportive of the self-concept (Snow and Anderson 1987: 1348; Sveningsson and Alvesson 2003: 1165). Alvesson et al. (2008: 15) note that "the emphasis or much of the writing on identity work is on becoming, rather than being".

Several studies analyse identity work in situations where identities are threatened and marginalised (Brown 2015; Wieland 2010). However, as Alvesson et al. (2008) state, identity work also pertains to mundane situations and incidents. Moreover, identity work literature emphasizes the cognitive aspects of identity work within a "narrative-discursive approach" (Down and Reveley 2009). This approach restricts the identity work within internal mechanisms and neglects how identity work is performed within work activities. In a similar vein, numerous studies on LGB identity management and disclosure at work (Bowring and Brewis 2009; Kaplan 2014; King et al. 2008; Ragins 2008; Rumens and Broomfield 2012; Schope 2002) elaborate mostly on the discursive aspects without an adequate or

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in-depth understanding of identity work within everyday activities and incidents (Alvesson et al. 2008).

In this chapter, based on this brief theoretical background, we will discuss how to expand the identity work of LGB workers within everyday work activities in organizations, rather than restricting identity work to the disclosure versus nondisclosure dilemma, and argue how Schatzkian practice theory (Schatzki 2002, 2005, 2010) provides the robust ground for this. Inspired by practice theory, rather than separating it from everyday activities, we aim to conceptualize the identity construction of working LGB individuals as an "identity work". In this respect, we will explore and discuss how LGB individuals build, maintain and negotiate their identities within everyday work activities.

2 Sexual Identity Management: A Review and Critical Reflection

The research on counselling and vocational psychology, as well as organization and management studies, has consistently pointed out sexual identity management as one of the key pillars or common themes with regard to work-related behaviour of sexual minorities (Croteau et al. 2008; McFadden 2015; Ward and Winstanley 2005). The research stream on workplace identity management of LGB individuals deals primarily with various strategies employed by LGB people to manage their sexual minority status at work. Within this stream, a number of issues become prominent including the timing, motive, method, process, antecedents and consequences of self-disclosure about one's sexual orientation (so-called "coming out") in the workplace (Clair et al. 2005; Gedro 2007; Kaplan 2014; Ozeren 2014; Ragins 2004, 2008; Rumens and Broomfield 2012; Schope 2002) and the extent of the disclosure decision of LGB workers based on their unique experiences (Creed and Cooper 2008; Ragins 2004), stories (see Ward and Winstanley 2005 for a storytelling approach) and discourses (see Ward and Winstanley 2005 as an example for a Foucauldian notion of discourse). Coming out is generally considered to be one of the most critical decisions that an LGB employee has to take with respect to his/her identity at work. This often creates such a complex dilemma that LGB employees should take into account various issues, such as whether/when/where/how/to whom to come out to at work (Gedro 2007). Coming out should not be considered as a decision that LGB employees have made once in their lives, on the contrary they (re)negotiate their identities in different instances throughout their career. For example, each time an LGB employee changes their job or moves to a new work setting or works with new people, they face this concern. They might find themselves in a difficult position of being "out" versus remaining "closet" when they are promoted or rotated to a new work setting. Indeed, they have to come out in every new work situation. As is evident in Parnell et al.'s (2012) study, in several cases some LGB participants expressed clearly that they had to leave their careers in the ministry, the military, law enforcement and education because of not being able to be out in these areas. There are several consequences of the coming out decision of LGB employees related to their career choices. For instance, they may not want to have a job where they could not be open safely about their orientation and this situation itself severely limits their choices. Even if LGB individuals successfully come out at work safely, they may have to struggle with the internalized homophobia permeating through the workplace and feel they need to make an extra effort to legitimize themselves in the eyes of their peers or managers. In particular cases where LGB employees are out, they feel a constant pressure to work relatively harder than their heterosexual counterparts doing a similar job/task.

A great variety of strategies and techniques can be used by LGB people to manage their identity in the workplace. In the early studies, two leading authors investigated strategies for workplace sexual identity management. First, Griffin (1992) proposed four major strategies (*passing, covering, implicitly out, explicitly out*) on the basis of qualitative findings derived from lesbian and gay teachers. Accordingly, *passing* is an artificial creation of heterosexual image by lesbian/gay people at work who create consciously a façade of conformity of heteronormative roles (such as behaving like a heterosexual, making up partners of the opposite sex, living a heterosexual lifestyle in the workplace). *Covering* is another strategy of a person who conceals information related to one's minority sexual orientation. In this case, the person in question avoids sharing any references to or indications of homosexual relationships, affiliations with the LGB community and prefers to be silent about his/her sexuality in the workplace. The person neither says he/she is heterosexual nor declares his/her homosexuality. *Implicitly out* is a strategy adopted by lesbian and gay people who share personal details about their lives that may cause others at work to suspect a minority sexual orientation (for example, mentioning one's same-sex partner during the conversation in a more spontaneous way without explicitly saying that this individual is indeed his/her partner). Finally, *explicitly out* is the most transparent form of strategy followed by lesbian or gay people who undertake to make other people understand their identity openly and clearly. Those aforementioned strategies fall into a continuum, from safety-making (passing) and concealment (covering) oriented strategies, to risk-taking (implicitly out) and revealing oriented (explicitly out) strategies (Croteau et al. 2008). Based on Griffin's (1992) four-strategy model supported by prior qualitative research, Anderson et al. (2001) initially developed a conceptually grounded measure of sexual identity management (WSIMM-Workplace Sexual Identity Management Measure) with psychometric properties, on 172 student affairs professionals to adequately define, measure and assess sexual identity management, particularly designed for gay and lesbian workers, given the lack of a specific measurement tool on sexual identity management in the field up to that date.

In their qualitative study, Woods and Lucas (1993) developed a second model to explain the identity management strategies of gay male workers following Griffin (1992). In this model, there are three major identity management strategies adopted by gay participants in the workplace; these are "*counterfeiting*" where a fake heterosexual identity is created and maintained so that sexual minorities pretend to heterosexual; "*avoidance*" where an individual is not willing to disclose any personal information, particularly his/her sexual identity such as keeping himself/herself distant from any areas or daily conversations at work where one's sexual orientation might need to be revealed; "*integrating*" where one reveals his/her sexual identity status by being "out" at work and eventually has to manage the consequences of this decision (Woods and Lucas 1993). Several cases show us that gay employees sometimes tend to behave in more masculine ways and lesbian employees tend to behave in more feminine ways to comply with compulsory heterosexism imposed by society. Faced with potential discrimination, some LGB individuals may not choose to disclose their identity and routinely "pass" as heterosexual (Bowen and Blackmon 2003: 1403). However, it should be kept in mind that sexual minorities can choose a variety of gender presentations, where, when and if possible. They tend to adopt identity strategies they believe might be 'appropriate' in workplace settings (Ozeren 2014: 1213). For instance, in a recent study conducted by Rumens and Broomfield (2012: 295) on LGB identities in the UK police service, it was shown that gay policemen might decide to pass, as part of a long term strategy to construct workplace relationships that offer a supportive environment for coming out and subsequent integration. In the study by Button (2004), it was also indicated that a number of strategies were used by the LGB respondents in combination, sometimes simultaneously, such as by disclosing one's sexual identity to a limited number of people but maintaining a false heterosexual identity with all others.

More recently, there have been different theoretical frameworks (Clair et al. 2005; Lidderdale et al. 2007; Ragins 2004, 2008) to advance our understanding of how minorities' sexual orientation is managed in the workplace. Among these authors, both Clair et al. (2005) and Ragins (2004, 2008) developed models built on stigma theory (Goffman 1963), and sought to reveal personal and contextual antecedents in understanding how sexual minorities foresee the consequences and weigh the costs and benefits of coming out on their (in)visible social identity at work. On the other side, in a study conducted by Lidderdale et al. (2007), a social cognitive perspective was adopted to describe how sexual minorities learn about, make sense of and select identity management strategies.

Ragins (2004, 2008) argues that there are four major interconnected antecedents to disclosure decisions which are the anticipated consequences of disclosure, the socially constructed characteristics of LGB stigma, the internal psychological factors (self-identity and self-concept), and work environmental factors (to what extent the work environment is supportive of LGB workers). For the work environment as the last antecedent to the disclosure decision, Ragins (2004, 2008) put forward three forms of support: the availability of other LGB workers who have been able to disclose their LGB identity safely, the presence of LGB supportive heterosexual workers (allies), and the existence of LGB affirmative institutional policies and practices. In a similar vein, Clair et al. (2005) discussed managing invisible social identities in the workplace and developed a generalized model of identity management by using disclosure and stigma theories. In this model, the authors focused specifically on two major strategies that individuals use to manage their invisible social identities at work (*passing* vs. *revealing*). The basic question investigated for this purpose was how individuals decide to pass or reveal their invisible social identity in the workplace. Accordingly, there are two broad categories of antecedents for a person's choice to pass or reveal at work which are contextual conditions (organizational diversity climate, industry/professional context and norms, legal protections) and individual differences (propensity towards risk taking, self-monitoring, developmental stage, personal motives). Finally, the authors put forward the possible outcomes of the decision to pass or reveal and the influence of these outcomes on future behaviours. In the same direction, Rumens and Broomfield (2012) examined the identity disclosure and management issues of 20 gay male police officers, in the UK context, by building their theoretical framework on Goffman's (1963) stigma theory. They identified three emerging themes, based on in-depth interviews, of how gay men in the police disclose and manage their sexual identities. These are "motives for disclosure", "contextual issues in identity disclosure and management in the police" and "integrating gay identities in the police". Rumens and Broomfield's (2012) study demonstrates that disclosing and managing sexual orientation as an (in)visible stigmatized identity is influenced by various personal and contextual considerations.

The significant conclusion drawn from the existing literature is that identity management of LGB employees in the workplace is far more complicated than simply choosing whether to disclose or not disclose one's sexual orientation. As opposed to what Clair et al. (2005) assumed, i.e. a twofold decision to pass or reveal, sexual identity management falls within a broad range of continuums where sexual minorities may adopt various forms of strategies or tactics. Indeed, studies that rely heavily on the disclosure decision of LGB individuals at work have already reached saturation point as it is the largest area of research in the past 10 years, as argued by Roberts (2011: 669). Sexual minorities employ a number of diverse strategies for managing the (in)visible aspect of their identity at different times. It can be seen that taking only the degree of disclosure into consideration does not adequately capture the continuous, iterative and complex nature of the identity management process of sexual minorities at work.

As Kaufman and Johnson (2004) remarked, the "stage models" of LGB identities that explain how LGB individuals recognize and develop their sexual identities by coming out, do not account for the situated identity management of LGB individuals. Accordingly, the stage models of LGB identity work should be enriched by broader theoretical ideas that can address the situated complexity of LGB identity work. In this respect, the notion of identity management in LGB literature that seems to be multifaceted in its nature, including numerous choices with respect to one's sexual identity, deserves critical scrutiny and a new look at the subject with an alternative theoretical lens that can address the fragile and dynamic aspects of LGB identity work in organizations.

3 Identity Work

Identity is related to the questions of "Who am I?", and "What do I do?" (Karreman and Alvesson 2001: 63–54). Identity implies a normative orientation of what is appropriate and valuable for the subject; it is also about how to interact with others and the world (Karreman and Alvesson 2001: 64; Weick 1995). "Identity work", as Brown (2015: 20–21) notes, is the "most significant metaphor" referring to the process of identity construction in and around organizations. Rather than referring to the entity based, fixed and essential notions of identities, identity work stresses that identities are contextual and situational; hence they are constructed, managed or worked upon (Alvesson 2000; Brown 2015; Coupland and Brown 2012; Sveningsson and Alvesson 2003). Beech et al. (2012: 40) define identity work "as a process through which people seek to establish an identity in their own estimation and in the eyes of others".

There is a wide literature dealing with identity work in organizations (see Brown 2015 for a recent review). The literature on identity work stresses mostly the processual and contextual aspects of identity work, whereas there are also controversies concerning the degree of agency, fragility, coherency, and authenticity of identities (Brown 2015). Most works address how individuals construct their identities by organizational and social discourses, and position themselves "by the ideational notions of who they should be and how they should act" (McInnes and Corlett 2012: 27). Within this approach, "the individual is seen as the primary author of and audience for self-narrations" (Wieland 2010: 509). Since these studies rely heavily on interview data (McInnes and Corlett 2012: 28), they reflect heroic and idealized accounts of identity work (Iedema et al. 2006). Some scholars point out the need to analyse the identity work within situated activities and interactions, rather than relying on abstract discourses (Alvesson 2000; Down and Reveley 2009; Iedema et al. 2006; LeBaron et al. 2009; Wieland 2010). According to these scholars, who emphasize the situated and interactional nature of identity work, identities are not constructed merely in crisis situations where individuals struggle to construct appropriate identities, but are constructed in "moment to moment and day to day" (LeBaron et al. 2009: 212). In a similar vein, LeBaron et al. (2009: 200) note that identity work is an "interactive accomplishment" and that identity work is not "a causal outcome of conditions or circumstances" (see also Iedema et al. 2006). Iedema et al. (2006) also criticize analyzing identity work within grand or abstract discourses; they note that every interaction has its own dynamics and excesses for identity work that cannot be reduced to pre-existing discourses and stances:

> With people's actions being less mapped "in advance" and more localized in negotiations with others about what is appropriate to do, say and be, their identity also becomes increasingly contingent upon the vicissitudes of interaction at work (Iedema et al. 2005: 333).

With regard to situated identity work, most of the existing studies on LGB identity can highlight very little as they portray identity work mostly as an individual's linear strategic struggle (Kaufman and Johnson 2004), in which LGB workers evaluate the appropriate factors for their disclosure and the possible effects of that disclosure:

> The decision to disclose a stigmatized identity is complex and represents an individual's assessment of the positive and negative consequences of disclosure within a given social context (Clair et al. 2005; Ragins et al. 2007). This decision is balanced by the anticipated psychological benefits associated with disclosure on the one hand and the fear of stigma-related repercussions on the other (Ragins 2008: 198).

By restricting identity work to simply disclose or not, these studies reify the process of identity work to theoretical entities and neglect how LGB workers construct and experience their identities within situated organizational activities and interactions. Hence, these studies neglect the spontaneous, interactional, lived and emerged aspects of LGB identity work. They exclude the identity work of LGB workers from disclosing their sexual identities and cannot highlight the complexity and dynamics of everyday organizational life (see Shotter 2005; Shotter and Tsoukas 2011). To highlight the identity work of LGB workers within the complex, situational and interactional aspects of everyday organizational life requires analyzing the situated activities and interactions, as LGB workers can work on their identities continuously by situated activities; for example by paying attention to how to talk, how to use the body, and how to dress etc. (Öner 2015; Rumens and Kerfoot 2009).

Since "work is the primary activity of people within organizations" (Bechky 2011: 1158), work activities provide the background for workers to construct diverse work identities (Brown and Lewis 2011; Leidner 2006; Wieland 2010; Wrzesniewski and Dutton 2001). As Wrzesniewski and Dutton (2001: 180) remark "[w]hat individuals do at work and who they interact with are two important means by which employees change their work identities" (see also Alvesson 2000). Work identities are normative in that they address the questions of "who am I?" and "How should I act?" (Alvesson 2000: 1105; see also Karreman and Alvesson 2001). Alvesson (2000: 1105) remarks that workers engage in identity work in organizations continuously in order "to cope with work tasks and social relations". The ability to engage in appropriate work activities is not restricted to high-status works. Even in routine jobs, workers can make nuanced changes in their work activities and interactions, enhance work meaning and construct positive work identities (Wrzesniewski and Dutton 2001). For example, Wrzesniewski and Dutton (2001) state how one group of hospital cleaning staff saw themselves as valuable in the healing of patients by enriching their work activities and interactions both with patients and nurses.

For LGB workers, in addition to hiding or revealing their stigmatized sexual identities, work activities can also enable them to construct work identities. As Khanna and Johnson (2010: 386) remark "[I]dentity work is not just about concealing or covering a stigmatized identity, but highlighting a non-stigmatized or preferred identity". However, the research on LGB identities does not adequately address how LGB workers construct work identities; one exception is Rumens and Kerfoot's (2009) study in which they examined how openly gay men, in a gay-friendly context of a British public sector organization, construct professional identities. In their study, they find that openly gay men try to engage in professional conduct and to present a professional persona by paying attention to what to wear and to have physically fit bodies. Some interviewees' note that their sexual and professional identities can co-exist, others note that it is necessary to put a limit on their sexual identity in the workplace. Within this context, Rumens and Kerfoot (2009: 777) state how one of their interviewees tries to construct his identity "as a busy professional with a burgeoning workload, and harboring no desire or time to 'flaunt' his sexuality". Rumens and Kerfoot's (2009) study also shows how in some contexts openly gay men can assert their work identities. On the other hand, Rumens and Kerfoot (2009) do not give a detailed account of how situated work activities, and especially interactions within their normative-affective aspects, serve to construct work identities.

In a later study, Rumens and Broomfield (2014) analyze how gay men in the performing arts both show and hide their sexual identity within diverse work contexts. For example, in drama school gay men can develop trusting relations with other individuals and express their sexual identity; however, they engage in activities conforming to heteronormativity in their interactions with casting directors and agents. Rumens and Broomfield's (2014) study displays how identity work is a situated accomplishment and how it may change according to diverse contexts with unique normativities. As organizational activities and interactions have their own multiple normative and affective aspects (Iedema et al. 2006), they will affect:

- How LGB workers construct their work identities within situated work activities and interactions
- How work identities co-exist with sexual identities
- How work activities are used to hide or disclose sexual identities

To address these multiple normative and affective aspects of work activities and interactions, we need to give primacy to situated activities and interactions, rather than abstract discourses or individual traits (Iedema et al. 2006; Schatzki 2010). Hence, in the next section, we will discuss how practice theory provides a robust foundation for analyzing the situated work activities and interactions within their normative and affective aspects.

4 Practice Theory

In recent years, practice theory has been influential across diverse fields of social sciences (Nicolini 2012; Schatzki 2010). Practice theory privileges practices in analysing social phenomena, rather than individuals and abstract structures (Schatzki 2010). For practice theory, social life is human co-existence that transpires amid the interrelated nexus of practices and material arrangements. Hence, identities, social institutions and organizations are aspects of nexuses of interconnected practices and material arrangements (Schatzki 2005, 2010).

Schatzki (2005) notes that practices are "organized activities"—encompassing both doings and sayings. Organized activities form certain practices, such as educational practices, cooking practices, working practices, leisure practices, etc. (Schatzki 2005: 471). For example, a service encounter between a hotel worker and a tourist may embrace both working practices and leisure practices. Another example is in the service interaction of a (gay) waiter and a tourist in a hotel; the waiter takes orders, serves food and beverage etc. and the tourist consumes food, chats with his friends etc. Moreover, these practices are conducted amid material arrangements (Schatzki 2002, 2005). Material arrangements, as Schatzki (2005: 472) puts it, refer to set-ups of human beings, artefacts and things. For example in the aforementioned service encounter, the food, the tables, the size of the restaurant, the set-up of the tables, the comfort of the chairs, the distance between the restaurant and the pool, etc., all refer to material arrangements.

As Schatzki (1996: 169) underlines, "practices are inherently social because participating in one entails entering a complex state of coexistence with other participants". Practices are, to a large extent, organized by "teleoaffective" (teleology and affective) structures; teleoaffective structures encompass a range of ends, projects, activities, affects and emotions that are acceptable or prescribed for participants in the practice (Schatzki 2005: 471–472; Schatzki 2010: 51). For example, the teleoaffective structures of a service encounter between the (gay) waiter and tourist may embrace the aim of satisfying the tourist and enjoying the meal by the pool. Moreover, the acceptable and prescribed activities for these aims pertain to teleoaffective structures. In sum, teleoaffective structures refer to the normative and affective aspects of situated activities and interactions (Schatzki 2010).

Teleoaffective structures are not properties of individuals or collective willed ends and activities, underlining that "they are recurring and evolving effects of what actors do together with what determines this" (Schatzki 2002: 81; see also Iedema et al. 2006). In other words, teleoaffective structures refer to responsive-expressive aspects of being together (Shotter 2005). Schatzki (2005, 2010) remarks that individuals do what make sense to them; and teleoaffective structures circumscribe individuals' sense-making. Thus, teleoaffective structures refer to what individuals care for and what matters to them, and embrace how individuals interact within coherent and conflicting ends, activities and affects (see also Iedema et al. 2006).

Schatzki (2002: 51) further remarks that an individual does not construct her/his identity merely within her/his activities, but also within activities that are performed towards her/him. In Schatzki's (2010) account, activities and interactions are indeterminate events that happen (see also Iedema et al. 2006; LeBaron et al. 2009; Shotter 2005). Indeterminacy does not refer to undeterminacy, but refer that which teleoaffective structures determine activities and interactions are only settled with the activities (Schatzki 2010: 177, 186). In other words, although teleoaffective structures of interactions circumscribe what the participants can do and how they do it, teleoaffective structures of service interactions also have their own "dynamics" that bring uncertainties (Iedema et al. 2006).

The indeterminacy of interactions refers to the point that identity is not a pre-defined entity but emerges within situated activities and interactions (see also Iedema et al. 2006; LeBaron et al. 2009). For example, the waiter can put forward his work identity as being a hard-working waiter, by caring about how to carry plates correctly, how to talk with tourists, providing extra information about how the food is prepared, and where the ingredients come from, or smiling sincerely when he senses the tourist's activities as being polite. However, even in a service interaction where everything seems to be running smoothly, the waiter can sense the activity of a tourist as being a threat to his work or sexual identity; and he may then try to hide his sexual identity, or indicate his work identity or his sexual identity as a reaction to a tourist's rude activities. Since diverse interactions in organizations have different teleoaffective structures with their own dynamics, any study that aims to reveal how identities are constructed in unfolding situations should address indeterminate situated activities and interactions, rather than any pre-existing views, logics and regularities.

5 Conclusion

In this chapter, inspired by practice theory, sexual identity management of LGB workers was firstly conceptualized as "identity work" which we explored and then discussed how LGB individuals build, maintain and negotiate their identity within everyday work activities, rather than isolating it from everyday activities. Within this conceptualization, identity work of sexual minorities is far more complicated than simply choosing whether to disclose or not disclose one's sexual orientation; it is lived and experienced within situated activities and interactions that do not merely embrace the regular ones but are rather indeterminate (Schatzki 2010). Hence, any identity work should also address the responsive and reactive as well as emergent activities to capture the spontaneous, interactional and lived aspects and nature of LGB identity work. Within this perspective the identity work of LGB workers embraces an open-endedness that cannot be reduced to pre-existing views. Moreover, analyzing the indeterminate situated activities and interactions can reveal the everyday struggles, strategies, conflicts and tensions of LGB workers in organizations.

In this respect, the notion of identity work from the viewpoint of LGB workers that is inherently multifaceted in relation to various interrelated decisions regarding one's sexual minority status, requires a critical understanding and theoretically grounded approach, as proposed in this chapter, in order to highlight the complexity and dynamics of everyday organizational life as well as to give a detailed account of how situated work activities and interactions within the normative-affective aspects serve to construct LGB work identities.

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When Supervisors and Managers Tolerate Heterosexism: Challenges, Opportunities, and Implications for Workplace Advocacy

Trevor G. Gates

1 Introduction

Tolerance for heterosexism in the workplace is changing in the United States and other parts of the world. Civil rights protections for LGB persons have moved into the mainstream. However, not all LGB persons are protected across important life domains. The Williams Institute, a public policy think tank on LGB social justice issues, estimates that between 16 and 43 % of LGB workers experience some form of sexual orientation-based discrimination in the workplace in the United States (Badgett et al. 2007). These discrimination experiences are likely only to further decline. Various states and corporations offer workplace protections for their LGB workforce (Human Rights Campaign 2015b; Tremblay et al. 2011).

Engaging in heterosexist behavior in the workplace is less culturally acceptable than it once was. A growing number of corporations view LGB inclusion as a natural extension of their workplace diversity efforts. For example, in a statement to the Human Rights Campaign (2015a), the social networking giant Facebook noted, "Facebook [supports] all members of the [LGB] community, as well as their many allies.... [and fosters] a culture of inclusion and acceptance both within our company and around the world" (n.p.). Other organizations have LGB workplace support groups and human resource policies that encourage the recruitment and retention of LGB workers. AT&T's league group, for instance, aims to provide opportunities for LGB employees and their allies to socialize, network, and grow professionally within the organization (AT&T 2015). These exemplars suggest that organizational commitment to LGB diversity suggests that LGB inclusion is becoming more mainstream, especially for large organizations in North America and other Western nations.

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While tolerance for workplace discrimination is on the decline in the West, less is known about how these policies are affected by day-to-day organizational climate towards the lesbian, gay, and bisexual (LGB) workers. A growing number of organizations have non-discrimination policies for LGB workers; yet within those organizations are a workforce that has grown up with cultural stigmas towards LGB people. This shared cultural knowledge can lead to heterosexism, defined as behaviors that privilege heterosexual identities and norms while discrediting the identities and norms of non-heterosexuals (Smith and Ingram 2004).

Organizations differ in the extent to which they tolerate heterosexist climates. In particular, the extent to which supervisors tolerate or endorse heterosexism may affect the workplace environment for LGB workers. The purpose of this descriptive study is to report on a convenience sample of workers' experiences of supervisor and manager tolerance for heterosexism within organizations in upstate New York. How these environments present opportunities and challenges for human resource professionals, organizational behavior consultants, social workers, and other workplace advocates is examined.

2 Background

2.1 Historical and Cultural Context of Heterosexism

Context provides important clues about what makes a tolerance for supervisors' heterosexism possible within organizations. Thus, a broader historical understanding of how communities have viewed LGB individuals is key to bettering understand why organizations tolerate heterosexism. In many cultures, LGB people have historically been viewed as bad, sick, immoral, or inferior to heterosexuals (Gates and Kelly 2013; Link and Phelan 2001). In the West, LGB bias is often laden in Judeo-Christian beliefs that stigmatize same-sex sexuality as a violation of god's law or natural order (Herek 2004; Morrow 2003). Eastern traditions that stigmatize same-sex desire tend to see LGB identity as primarily a disappointment to the family or a result of negative influences from the West (Horn and Wong 2014). Of course, LGB people have existed throughout history in the East and West; yet how communities responded to their presence varied.

The belief that LGB identities were inferior to heterosexual ones was part of the primary fabric of many communities until the latter part of the twentieth century. The American Psychiatric Association officially classified homosexuality as a type of mental health disorder until the early 1970s (Bayer 1981) which offered, to varying degrees, evidence to communities that LGB identities were sick, immoral, and/or a threat to the family. In the work world, LGB workers experienced this marginalization. For instance, in the United States LGB civilian workers were considered security threats to the federal government; LGB service members were not allowed to serve openly in the military until 2011 (Escoffier 1985; Gates and Rodgers 2014; Johnson 2004). LGB workers were not legally protected from arbitrary or capricious termination from employment in government, military, and many private sectors. In some jurisdictions, a lack of protections for LGB workers remains. To date, though there have been promising protections for LGB workers within many jurisdictions in the United States, comprehensive civil rights protections for LGB workers are not guaranteed by the federal government (Gates 2010).

Yet, following worldwide anti-oppression movements in various parts of the world (Hines 2012; Tremblay et al. 2011), LGB communities moved into the mainstream in the twenty-first century. LGB people went to work without hiding their sexual identity, had families, and in some cases, raised children. They got married, bought homes, and lived ordinary lives. With this visibility, greater legal protections grew. As a testament to LGB and other civil rights movements during the twentieth century, LGB relationship recognition as well as a number of other important civil rights protections became available in parts of the Americas, Europe, Australia, and New Zealand (Sarkar and Torre 2015). While LGB civil rights protections have yet to reach all parts of the world, these positive trends have had great potential for impacting climates towards heterosexism, particularly in the West.

2.2 Heterosexism, Supervisor Support, and Organizational Climate

Organizational context is another important consideration impacting organizational tolerance for a supervisors' heterosexist behavior. At the individual organizational level, heterosexism can have an impact on workplace climate. A growing body of research has found that the more prevalent supportive organizational policies exist for LGB workers, the less likely that LGB employees are to have experiences of discrimination in the workplace and the more likely that LGB employees are comfortable with being "out" in the workplace (Button 2001; Griffith and Hebl 2002; Ragins 2004). LGB non-discrimination policies in the workplace tangibly benefit LGB workers because they establish a new norm for the organization. Heterosexist employees may still continue to hold negative views towards LGB people but may be less likely to vocalize them because the organizational has made the behavior unacceptable. When LGB inclusion becomes the social norm of the workplace, workers may be less likely to be open about these views.

Establishing a new social norm of LGB and lack of tolerance for heterosexism can ultimately result in added benefits in the workplace. Brenner et al. (2010) found that LGB individuals who work in supportive climates tend to spend less time at work worrying about protecting themselves from discrimination and more time in job-related activities. They tend to have a higher level of commitment to the organization, think more positively about the organization's mission, and go above and beyond what is normally required of their jobs (Brenner et al. 2010). They tend to be more satisfied with their jobs and may be more likely to stay employed with the organization (Tejeda 2006).

Supervisors have an important role in fostering this environment. Organizational climates that are supportive for all employees can be achieved when supervisors set a tone of respect for LGB workers within their organizations. This trend has been generally supported by the research literature. Supervisory support has been associated with positive organizational citizenship with both LGB and non-LGB workers. Supervisors who spend more time mentoring their workers, fostering workplace positive relationships among workers, and being invested in the career advancement of employees positively impacts workers (Shanock and Eisenberger 2006; Tepper and Taylor 2003). Like other workers, there is empirical evidence that LGB workers also benefit from supportive supervisors working within a framework of LGB-supportive organizational policies (King et al. 2014; Köllen 2013; Ragins and Cornwell 2001; Velez and Moradi 2012). However, these relationships depend highly on a number of workplace contextual factors (King et al. 2014; Ragins and Cornwell 2001; Shanock and Eisenberger 2006; Tepper and Taylor 2003; Velez and Moradi 2012). The present study sought to understand the nature of supervisory tolerance for heterosexism within organizations.

3 Method

The present study sought to describe workers' experience with supervisory tolerance for heterosexism within the upstate New York region. Prior to beginning the study, I obtained Institutional Review Board approval, an internal review board responsible for ensuring that researchers protect the rights of human subjects.

To better understand the extent to which supervisors tolerate heterosexism, I recruited a sample of LGB and non-LGB workers living and working in upstate New York. Participants were given the working definition of heterosexism and told that they could participate regardless of their sexual orientation or gender identity. In other words, being LGB-identified was not required in order to participate. Workers who were employed on a part-time or full-time basis within the region were eligible to participate.

A wide range of Internet and print-based advertisements were used to recruit voluntary participants. Internet-based advertisements were placed on popular social networking sites, including paid advertisements on Facebook and Twitter, as well as free advertisements placed on Craigslist. Print-based advertisements were placed in local newspapers in the cities of Buffalo, Syracuse, and Rochester, in upstate New York. Advertisements invited participants to complete a web-based survey of worker experiences of heterosexism. As an incentive to participate, a nominal incentive drawing for a 25 dollar gift certificate to an Internet retail store was available to participants who elected to provide their email address upon completion of the study. However, participants who wanted to be completely anonymous could decline to provide their email address. At the conclusion of the study, the gift certificate was awarded via a random drawing by the investigator. The project was funded through an internal faculty grant at the College at Brockport, State University of New York. The Internet retail store provided no funding for the research study or gift certificate.

Items pertaining to organizational tolerance for supervisors' heterosexism were obtained from Waldo's (1999) Organizational Tolerance for Heterosexism Inventory (OTHI). The OTHI was selected because the instrument measured organizational tolerance for heterosexist behavior and high internal reliability ($\alpha = 0.97$), in previous studies. For the present study, two vignettes were selected from the OTHI. In these vignettes, participants were given a hypothetical scenario illustrating supervisory tolerance for heterosexism and asked to rate how their organizations would treat that behavior. In the first vignette, participants were asked to rate how their organizations would respond if a work supervisor called LGB rights "disgusting." Participants were then asked in the second vignette to rate what would happen if a supervisor said that LGB people should "keep quiet" about their personal lives. Participants rated their perception of risk of making a complaint from (1) extremely risky to (5) no risk. Participants also rated the likelihood of the complaint being taken seriously by the organization from (1) almost no chance to (5) very good chance. Finally, participants rated the likelihood of consequences for the supervisor from (1) nothing to (5) very serious punishment.

For the purpose of the present study, because data for the dependent variables were not normally distributed, participant responses to the vignettes were dichotomized. Risk of making a complaint about the supervisors' heterosexist behavior was coded as risky and not risky. Likelihood that the complaint about the supervisors' heterosexist behavior would be taken seriously was coded as good chance or not a good chance. Consequences of making a complaint about the supervisors' heterosexist behavior were coded as formal action or no formal action.

4 Results

A total of 247 workers from upstate New York participated in the present study.

Participants' ages ranged between 18 and 62 years of age, with an average age of 33 years old ($SD = 11.74$). A majority of the participants were female ($n = 156$, 63.2 %) and heterosexual/straight ($n = 149$, 60.3 %). A majority of the participants identified themselves as White ($n = 210$, 85 %) and many of the participants had at least an undergraduate degree ($n = 155$, 62.7 %).

Participants were from a wide range of occupational backgrounds. Participants from education, training, library, social services, healthcare, and food preparation represented a large part of the total sample ($n = 124$, 50.2 %). Protective services ($n = 4$, 1.6 %) maintenance occupations ($n = 2$, 0.8 %) and construction ($n = 1$, 0.4 %) were among the least represented occupational categories within this convenience sample.

In the two supervisory vignettes, participants were first asked to rate (1) how their organizations would respond if a work supervisor called LGB rights "disgusting" and (2) what would happen if a supervisor said that LGB people should "keep quiet" about their personal lives. In the first vignette, a majority of participants rated that reporting a supervisor who said that LGB rights are "disgusting" would be risky ($n = 153$, 61.9 %). However, most of the participants perceived that there was a good chance ($n = 161$, 65.2 %) that the complaint would be taken seriously and that formal action against the supervisor ($n = 134$, 54.3 %) would result. A chi-square test was used to determine whether there was a significant difference within the present convenience sample between sex, sexual orientation, and race (White or non-White) for the responses on the first vignette. Statistically significant differences were found between White and non-White participants on the risk of making a complaint variable, $\chi 2\ (1) = 4.99$, $p < 0.05$. Statistically significant differences were not found on any of the variables for sex or sexual orientation.

In the second vignette, a majority of participants rated that reporting a supervisor who says that LGB workers should be quiet about their sexual orientation would be risky ($n = 152$, 61.5 %). However, there was a good chance ($n = 135$, 55.1 %) that the complaint would be taken seriously. Yet the participants perceived that no formal action ($n = 144$, 58.3 %) would result from making a complaint about a supervisor who said that LGB workers should be quiet about their personal lives. For the chi-square test evaluating whether there was a significant different between sex, sexual orientation, and race (White or non-White) for the responses on the second vignette, statistically significant differences were only found between White and non-White participants on the risk of making complaint variable, $\chi 2\ (1) = 5.22$, $p < 0.05$.

5 Discussion

The present study sought to describe the extent to which a convenience sample of workers in upstate New York experience tolerance for supervisors' heterosexism within their work organizations. Heterosexism is one among many workplace climate variables, yet an important climate variable for LGB workers and their allies. Encouragingly, on the two vignettes used in the present study, workers tended to report that their organizations do not tolerate heterosexist behavior. Though making an initial complaint about a supervisor could initially be risky, there was a good chance that the complaint would be taken seriously and acted upon within these organizations. However, significant differences existed between White and non-White workers on the risk variable. Workers in the present study believed that making a complaint about a supervisor who called LGB rights disgusting was risky. They also believed that a complaint against a supervisor who said that LGB workers should be quiet about their personal lives would also be risky.

This is perhaps not surprising given previous work on discrimination within various life spheres (Kaiser and Miller 2001; Schmitt and Branscombe 2002). There are potential losses when one makes a discrimination complaint, especially as a person of color. Especially when making a complaint about a supervisor and particularly when justice and equity are in question, workers may have much to fear when they report the behavior of their supervisors (Adams-Roy and Barling 1998; Cohen-Charash and Spector 2001). Workers may rightly fear that, when a complaint is made about a supervisor, they may experience retaliation from their supervisors. Though the organization very likely has policies expressly prohibiting retaliation after a complaint is made, retaliation may still occur. For example, workers can be reassigned job duties that, while perhaps within their job description, may be less desirable than other duties. Hours may be reduced without explanation. Even though these actions may fall within the supervisor's discretion, workers who make complaints against their supervisor may be placing themselves at risk for retaliation. As such, this result may also be unsurprising given that making a complaint about a supervisor can carry some inherent risk, regardless of how one identifies or the nature of the complaint.

Another relevant finding in the study can be found in the second vignette. In the second vignette, participants reported that no formal action would be taken against a supervisor who says that LGB workers should be quiet about their sexual orientation. Unfortunately, within these organizations, this behavior tended to be perceived by participants as less egregious than a supervisor referring to LGB rights as "disgusting." Though the design of the study did not allow for asking clarifying questions about this response, it should be of concern to human resource professionals, organizational behavior consultants, social workers, and other workplace advocates, for it suggests that, in some organizations, heterosexism is unacceptable only when workers are not open about their LGB identity. This finding is slightly counter-intuitive and should be carefully considered, for if organizations are only free from heterosexism when LGB workers are silent, one can reasonably question whether these workplaces are really safe for LGB workers at all.

5.1 Limitations

Though the present study provides unique insight about the nature of workers' experiences with supervisory tolerance for heterosexism in upstate New York, readers should be cautious about generalizing the results to a broader population. The major finding of the study was this convenience sample of workers perceived making a complaint against supervisory tolerance for heterosexism to be risky; yet, after a complaint was initiated, action would normally result.

Sampling was a significant limitation in the present study, as the sample may not be representative of a general population or even a general population within the upstate New York region. This is not unusual given general methodological limitations in LGB-related research. In Badgett and colleagues' (2007) analysis, sampling in studies involving LGB social justice issues can be significantly limited, as is likely response bias including over-response from people who have personally experienced LGB discrimination within the context of their lives. Participants who experienced heterosexism at their workplace were probably more likely to respond to the present study than people who have not experienced heterosexism or people who do not even recognize heterosexism as being important.

Though using items on the OTHI were an expedient way to collect data on workers' beliefs about supervisors' heterosexism in upstate New York, limiting the survey to these items was also a limitation. The vignettes may have not described behavior that the participants have experienced or could imagine experiencing within these organizations. In other words, the vignettes may have been irrelevant to the participants; though if they were completely irrelevant, it is unlikely that the participants would have returned the survey. Even still, there may have been more salient forms of heterosexist behavior that were not captured in the study. For example, participants may not be able to imagine a supervisor referring to LGB rights as "disgusting" or saying that LGB people should be quiet about their personal lives. Participants might have been able to envision what would take place if a supervisor terminated an LGB co-worker. Yet, because the items were limited in scope, these experiences may have not been reflected in the data.

Additionally, because there was only a small incentive drawing for those who participated in the survey, participants may have had personal reasons for wanting to complete the study. Motivation to complete the study may have been high because they perceive that the issue of heterosexism is important within their community. Thus, it is highly likely that the workers who participated in the study are not representative of their organization as a whole. Since the present study did not specifically recruit multiple participants within the same organization, it is unknown whether those who actually participated were reporting the true nature of tolerance for supervisors' heterosexism within their organizations. Their self-reports may have been more aspirational in nature than they were an accurate reflection of what is actually occurring within their organizations.

5.2 Implications for Workplace Advocacy and Future Research

While the results of the study should be tempered by the research design limitations, there are potential implications for workplace advocacy and research that can be considered. The results suggest that, in many organizations represented by participants in the study, organizations have a lower tolerance for heterosexism. Though the risk of making a complaint is still high for some workers, there is a good possibility that the complaint will receive appropriate attention and action. This may be a testament to the growing number of laws in the United States and

New York State that expressly protect LGB workers from discrimination at work (Human Rights Campaign 2015b). In an ideal future, heterosexism may become a "fringe" behavior, like racist, sexist, or other forms of discriminatory behavior that is considered totally unacceptable in all organizations.

The present study also brings to light the importance of continued LGB advocacy in the workplace. Human resource professionals, organizational behavior consultants, social workers, and other workplace advocates should demand for LGB civil rights, both within their organizations and within their communities. At present, there are no explicit federal protections for all LGB workers in the United States and many other parts of the world. Discriminatory behavior, including but not limited to heterosexism, is a human rights issue. Article 23 of the Universal Declaration of Human Rights (United Nations 1948) notes that, "everyone has the right to work... [and has] the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection" (n.p.). LGB workers are denied their inherent dignity and worth when organizations tolerate heterosexism by supervisors.

In the United States, human resource professionals, organizational behavior consultants, social workers, and other workplace advocates must continue to work towards the passage of the Employment Non-Discrimination Act (ENDA). ENDA, a federal measure that would protect workers based on sexual orientation identity, gender identity, and gender expression (Gates and Saunders 2016). Workers may rightly feel less protected from a supervisor's heterosexism when the law allows it or does not forbid it. Thus, prohibiting discriminatory behavior by law is an important step towards creating safe workplaces for LGB people. The risk of making a complaint about an organization's tolerance for a supervisor's heterosexism is likely to be much higher absent genuine legal protections. These legal protections are only a starting point—albeit an important starting point—to a larger conversation about how to protect LGB civil rights within the workplace.

Finally, there are also important implications for human resource professionals, organizational behavior, social work, and other workplace advocacy research. Additional work on supervisory tolerance for heterosexism should further examine heterosexism as an important organizational contextual factor. In particular, future heterosexism research should continue by further examining what difference heterosexism makes to the day-to-day lived experiences of LGB workers. Researchers should also examine whether lower organizational tolerance for a supervisors' heterosexist behavior is associated with a workforce that is more affectively committed to its organizations. Furthermore, future empirical research must also, when possible, carefully control for the intersection of other marginalized identities with heterosexism, to include race and ethnicity, sex, social class identity, and other identities that could be affecting organizational climate.

6 Summary

LGB workplace rights issues, including supervisory heterosexism, is a social justice issue worth further investigation by human resource professionals, organizational behavior consultants, social work, and other workplace advocates. Though the present study found that a sample of upstate New York workers reported a low tolerance for supervisors' heterosexism, there were important differences between the experiences of White and non-White workers. Workplace advocates must make concerted effort to demand equal rights of LGB workers and to further research heterosexism as an important organizational phenomena worth further study.

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Sexual Orientation Diversity Management in Brazil

João Góis, Francisco Duarte, João Pinheiro, and Kamila Teixeira

1 Introduction

Homosexuality began to feature as a subject for academic scrutiny in Brazil in a number of theses by nineteenth-century public health practitioners, whose intention was to highlight the degeneration contained in the bodies of what were then termed *pederasts* and *viragos* and to propose measures to eliminate the harmful effects of their presence on social life (Green 1996). That kind of study died out over the course of the twentieth century. However, the subject continued to be addressed by other disciplines on the basis of quite prejudiced paradigms. There was no significant change in this scenario until the 1970s. Abandoning the endeavor to identify the *causes* or allegedly damaging effects of homosexuality, the focus shifted to the everyday difficulties confronting homosexuals in Brazilian society and the individual and collective strategies they constructed with a view to overcoming their oppression (Góis 2003).

In the 1980s research into homosexuality expanded enormously. However, the urgent needs posed by the HIV/Aids epidemic contributed to the studies being almost totally restricted to the field of health and sexual practices. At the same time, as a result of the wide range of problems experienced by gays, lesbians, bisexuals and transgender people and, given its meagre resources, the LGBT movement was

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forced to choose very specific rallying points. Thus the 1980s and 1990s were devoted to combating Aids while, in the 1990s, 2000s and 2010s, the movement concentrated its efforts on gaining recognition for the legitimacy of affective relations between persons of the same sex, criminalizing homophobia and introducing education strategies to foster a positive understanding of homosexuality (Góis 2013a).

Given that context, not enough academic (and political)[1] attention has been given to the relations between sexual orientation and the labor market, in two respects particularly: (1) the conditions in which gays, lesbians, bisexuals and transgender people are engaged and retained in work situations and; (2) business strategies directed to surmounting the impacts of prejudice on sexual minorities in the places where they pursue their professional activities.

As regards the first concern, it must be acknowledged that important studies (e.g., Garcia and Souza 2010; Irigaray and Freitas 2011; Neto et al. 2014) have been done in Brazil and that their approach has evolved quantitatively and conceptually in recent years, although more research is needed, especially into the situation of transvestites and transsexuals.

On the second issue, the studies can be grouped, by and large, into two currents. In the first are the supportive studies that examine these strategies without questioning their limits and assumptions (e.g., Garcia-Marza 2007; Oliveira and Rodriguez y Rodriguez 2004). The second comprises those that tend to disqualify those same strategies as unable to eliminate the problems they target (e.g., Diniz et al. 2013; Saraiva and Irigaray 2009).

The crucial error of this second current is to focus too narrowly on the materiality of the practices and their purported lack of practical effect, while failing to note fundamental process-related aspects of how forms of social protection are constructed for the LGBT workforce and how important it is for the existence of a given problem to be *recognized* in order for it to enter onto public and private policy agendas.[2]

This chapter has two purposes. The first is to respond to the need for more case studies of practices designed to assure more inclusive management of LGBTs in the workplace. In doing so, the aim is to understand both the regularities and whatever dissonances may exist among the different practices mapped by other authors.

The second is to examine the hypothesis that the importance of such practices is both instrumental and expressive: instrumental in that they produce some kind of concrete gain for their target segment; and expressive because they are important beyond the immediate field where the needs are met, and produce effects in the complex domain of cultural change. Such change—framed as it is within a vast political and cultural tangle and given that discriminatory practices are strong

[1] Nor did the LGBT movement itself give the issue much attention, as will be shown below.

[2] A theoretical analysis of social problems' entry onto agendas can be found in Kingdom (1984) and Howlett and Ramesh (1995). An empirical analysis of how this entry comes about can be found in Hajer (1993).

presence among us—happens quite slowly. In spite of all that, the practices in question do display degrees of effectiveness and, if applied with care, can be a force for significant progress by educating and fostering adhesion to democratic values. It can thus be hypothesized that business-promoted protective measures for the LGBT segment, despite their limited immediate impact, do contribute towards the gradual recognition and inclusion on corporate agendas of discourses and practices that assure healthier and fairer workplace conditions for that segment.

In order to carry out this study, an inventory was first made of the large corporations that have introduced measures for different initiatives in diversity management for the LGBT workforce. This survey was conducted on the basis of data collected by *Exame* magazine in 2013 ranking the one hundred largest firms operating in Brazil by annual sales volume.

The result of that survey produced a representation that did little to express the real proportions of such measures. Of the one hundred companies ranked by *Exame*, only 15 declare on their websites or annual reports that they have measures in place for LGBT. However, the authors' expertise and data collected in the interviews with consultants show that the number is larger. Why this numerical disparity? Many companies do not publicize their actions in this area for fear of being identified as gay-friendly firms and thus drawing adverse reactions from their consumers and other stakeholders. As one interviewee said,

> It's still a very polemic issue. So what you see is that there are firms that don't want to deal with the LGBT issue at all. There are firms that deal with it openly and publicize their support. And there's always that third group, which is those firms that deal with the issue, but prefer to do so more discreetly.

Measures for the LGBT workforce implemented by the 15 firms in question were analyzed on the basis of a reading of the sustainability reports, codes of ethics or of conduct, and plans emphasizing the value of diversity and combating discrimination.[3] That analysis made for a clearer view of the overall panorama of organizational practices acknowledging the value of LGBT workers, and helped identify the most recurrent practices in Brazil.

We then selected three of those companies, and evaluated their practices in depth. The first company, founded in 1975, is connected with the chemicals industry and located in São Paulo State. The second is a banking sector multinational operating in Brazil in 545 municipalities. The third is a United States chemicals multinational, which started operating in Brazil in the 1950s and now has 2300 employees.

In order to understand better the practices developed by the selected companies, six senior representatives of three companies were interviewed. We also interviewed two other groups of informants.

The first group is made up of four consultants with vast experience in diversity management. The reasons it was important and necessary to interview external

[3] Secondarily, we also used newspaper and magazine articles, and content available on the Internet.

consultants relate to two issues. The first has to do with their comprehensive, analytical approach to the various different corporate practices. The second stems from the difficulty of gaining direct access to many business managers, because large companies operating in Brazil often follow very strict protocols in granting interviews.

The second group comprises members of the so-called LGBT Business Forum, which will be described in the fourth section of this chapter. Three key participants in the Forum were interviewed. They represented the consultancy firm TXAI,[4] Instituto Ethos[5] and Grupo Carrefour S.A.[6]

The interviews were guided by a semi-structured script, and conducted using a variety of media (skype, telephone, in person and by e-mail), as determined by the interviewees' availability. Interview time totaled approximately 500 min. The transcriptions filled a total of 192 pages.

The interviews in question were conducted drawing on the oral history method (Thompson 1978), which is being quite widely used in analysis of public and private policies (Chan 2005; Keulen and Kroeze 2012). Oral history enables the researcher to draw on the recollections of people who participate actively in the events and conjunctures to be studied. It is known to be productive when the intention—as in this study—is to examine periods of the past that are recent enough for memory to be used as an information source.

Analysis of the interviews proceeded jointly with analysis of the written sources. The latter emphasized more formal aspects of the organizational practices. By accessing the memories of those agents who participated actively in implementation of these measures, we sought to grasp a body of information not made explicit in the written sources. The data obtained in the interviews and from the printed sources was not problem-free, however. Strictly speaking, all types of source, whether oral, written or visual, embody certain levels of subjectivity and many, therefore, contain gaps or ambiguities, and are not free from interference by their authors' idiosyncrasies (Thompson 1978).

The next section presents the actions—educational activities and social benefits—that predominate among measures directed to the LGBT workforce in the firms studied.

[4] TXAI's activities include preparing sustainability and social responsibility projects for large corporations.

[5] Instituto Ethos de Empresas e Responsabilidade Social was founded in 1998 by a group of businessmen in São Paulo. It is a key agent leading discussions of social responsibility in corporate circles in Brazil.

[6] Carrefour is a French retail multinational.

2 Educational Activities

Educational activities are an important component of business measures directed to the LGBT workforce, although other groups such as women, people with disability and Blacks are also targeted. Many of them are permanent. More commonly, however, they tend to be occasional, restricted to dates such as gay pride week and International Day Against Homophobia. On such dates, discussions and talks are held on sexual diversity in the business environment and on social benefits for same-sex couples, films on LGBT subjects are shown, in-house communication vehicles carry pieces reporting on the companies' support for their gay, lesbian and transgender employees and their rejection of homophobic attitudes and actions, events are held to exchange experiences with other companies and workshops are organized for internal and external publics.

Overall, these activities are organized and run by committees of employees, many of them volunteers. This strong volunteer presence should not be taken to suggest amateurism: their members are capacitated in advance to develop a critical reading of their actions, particularly as regards carrying corporate messages about company support for homosexual workers and their own role as information multipliers.

A significant number of the workers who enter the companies studied here undergo training addressing LGBT issues, as well as physical disability and gender topics. Data on such training courses are not easily accessible nor abundant. We do know, however, that they are structured, have an educational proposal, and are given on the basis of instructional material.[7] They are generally given in the form of talks and workshops, against the backdrop of the human rights issue. The training is designed to enable employees to deal with difference more broadly, and not just with groups in situations of greater vulnerability. On this subject, one manager gave the following explanation:

> We have training that is extremely important here in the company, that is, general training on diversity, which talks about the importance of including others, regardless of what they are like. And here we're not even talking about a minority. We're talking about how to deal with someone who is a little fatter, someone who is more childish, with each person's specific characteristics. In the end, of course, we are always looking for respect for everyone's human rights, no matter what the physical, emotional or behavioral characteristics that differentiate them from the other employees.

Educational activities have also targeted managers at different levels of command. This is intended to encourage them to think about the issues that hinder or prevent openly as well as closeted homosexual workers from accessing the same opportunities as heterosexual workers and how they themselves may intervene in that process. In addition, managers are instructed on the correct use of LGBT-

[7] Examples of pedagogical projects and training content can be found at Instituto Ethos (2014, 2015), ONU (2014), and http://colecaocaixadediversidade.mundocaixa.com.br/. Accessed 7 September 2015.

related terminology, particularly as regards the different gender identities and sexual orientations, and on how to react favorably to a process of *coming out*. There is a consensus in the literature that, in order to generate best practices in diversity management, it is important to train people occupying senior positions in companies, as can be seen from the work of Fullerton (2013) and Thibeaux et al. (2006).

Adoption of such educational actions by the companies studied here is guided by certain presuppositions.

The first is that they will have the potential to contribute to asserting certain gender identities and, by a progressive process of awareness building as to the legitimacy of homo-affective relations, will make it easier for homosexual workers to *come out*.

The second is that they will foster the formation of a supportive environment able to reduce sensations of imagined or actual discrimination. By doing so, they will afford such employees a more comfortable work experience.

It is also assumed that prejudices at the workplace can only be suppressed by *cultural changes* in corporations and society at large, understood as the endeavor both to internalize and to spread values that prioritize respect, for instance, for different models of family and the rights of transsexuals. This is a key question, because if so-called educational actions are conceived as divorced from the outside world, they tend to lose much of their power. Historically, Brazilian businessmen have tended to conduct their activities endogenously. That is a problem that remains to be surmounted. However, there is cause for optimism: one consultant interviewed described how Brazilian companies are gradually learning to relate their activities to the broader social context. 'Until a few years ago, Brazilian companies only looked inwards. Today they are looking more to the outside world. Today it is clearer to senior company staff, to human resources, to marketing, that they do not exist in a vacuum. Activities to include minorities now also begin to consider that the company is a microcosm influenced the whole time by the outside world.'

Current perceptions very close to common sense tend to emphasize that Brazilian society is open to dialogue on homosexuality. However, studies report the numerous limitations on this imagined ease in dealing with the subject (Gonçalves 2013; Jardim and Brêtas 2006). In fact, outside the realm of banter and extreme informality, it is seen as a subject not to be discussed openly or, at most (given its supposedly pathological and, above all, pathogenic nature), addressed within the family (Vital and Lopes 2013). Nonetheless, it must be acknowledged that successful LGBT-related educational experiences have been observed in schools, community centers, healthcare institutions and businesses (Mello et al. 2012; Ramos and Carrara 2006). This endorses, if only partly, the positive diagnoses by the interviewees as to the effects of awareness-building experiences. That positive assessment, however, does not detract from the authors' and the companies' recognition of the need to improve measures in this area, because they are still incipient and exist on a smaller scale than those directed to other marginalized groups. One of the consultants interviewed offered a lapidary analysis of companies' perceptions of the possibilities and limitations of such measures:

> I am convinced that the companies with programs to foster recognition of the worth of LGBT workers truly believe that they are helping to enable these workers to perform their functions in a more welcoming environment. They really do believe that these actions can make a difference in these workers' lives in the workplace and in other spheres. Now, I have no doubt that they also know just how far these actions can go. They are companies with analysts who know that prejudice against gays and lesbians is not going to cease to exist that soon. They know that these actions need to be continuing and intensified and that, even so, employees will continue to discriminate their LGBT colleagues implicitly or explicitly. The point is to know whether these companies are really going to continue investing more so that this situation of bullying, discrimination, and violence will be radically altered.

3 Equalizing Access to Social Benefits for Heterosexual and Homosexual Couples

The granting of welfare benefits to homosexual workers has been gaining ground over the years, as shown by a study of 194 Brazilian and foreign firms operating in Brazil. In 2010, 41 % of the companies studied provided for employees in stable same-sex unions to include partners in their health insurance. By 2012, the proportion had jumped to 78 % (Melo 2013). Sporadic decisions by the courts have contributed to that expansion. All the same, in Brazil there is no national legislation making it compulsory to assure such benefits. Accordingly, access still hangs on the decision of each business unit.

The companies studied have sought to treat heterosexual couples and same-sex couples equally as regards access to benefits such as dental and medical health coverage, life insurance, education and consumer discounts and expatriation.

Networks in the companies have addressed the lacunas in these equalization processes. In one company, the committee responsible for diversity policy recently approved new benefits to be granted to homosexual workers: (1) 5 days' marriage leave; (2) leave in the event of adoption; and (3) maternity leave for employees in stable unions with persons of the same sex.

The companies studied tend to make positive assessments of the results of their internal processes towards equality in granting benefits. However, it must be underlined that the course of such initiatives faces various kinds of difficulties.

One of the most important difficulties is that only a very small number of workers claim the benefits for same-sex couples. In one of the companies studied, when health insurance was extended to such couples in 2007, only one employee applied to include a dependent spouse. By 2013, only 14 employees had included their spouses. Those numbers are very low for a company operating in 545 municipalities. That datum suggests how difficult homosexual workers find it to declare their sexual orientation, which in turn also reinforces the diagnosis that the educational activities designed to build a more favorable workplace climate for the LGBTs show limitations and need to be improved.

Here, it must be reasserted that it is not intra-organizational factors alone that determine how effective strategies for managing diversity in sexual orientation will be. On the contrary, that effectiveness is largely related to complex psychological phenomena (internalization of the fear of being discovered to be homosexual and internalized homophobia) and broader societal factors, such as the recurrent presence of prejudice and discrimination. This diagnosis is corroborated both by the literature on the subject (Fullerton 2013; Garcia and Souza 2010; Griffith and Hebl 2002; Priola et al. 2013) and by interviewees:

> "You know well", said one manager, "that the problem of discrimination and homophobia appears in various different spaces. The employee may encounter a welcoming environment at work, an environment where he feels good, and feels that he is accepted as regards his sexual orientation. And nonetheless, he is going to have that uncomfortable sensation whenever a colleague talks about homosexuality, because underneath it all, he lives with a strong sensation of risk the whole time in society—and that sensation, he carries with him into the work environment, even a more inclusive work environment."

Accordingly, educational measures and policies to expand social benefits have to face the fact that the closet "is not an individual choice and nor does the decision to come out depend on individual 'courage' or 'capacity'" (Miskolci 2009, p. 172). As heterosexuality is the prevailing form of socialization and those who go against the norm can be subjected to various different forms of violence, coming out in a firm can bring about situations of explicit or veiled discrimination for promotion, limitations on holding positions that involve contact with the public and even dismissal.

4 Recognition and Policy Making

Even with limitations, large corporations in Brazil have made progress in their efforts to assure greater equality between men and women, particularly as regards pay and occupation of managerial positions (Abramo 2008; Instituto Ethos 2010; Rosemberg and Leuzinger 2010). The same cannot be said of the differences between homosexual and heterosexual workers.

The differences between these groups—women and homosexuals—can be related to two factors. The first has to do with the wider social acceptance of the idea of women as a marginalized group in Brazil and the feminist movement's greater power to bring grievances. Santos and Oliveira (2010) underline that "the feminist movement influences trade union, left-wing political party agendas and, progressively, social policy agendas" (Santos and Oliveira 2010, p. 6). This influence, they write, which dates from the early twentieth century, has gathered strength increasingly over the past two decades, enabling the feminist movement to obtain quite significant results; for example, a specific federal agency—the Special Secretariat for Women's Policies—has been set up to address gender equity issues.

Homosexuals, on the contrary, have been in the public sphere for less time as an organized group, because what today calls itself the LGBT movement marks its beginnings from 1979 (Green 1996). Also it has less of a voice, and homosexuals' status as a marginalized group is far less widely accepted. These are some of the variables that explain why today, in spite of its accomplishments, that movement still faces enormous "difficulty in bringing its grievances through the legislative (. . .)' associated with a 'very strong conservative reaction (. . .) intended to kindle a moral panic effect around images of 'pedophile homosexuals' who 'opt' or want to rid themselves of a 'perversion'" (Facchini and França 2009, p. 75–76).

Another factor, as empirical research has shown, is that programs for women have a longer history, are better structured and can rely on more enduring sources of funding. Meanwhile, those directed to the LGBT workers have been implemented more recently, and have smaller technical teams and less funding at their disposal. Remarking on the differences between the programs for these two groups, one of the managers interviewed declared that "the gender issue is really quite advanced as regards position, function, salary, discussion of rights issues. But we need to advance in regard to other segments as well, including the question of homoaffectivity".

That corporate inclusion discourses and practices treat women and homosexuals differently is consistent with the finding that a clear hierarchy has developed among marginalized groups in Brazil. Women's issues were more quickly introduced into government social protection structures as a result, for instance, of their longer-standing inclusion in the debate over women's human rights and of the creation of protection apparatuses at the international level, which recognized their situation of vulnerability. For similar reasons, although on a smaller scale, in the past two decades, the black population has seen the Brazilian State give increasing importance to its demands and needs. In that trend towards inclusion of marginalized groups, the LGBT population still occupies a marginal position on the public agenda. Political will, financial resources and effective actions are all lacking (Góis 2013a).

Given that the private sector tends to mimic government positions on marginalized groups to some extent, gays, lesbians and transgender people are likely to receive less attention than women and Blacks in the business environment. It is no coincidence that for years the Ethos Institute, which leads the field in propagating corporate social responsibility in Brazil, when talking about diversity referred to women, Blacks and homosexuals—but suggested concrete inclusion measures for only the former two groups. It was not until 2014 that Ethos—which had already released manuals of guidelines for the business sector to take action to give due value to people with disability, former prison inmates, women and Blacks in the corporate environment—published a similar manual of guidelines directed to the LGBT workforce (Instituto Ethos 2014).

Data like these have led experts (e.g., Diniz et al. 2013; Eccel and Flores-Pereira 2008; Neto et al. 2014; Saraiva and Bicalho 2014) to make extremely adverse assessments of business efforts at assuring the true worth of the LGBT workforce is acknowledged. To summarize, they tend to conclude that such actions, besides being ineffective, are a way of increasing workers' adhesion to the logic of business, that they constitute a strategy for allaying unavoidable social conflicts, they neglect concerns such as social justice and more humane labor relations and are designed exclusively to increase company profits.

It is not intended here to deny the limitations in this field, but rather to assert that studies of this subject could gain greater density if they were to take account of three points that hinder diversity management practices in Brazil.

The first is the gradual and unstable nature of public and private policy institutionalization in Brazil. Unlike what happened in many western European countries, the construction of Brazil's social protection system was (and continues to be) fragmented and it meets specific demands of those interest groups that are better endowed with capital. One of the defects of this dynamic is that it generates an astounding volume of hierarchical arrangements within a bureaucracy that still draws a distinction between favors and rights. What is more, given the way institutions and organizations function, implementation of policies and programs is often fraught with a high degree of instability and thus at constant risk of discontinuity (Góis 2013b; Santos 1998).

The second issue relates to the use of analytical models formulated in European and North American societies with none of the necessary translation to the Brazilian context (Góis et al. 2013). One sees the concept of *policy cycle* being used, for example: very much in vogue, it proposes that policies are made in stages that feed back into each other in the following order: identification of the problem, formulation of proposals, definition of strategies, allocation of resources, monitoring, evaluation and redefinition of forms of intervention (Howlett and Ramesh 1995). Certainly these stages are not alien to public and private policy making processes in Brazil. However, their occurrence is not linear and they are generally subject to instability resulting from a series of factors: a tendency to improvise, informality, small volumes of funding, lack of qualified personnel, and insufficient recognition, on the part of public and private managers with power of decision, of the relevance of, and even the need for, the programs and projects they comprise.

The third issue has to do with the failure to distinguish between the situation of certain marginalized groups in developed countries and in Brazil. Taking Blacks in the United States as an example, the idea that slavery and the reiterated practices that subordinate Afro-descendants have resulted in a historical difference between this racial group and whites now forms an integral part of the national imaginary. This warranted the development of affirmative action policies in the fields of education and labor (Anderson 2004). The situation is very different in Brazil, where racism is still little acknowledged by society as a variable able to create inequalities. On the contrary, what prevails is the notion of *racial democracy*, according to which there is no racism and the differences among racial groups can be explained as resulting from blacks' lesser economic progress (Sales 2006). Thus, any diversity management program for the black workforce that wishes to be successful needs to have the potential initially to deconstruct the myth of racial democracy, at the same time as it produces social inclusion. To do so, however, it has to free itself from foreign analytical frameworks.

Despite the operational and conceptual problems examined thus far, even when efforts to work on LGBT labor issues are unsuccessful, they do reinforce one criterion that is important in public and private policy making: that one requirement for intervention on any social problem is that the problem first be recognized as a legitimate target for intervention.

That recognition is essential, in turn, for the issue to be *culturally de-privatized* and consequently collectivized, a process that takes place as it is perceived that the issue affects a specific social group, but has consequences for society as a whole. Here, dispersed experiences come into contact, fostering enormous potential to generate a common language among agents and actors involved with a given social problem. Once *recognized* and *collectivized*, the problem becomes more likely to occupy a stable place on the *private and public social agenda*. The likelihood of achieving that stability will be much greater with support from agents possessing large volumes of capital[8] (economic, cultural, political etc.). The examination of the data collected for this study suggests, as will be shown below, that this is a plausible hypothesis.

Production of denser business policies for the LGBT workforce is occurring within this framework: the spreading recognition that it is a legitimate object for intervention. It is taking place in small steps, among a small number of companies and in movements on a smaller scale, which are nonetheless able to spread the values and practices of successful experiences in LGBT workforce diversity management. Envisaging and establishing points of contact among diverse particular experiences institutes a minimum acceptable standard for action in this area. This can be seen in the process that led to the creation of the LGBT Business Forum.

5 The LGBT Business Forum

The LGBT Business Forum has been instituted gradually as a result of the almost silent spread of practices designed to foster inclusion of the LGBTs in the world of work. One of the consultants interviewed referred to this as follows: “I don’t think I was paying attention to the fact that the issue had arrived and that the conditions were right for this recognition to occur in the business environment”.

The Forum was set up in 2013 by two activist consultants who had worked previously with diversity management in companies and by the Ethos Institute. Initially it brought together 13 firms, a number that soon increased to 23. The group grew significantly and, by 2015, comprised around 90 large companies.[9]

[8] The concept of capital in this study is taken from the work of Bourdieu (1999).

[9] Printed and digital documents about this Forum are still scarce. A few of them are: ‘Empresas firmam compromisso inédito no Fórum de Empresas e Direitos LGBT.’ https://www.carrefour.com.br/institucional/imprensa/releases/empresas-firmam-compromisso-inedito-no-forum-de-empresas-e-direitos-lgbt-2014. Accessed 3 February 2015 and ‘Catorze empresas assinam carta com os

As the Forum has existed for only a short time, it has not yet been possible to conduct in-depth analysis of its self-representation. However, at least two components that are constitutive of its identity do stand out.

One is that there should be no hierarchization of its internal relations. Instead, the priority is to encourage experience sharing, so as to expedite the production of knowledge and the reproduction of good practices.

Another component is the recognition that transvestites' and transsexuals' situation at work is precarious, making this problem one of the Forum's main target areas. These groups' employability can now at least be seen to be improving in large companies, as they begin to introduce effective recruitment and induction strategies. Social names are being used, albeit in only a few, and support is being won from areas in companies traditionally resistant on the subject.[10] That seems to offer encouragement for Forum members to pursue a broader agenda of inclusion of transgender people in the workplace.

One factor that is essential in order to understand the Forum's development is the support it gained from important executives in its member companies, corroborating studies that show that diversity management strategies are more effective when supported by the occupants of senior positions (Rangan et al. 2012; Waldman et al. 2006). In the case studied here, CEO's were approached directly for their support. As a point of strategy, only those who had already demonstrated some sympathy for LGBT issues were invited to join.

When advocating for the LGBT workforce, company CEO's have benefited from the force that human rights rhetoric has gained in Brazil in recent years. Availing themselves of that situation, they are reaffirming their commitments to sexual minorities, even in dealings with important (religious and party) stakeholders who are reluctant to be associated with the subject. The rights of lesbians, gays, bisexuals and transgender people have become a favorite target of religious and political fundamentalists. Meanwhile, large Brazilian corporations have enormous political and economic capital to wield. It is thus important to note that some of them have used that potential to confront reactionary discourses in relation to reproductive and sexual rights. That is a possibility that remains to be better examined, but the indications are that large corporations are advancing in that direction. Valentine's Day publicity campaigns directed jointly to heterosexual and homosexual couples, like the one run by the *O Boticário* beauty products chain, exemplify that diagnosis. The campaign sparked enormous controversy and the company became the target for repeated protests. Nonetheless, it also

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direitos LGBT'. http://www3.ethos.org.br/cedoc/catorze-empresas-assinam-carta-de-compromisso-com-os-direitos-lgbt/#.VgMWoN9Viko. Accessed 4 April 2015.

[10] One example of this is the proactive measures taken by the Carrefour group to assert the need for equal treatment of LGBT workers following the alleged situation of prejudice in the engagement of a transsexual woman. See http://www.pragmatismopolitico.com.br/2013/07/transexual-acusa-carrefour-de-preconceito.html. Accessed 8 August 2015 and http://exame.abril.com.br/negocios/noticias/carrefour-faz-manual-sobre-como-tratar-pessoas-lgbt-em-lojas. Accessed 8 August 2015.

gained support from consumers and civil society groups and continued to run the publicity piece (O Boticário 2015).

One last remark on the importance of some CEO's joining the Forum: they move in circles of political and economic power that are beyond the reach of even the best-qualified and most influential technicians and consultants. If they continue to embrace the task of spreading, among their peers, the idea that the LGBT workforce should be valued on the labor market, it is possible that we shall see promising results in this field in the near future. That diagnosis is consistent with the role that business elites have played historically in modernization processes in Brazil (Diniz 1978; Leopoldi 2000) and many other countries (Dahl 1971). While, on the one hand, they can (surprisingly often) be conservative and even reactionary, on the other, they can play an important vanguard role as innovators (Schumpeter 2011). To this day, no major social change has taken place in Brazil unless part of the elites, guided by a wide variety of interests, have contributed to its expansion, as demonstrated by studies of the abolition of slavery (Carvalho 2011) and the overthrow of the military regime (Dreifuss 1981). In the Forum, this leading, innovating role is played by some of the participating company CEOs, as reported by one of its organizers who was interviewed for this study:

> So we called in the CEOs and they came. It was important to have the CEOs, the senior leadership, participating, because they motivate, inspire and reassure the business environment where they themselves are placed about LGBT rights issues in the workplace.

Although still in the process of formation, the Forum has gained ground in obtaining recognition for the rights of the LGBT segment in the world of work. One of the most important was the Letter of 10 Commitments to LGBT Rights,[11] with regard to which we would like to highlight a number of issues.

The first is its very existence. Letters of commitment are not new to the business world in Brazil. They have shown potential for fostering the construction of, adhesion to and respect for instituted values and rules, establishing minimum acceptable standards of conduct, inhibiting illegal practices and stipulating punishment for offenders. Similar documents relating, for example, to the use of child and slave labor have circulated among us (Rocha and Góis 2011). [12] Often formulated within civil society, some documents of this kind have been converted into federal laws.

The second is that only 14 of the 90 companies involved in the Forum today have signed the Letter. At first sight, that may be regarded negatively. The interviews, however, point to other possible analyses: their failure to adhere immediately suggests that many companies are looking to introduce the principles of the letter

[11] General information about the letter and the ten principles can be found at: http://www3.ethos.org.br/cedoc/catorze-empresas-assinam-carta-de-compromisso-com-os-direitos-lgbt/#.VgHIpt9Viko. Accessed 22 August 2015.

[12] The National Pact to Eradicate Slave Labor and the National Commission to Eradicate Slave Labor, for instance, grew out of the activities of a range of civil society agents. Their history is available at: http://www.reporterbrasil.org.br/pacto/conteudo/view/4. Accessed 1 September 2015.

into their organizational structures on more solid bases: not all their sectors are persuaded that this action is important (Marketing tends to be particularly resistant). For that purpose, they have embarked on a process of internal dialogue with different portions of the administration which—it is believed—will, when complete, mean that the signing of the Letter will be accompanied by changes in managers' behavior. Those changes should reflect modifications to their beliefs about the (negative) meanings attributed to homosexualities that have crystallized in our midst.

That expectation, once again, connects with the discussion of the role of cultural change in diversity management processes. All the interviewees, when asked, identified that kind of change as being the greatest obstacle to improving practices designed to promote inclusion for sexual minorities in the world of work. Brazilian society still displays a variety of beliefs and prejudices about certain segments of its population (*quilombolas*, transvestites, people from the Northeast etc.), creating a cultural ambience little suited to acceptance of non-standard practices and lifestyles.

That in turn does nothing to favor the recent tendency to implement public and private policies with strongly inclusive traits—notably those associated with the idea of *affirmative action* or *reparation*—as can be seen so well in the constant (individual and collective) assaults on university quota policies for Blacks (Camino et al. 2014). As regards the LGBT segment, that resistance is multifaceted, making it even more severe (Vital and Lopes 2013). Talking about this issue in the business environment, one of the interviewees stated:

> In the case of LGBT, you have a confusion there, like in society. Companies import this into their internal standards, into their management model. Then being gay is not just being different; it's being immoral and indecent. There is no such thing as a gay family; child adoption is a no-no. It's different from the issue of the disabled person, the race issue, women's issues. So you have to combat that specifically. The cultural hurdle is higher.

The third issue has to do with the principles upheld by the Letter. It reaffirms the importance of the actions being taken, particularly the educational activities and the efforts to strengthen equality in treatment of heterosexuals and homosexuals when benefits are granted.

The volunteer employee committees, set up to introduce practices for LGBTs, constitute a link between workers and the sectors responsible for diversity management programs. That is why the Letter stresses the need for support for what it calls *affinity groups*.

Another salient point is the importance the Letter gives to forging links between the company and the surrounding society, reaffirming the belief in the principle that the lack of broader cultural change dampens the effects of the internal practices designed to foster appreciation for the value of diversity. That is one of the reasons the Letter stresses the need to "promote the economic and social development of LGBT people in the value chain" and to "support actions in favor of LGBT rights in the community".

From the outset, diversity management practices have been caught up in a fierce discussion over their functions and intentions. Early critics associated them with the competitive advantages they could produce for companies and an ability to displace minority exclusion processes from broader societal settings where differences are transformed into inequalities. They were thus considered to fulfil the function of domesticating conflicts based on race, sex, creed, regional origin etc. The Letter and the Forum seek to distance themselves from this outlook and frame the discussion of diversity management in the human rights domain. That should not be regarded as a simplistic view of the modern capitalist corporation nor a denial that profit is one of its founding concerns. Rather it should be seen as an effort, on the discursive plane, to balance the technocratic and humanistic influences underlying diversity management practices. In other words, the idea is to treat "certain productivity criteria as relative in order really to include a multiplicity of values, life experiences and conditions" (Neto et al. 2014, p. 96).

Of the companies that have now signed the Letter (Carrefour, IBM, P&G, Accenture, BASF, Caixa, HSBC, GE, DuPont, Dow, PwC, Pfizer, Whirlpool and Monsanto), only one is Brazilian; of the other 13, one is French, one German and two British. By no coincidence, the remaining nine are incorporated in the United States. In fact, the development of diversity management programs can be traced back to the United States. Not only practices were refined there, but also models, which tend to be reproduced in the firms' subsidiaries abroad (Góis et al. 2013). Given the importance that the Forum can come to gain, it must be borne in mind that its potential for innovation can be deconstructed by the tendency not to translate practices, which may function in the USA and have little impact in Brazil.

As with any social experiment, the Forum's destiny is still uncertain. It may wear out and disappear or, conversely, it may prosper. It may equally gain a new format and function on a new dynamic. The interviewees see that third alternative as the most likely. That would mean setting up a new type of governance in which the consultancy that led the founding of the Forum would take on an advisory role and the companies themselves would take responsibility for the executive dimension of its activities. There are gains in such a model, but also possible harm, such as the loss of the activist dimension and the introduction of logics—particularly the logic strictly of business—that are alien to its founding spirit.

6 Final Remarks

When the three business experiences in diversity management for the LGBT workforce studied here are compared with others discussed by various different authors (Eccel and Flores-Pereira 2008; Saraiva and Irigaray 2009; Diniz et al. 2013; Lara 2008), strong similarities emerge as regards the actions undertaken for internal publics, primarily educational practices and measures to assure greater equality in the granting of social benefits to homosexual and heterosexual couples.

That homogeneity reflects the small number of initiatives for LGBTs and the absence of any bolder ventures that dare broaden the scope of existing measures.

Although there are no consolidated data on the subject, information scattered through various different print and digital sources,[13] as well as the interviews of consultants conducted here, indicate that, in Brazil, diversity management programs for this segment are concentrated practically exclusively in large companies, particularly those with foreign capital. They are not the largest employers, however; that role is reserved to the universe of medium and small businesses. Accordingly, LGBT diversity management is still not a very widespread phenomenon and, in addition to being recent, is spreading only slowly and its development is bound up with internal variables (difficulties in coming out, shortage of resources for implementing measures, lack of adhesion to diversity policies by workers as a whole and so on) and external variables (generalized homophobia, discriminatory religious discourses, lack of educational policies on sexual orientation and so on), which hinder it from expanding and becoming established.

Another factor that contributes to hindering the spread of efforts to include sexual minorities in the labor market is a lack of pressure from the State and the trade union and LGBT movements.

Unlike women, Blacks and disabled people, LGBTs are not covered by any specific State ruling to protect them directly from discrimination and still less to force companies to introduce affirmative actions for them, or encourage or reward those that do so.

Nor have trade unions yet introduced special protections for LGBTs onto their agendas. Bargaining situations (negotiation of collective agreements, for instance) could be used for this purpose, but fail to address the issue. Certainly there are exceptions, but these are residual. Added to this, as already mentioned in the introduction, the LGBT movement's level of dialogue with the business world is low. Here it must also be said that, even with the present possibility of bringing new topics onto the agenda, that movement has still not endeavored to build channels for dialogue with the business world, nor to make use of existing ones. It does not bring demands, seek dialogue or try to develop an informed diagnosis of the relationship between the homosexual workforce and the business world.

It is beyond the scope of this study to examine in any depth the low density of the trade union and LGBT movements' relations with business circles. We can, however hypothesize that, in addition to the specific difficulties surrounding any discussion of homosexuality in Brazil, this situation is aggravated by a very adverse collective perception of the business world and of capitalism as a whole. The business world is seen as predatory, exploitative, devoid of respect for standards and persons, and so on. In this context, it is forgotten that businessmen are not a monolithic block and that expressions of solidarity between workers and businessman has been recorded throughout the history of labor relations in Brazil (Petratti

[13] See, for instance, http://exame.abril.com.br/negocios/noticias/dobram-empresas-que-dao-beneficios-a-parceiros-do-mesmo-sexo/. Accessed 6 August 2015 and Rossi (2015).

1990). Amid this (apparent) lack of interest, companies ultimately perform the function traditionally expected of social movements. It is they who are instigating and moving dialogue along with the LGBT and trade union movements in the field of sexual rights. From being potential targets of grievances, they have now taken a position where the demand comes from them.

It was in that context that the business diversity management measures for the LGBT workforce that have been examined in this and several other studies took shape. Framed within a complex interplay of multiple interests, varied beliefs, limited resources and so on, none of them can be considered exemplary. Their limitations are obvious. That however, does not sustain such adverse diagnoses of them as those set out above.

The measures studied here, as with many others examined in other studies, do not affect only the internal publics. They extend beyond those walls and influence at least two other segments. The first are the, generally medium and small, businesses involved in the same production chain. This is particularly important, because management practices directed to LGBTs are alien to the universe of companies of this size. Remember that, in Brazil, they account for around 99 % of formal employment. The second is the external public reached by funding for activities connected with the LGBT universe, which include film festivals and gay pride parades held annually in a number of Brazilian cities.[14]

Unlike policies formed in large blocks, business measures for LGBTs in Brazil are taking shape piecemeal. Organizational practices by head offices in other countries have been translated to a greater or lesser extent, and replicated in Brazil. In turn, they have inspired and encouraged other organizations to engage with the issue. In sum, these practices have been enough to form an LGBT Business Forum, which would have been unthinkable even only a few years ago. What directions the Forum may take in future is unpredictable, even though the interviewees' discourses about it are very optimistic. That sentiment is not too distant from the realities. To arrive at the point of setting up a Forum with the proportions it has gained was at the same time surprising and expected. It expresses what was said about the process of producing the field of business actions: it is a continuous joining up of dots that reveals the importance of recognition.

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[14] This funding is strictly ad hoc and concentrated in sponsorship of a small number of cultural and political activities. In this regard it differs somewhat from more substantial forms of support found in the business world in countries such as England and Canada.

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Incorporating Inclusivity: How Organizations Can Improve the Workplace Experiences of Trans* People Across the Trans* Spectrum: A US Perspective

Annelise Mennicke and Andrew Cutler-Seeber

1 Introduction

While exact rates are difficult to ascertain, an estimated 0.5–2 % of the population identifies at trans*[1] (Conway 2002), representing a significant number of individuals living in the United States and even more living abroad. According to data from the National Transgender Discrimination Survey, rates of unemployment were twice as high for trans* people (14 %) as compared to the general population, and up to four times as high for trans* people of color (Grant et al. 2011). While workplaces are purportedly gender-neutral, research suggests that the "universal worker" is in fact male and masculine (Acker 1990) as well as heterosexual (Martin and Collinson 2000). As female workers became a larger proportion of the workforce outside the home, they developed ways to work within the male and masculine defined spaces of paid labor and instigated many changes to the ways organizations operate, such as the institution of parental leave policies and changes to the systems of job evaluation (Acker 1990). But where do trans* people, whether male, female, or non-binary identified, fit within the world of employment? While considerable progress regarding civil rights in the United States has been made in the last decade for sexual minorities, trans* people still face certain and extensive discrimination, especially in the workplace. In this chapter, a white cisgender[2]

[1] Trans* is used as the current most inclusive term for transexual, transgender, and sex and/or gender non-conforming people.

[2] Cisgender is a term used to denote people who identify with the gender assigned to them at birth.

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female and a white trans* person review research and theory related to workplace experiences for trans* people, with particular attention to the role of social networks. Upon review, we offer ways workplaces can alter practices to demonstrate acceptance of trans* employees along the spectrum of transition.

2 Transgender Employees in Workplaces in the US

2.1 Laws

The legal atmosphere is ever changing, but at the time of this writing 20 states had laws banning employment discrimination against trans* people (California, Colorado, Connecticut, Delaware, DC, Hawaii, Iowa, Illinois, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Utah, Vermont, and Washington) (Transgender Law Center 2015). These laws protect against unjust firing, non-hiring, or overt discrimination in the workplace. Furthermore, there are protections from the federal government, as the Federal Equal Employment Opportunity Commission (EEOC) ruled in 2012 that Title VII prohibited discrimination against transgender and gender non-conforming people. This was echoed in 2014 when Attorney General Eric Holder stated that he would support transgender litigation claims as part of the sex discrimination prohibition in Title VII of the Civil Rights Act of 1964, ensuring that civil rights protections are available to those who hold transgender status (Pieklo 2015). Beyond federal and state laws, there are often local (city/county) ordinances and organizational policies that offer discrimination protection for trans* employees. For example, many leaders at the largest companies in the United states have adopted trans*-inclusive policies, as 61 % of Fortune 500 companies reported in 2014 that they had extended workplace protections on the basis of gender identity (up from 3 % in 2002) (HRC 2014).

While these laws theoretically prevent overt and systematic discrimination against trans* employees, there are many formal and informal ways an employee is forced to reveal their gender identity, which can cause subtle disruptions in valuable social networks. There are many formal and informal ways people are required or expected to identify or perform gender identity. The standard American English language is infused with gender, leading to subtle reminders on a daily basis of the expectations of cis and binary genders. This includes the use of gendered names (e.g., Sarah versus Steve), reliance on gender-specific individual pronouns (he versus she), the gendering of professions (doctors are assumed to be male and nurses female), the use of male-as-normative/female-as-exception (chair*man* of the board, fire*man*, etc.), the use of parallel words (bachelor versus spinster), the infantilization of females (referring to females as girls, “sweetie,” or “honey” including in places of business) (Hyde and Else-Quest 2012), the informal gendering of inanimate objects (referring to cars as “she”) and conversational topics (e.g., shopping versus sports). More overt expectations of cis and binary gender are also made salient on a daily basis through the binary options for bathrooms (and in some cases locker rooms) given for employees, through uniforms/dress codes, personnel policies (including maternity leave), new hire paperwork/personnel files (where you are asked to indicate your gender identity), and the completion of background checks/reference checks. These formal and informal norms reinforce a binary gender structure, and deviation from this standard is implicitly or explicitly discouraged through chastisement or alienation from social networks, explicit discrimination from coworkers or organizations, or adoption of policies or practices that are unintentionally oppressive.

2.2 Discrimination

Discrimination in the workplace is harrowingly common for trans* and gender non-conforming people. One study found that 78 % of respondents had experienced some form of direct discrimination (Grant et al. 2011) and these findings are echoed across studies (Budge et al. 2010; Brown et al. 2012; Brewster et al. 2014). Types of discrimination include being harassed, having information about them shared inappropriately, being referred to by incorrect pronouns intentionally, being asked inappropriate questions about their medical status, being the victim of physical or sexual violence, not having access to appropriate bathrooms, being removed from direct work with clients, and being denied promotion (Grant et al. 2011). Further, 7 % reported being physically assaulted while at work and 6 % reported being sexually assaulted at work. Trans* people who work in hostile/unwelcoming environments have poorer employee engagement (HRC 2014). The effects of employee disengagement are costly for businesses as consequences include staying home from work, searching for a different job, feeling distracted from work, avoiding working on a certain project, avoiding working with certain clients or customers, feeling unhappy or depressed at work, and having to lie about the reason to take off work in order to care for a partner, child, or other family member (HRC 2014).

In addition to the job-related consequences, trans* employees who experience discrimination in the workplace also face interruptions in their social networks. This includes examples such as “avoided social events at work such as lunch, happy hour, or a holiday party,” “had to lie about my personal life,” “felt exhausted from spending time and energy hiding one’s gender identity,” and “avoided certain people at work” (HRC 2014, p. 22). If trans* people feel unable to be themselves, are avoiding social events at work or outside of work, or lying about their identities in order to attend, they are not adequately or accurately being included into workplace social networks, which also means the loss of information flows of opportunities for advancement that these networks represent and facilitate, maintaining trans* people on the margins of workplace environments.

3 Social Networks

Both formal and informal in the context of an organization, social networks are a means of gaining knowledge and status crucial to occupational attainment and success (Smith-Lovin and McPherson 1993; Ridgeway and Smith-Lovin 1999). Looking at trans* people's experiences in the workplace, there are four areas to be explored in thinking about social networks: assumed stability, effects of discrimination and harassment on networks, effects of the interaction between sex category identity and gender identity on inclusion into social networks, and what "homophily" means for trans* people and how this relates to "weak ties" or sponsor/mentor approaches to networks for advancement.

The first area of exploration is the assumed stability of social networks. Because networks are studied as ongoing and relatively stable, how might trans* people's networks be affected by both a change in how they are sex categorized and in the likelihood of significant disruption or complete loss of original networks? Ridgeway and Smith-Lovin (1999) note one situation in which social networks are less, but still relatively, stable. In examining people who move to change jobs, they point out that women are more likely to move for a husband's change of job and as an effect, women's networks decreased in the number of co-worker connections and decreased in overall diversity as well.

While many trans* people may move in the process of transition to avoid dealing with transitioning openly on the job, the effects on social networks are likely to be more severe. Unless previous employers can be trusted not to reveal their trans* status, these workers are unable to draw on previous social networks and even prior work experience in securing future employment. Those who transition openly at work may retain some of their social network connections, though this may require a sponsor/mentor-like relationship with upper management to achieve. Schilt (2010) suggests that transmen may experience inclusion into the social networks of cismen and gain the added size and diversity of networks cismen have achieved as compared to ciswomen. However, as Schilt (2010) points out, transmen's inclusion requires them to navigate previous experiences of being perceived as female in the context of cismen's social networks, that decidedly hegemonic transmen are more readily included, and these networks remain precarious for transmen whether their trans* status is known or not. Finally, with regards to stability of networks, both Grant et al. (2011) and Xavier and Simmons (2000) report significant levels of familial estrangement as a result of being trans* people. Thus, trans* people are often forced to navigate workplace experiences isolated from their peers and family, which can lead to decreased mental health and loss of productivity (Grant et al. 2011).

A second consideration, related to the assumption of stability in understanding trans* people's social network experiences are issues of discrimination, harassment, and unemployment. Schilt (2010) notes that while both transwomen and transmen face discrimination and harassment in the workplace, she suggests there is a gender pattern advantaging transmen and disadvantaging transwomen. Grant et al. (2011) came to a contradictory conclusion, finding similar levels of harassment for transwomen and transmen. While titling the study the *National Transgender Discrimination Survey* may have led to an over-representation of those who *had* experienced discrimination and harassment, Grant et al. (2011) garnered an impressive nearly 6500 responses to their survey over the course of 6 months, from September 2008 to February 2009. They found that while the type of discrimination and harassment varied for transwomen and transmen, overall, 82 % of transwomen and 80 % of transmen reported direct mistreatment at work, including harassment rates at work of 54 % and 50 % respectively. Unsurprisingly, people of color faced higher rates of workplace discrimination and harassment. The optimistic tone of Schilt's (2010) work then might be better accounted for by the Grant et al. (2011) finding that while experiencing nearly identical rates of harassment and discrimination as study participants overall, of those who had transitioned and lived full-time in accordance with their gender identity at work, 78 % reported being more comfortable and productive at work, *despite* the negative treatment they faced. In light of this seeming contradiction, it is important to examine to what extent social networks are affected by such high levels of discrimination and harassment and what network strategies trans* people use to manage such difficulties.

The third, more theoretical area in need of exploration is a distinction between sex category and gender. While it makes some sense to use the simplified categories woman and man when comparing and contrasting the social networks of cispeople, this approach is difficult to sustain when examining the experiences of trans* people. Though all respondents in Schilt's (2010) study are lumped together as transmen, even Schilt points out that there are differences of inclusion in cismen's social networks on the basis of distance from hegemonic masculinity. Based on the work of Connell ([1985] 2005) and West and Zimmerman's (1987) "doing gender" approach, Martin and Collinson (2000) note that there are a variety of masculinities and femininities and that these are not restricted to being "done" by male and female bodies respectively. People's identities and social relations are a more complex interplay between sex category identification and gender identification (Seeber 2013). To the extent possible, given the pool of participants, the effects of an interaction between sex category and gender, including non-binary identifications of each, in the creation and use of social networks needs to be explored. Understanding what networks trans* people see as most suited to them can help in understanding how best to make them available.

Finally, and related to the disaggregation of sex category and gender, the question of what homophily means for trans* people requires examination. While some trans* people may fit within the simplified binary of woman/man, even then there remains a question of whether their experiences growing up being perceived as a different sex category creates a different sense of what homophilous relationships would look like. Which interests trans* people have developed over their lifetime does not necessarily line up with the sex category others perceive them to be. What commonalities do trans* people draw on in determining who qualifies as most "like me?" The answer to this question would help in understanding whether trans* people's social networks are more similar to those of cismen or ciswomen.

Take the case of the EEOC ruling against the U.S. Army in April 2015. The EEOC ruled that the U.S. Army discriminated against a transgender civilian employee by denying the transwoman access to the women's restroom and refusing to use the employees preferred female name and feminine gender pronouns (Pieklo 2015). This type of discrimination contributes to disruptions in workplace social networks for trans* people, particularly if, according to the homophily hypothesis, this woman was not being allowed to participate in women's networks on account of continually referring to her with a male name and masculine pronouns. This reiterates the need to centralize self-identification, because how best to make social network inclusion possible depends upon understanding where trans* people see themselves being included. Examination of social networks offers opportunities for employers to initiate both subtle and overt changes that can improve the workplace experiences of trans* employees across the stages of transitioning (pre-transition, during transition, and post-transition).

4 Opportunities for Inclusion

At each stage of transition, organizations have opportunities to signal inclusion and acceptance of trans* identity. While the needs of trans* employees generally differ depending on their stage in the transition process, these stages are neither discrete nor finite, and recommendations can overlap between stages.

4.1 Pre-transition

Prior to transition, employees may experience discomfort and lost productivity as a result of not living as their most authentic selves (Grant et al. 2011). Employees who are considering transitioning will weigh the pros and cons of doing so at their current place of employment. Some will stay if they believe the environment is supportive, while others will see potential costs as being too high and may leave a job for another job or become unemployed if they believe the organization will not be supportive of their process and that they will be excluded from necessary workplace social networks. Much like the use of the pink triangle serves a signpost of safety and inclusion for LGB folk, simple tweaks to organizational policies and procedures can be made that would serve as signposts to those considering transitioning that this company is safe and inclusive.

Those considering transitioning will be looking for formal and informal signposts that indicate it will be safe for them to transition at their current place of employment. Individuals are advised to search for policies and procedures that indicate a supportive environment when considering whether an organization will be supportive of trans* identity (HRC n.d.). Opportunities for organizations to create these signposts include creating a non-discrimination policy that includes gender identity and gender expression, as well as selecting health insurance plans that do not have discriminatory exclusions. By doing so, employers can preemptively communicate their promotion of equality to individuals considering transitioning. Further, organizations can provide regular opportunities for training/continuing education related to gender identity, gender expression, and allyship, increasing the likelihood that those who transition will continue to find themselves valuably included in the social networks of the organization.

4.2 During Transition

During transition, employees may have to deal with significant instability in their social networks and issues of acceptance and support versus discrimination and harassment—issues that are likely to differ on the basis of their sex and gender combinations, particularly if either sex or gender identity are non-binary. For example, while Schilt (2010) found that transmen were generally included into the social networks of men upon transition, she points out that inclusion was more likely and complete to the degree that an individual transman met the standards of hegemonic masculinity and the expectations of male sex characteristics. Thus, taller, more athletic transmen were more likely to be drawn into the circles of men than shorter transmen less interested in athletic pursuits. Likewise, those who are intentionally ambiguous with regard to sex category, or who combine femininity and masculinity, are less likely to seamlessly fit into informal networks based on same-sex organization.

While still sparse, most of the extant guidance on organizational accommodations for trans* employees focuses on how they can assist during a transition. Available resources include: sections in *Just One of the Guys? Transgender Men and the Persistence of Gender Inequality* (Schilt 2010) and “Transgender Issues in the Workplace: A Tool for Managers” (HRC 2004). The Human Rights Campaign also provides a list of publications on transgender inclusion in the workplace, including *Employer’s Guide to Gender Transition* (1992), *Medical, Legal, and Workplace Issues for the Transsexual* (1995), and *Transgender Workplace Diversity* (2007). These guidelines stress the importance of providing strong top-down support to improve the experience of the person’s transition. Opportunities to express support include explaining the transition to subordinates, specifying the preferred name and pronouns to be used, ensuring employees are adhering to the preferred language choices, and providing gender-neutral bathrooms. In addition, an upper level manager can informally maintain a mentor role in the trans* employee’s work life such that the employee who likely cannot rely on weak ties due to minority status will be able to rely on a mentor-like connection for information and opportunities provided through social networks in the same fashion found to work for women and other minorities. To facilitate transitions, organizations should establish clear guidelines for how to respond to an individual’s decision to transition. Elements to consider include preparing employees for the transition, procedures for updating files to the preferred gender identity, a plan for bathroom usage and dress codes, and the establishment of an Employee Resource Group, which can assist in limiting disruptions in social networks.

4.3 Creating an Inclusive Environment for Those Post-transition

If an employee chooses to stay at their job post-transition, there are significant barriers related to social networks that need to be considered. Trans* people weigh the risks and benefits of staying at the workplace where they transitioned versus changing employment location. A person's trans* identity can be a particularly salacious bit of information to the trans* person's coworkers—particularly if being trans* does not often come up or the person wishes to keep this piece of their identity private. Uncertainty about the safety of disclosing information about one's trans* identity forces trans* people to lie or refuse to partake in informal social activities, leading to isolation and limiting the ability to build rapport with co-workers, managers, and would-be mentors.

Anecdotally, people who transition and stay at the same employment may discover that coworkers feel it their obligation or otherwise necessary to inform new hires about the trans* identity of a fellow employee. This can lead to awkward interactions with each new coworker as the trans* employee has to cope with the coworker's processing of the information, along with general anxiety about who does and does not know what. Under these circumstances, a trans* employee may interact with coworkers, have positive experiences, and remain anxious not knowing if the interaction was positive because this coworker knows they are trans* and is supportive, or does not yet know and may or may not be supportive upon finding out. This makes networking and cooperation in the workplace precarious and potentially fear inducing for trans* employees. While this situation of workplace gossip may suggest advantages to changing location after transition, moving to a new place of employment speaks to the potential loss of ability to report previous work experience mentioned below.

After transition employees, whether openly trans* or not, may experience difficulties bringing previous employment experience with them when changing place of employment as their records may show sex and/or gender incongruent information. If an employee is open about their trans* identity, they may simply alert the potential employer of their previous name and pronouns to aid in obtaining references and background checks where needed. Alternatively, if the employee was open in their previous employment, they may simply ask their former employer to use their current name and pronoun when contacted by potential future employers for references. This approach may or may not be met with discrimination by either the former or potential employers, but this is a gamble trans* people must consider. Alternatively, if the employee is not open about their trans* status and does not wish to be, they may instead have to weigh the likelihood of having their trans* identity revealed during the process with the importance of presenting evidence of their work experience to a future employer. On the one hand, if the reference gets called and the person's trans* status uncovered, the unexpected information about a prospective employee being trans* may have a significant negative impact on the hiring decision, even though technically illegal. On the other hand, by not listing relevant employment experiences, the trans* person may get overlooked for the job, being assumed to have lower qualifications.

Once an individual has fully transitioned, they are faced with a new set of challenges when changing or gaining new employment. Organizations conduct background checks with previous employers, which could require a potential employee to disclose their prior transition to their new or former employer. If the organization has not set up a climate that proactively indicates that trans* identity is supported, an individual may choose to "lose" this reference in fear that the organization would not hire them if they knew of the transition. As such, organizations need to standardize processes and methods that explicitly indicate to an individual that they will not be discriminated against during the hiring process.

There are many opportunities for signposts that indicate acceptance, which include the presence of inclusive non-discriminatory hiring practices on all hiring paperwork, the opportunity for individuals to indicate their preferred name and pronoun usage during the hiring process, the chance for them to indicate their former name and pronoun when completing reference checks, and the space for them to indicate their legal name and gender identity on their identification materials for background checks. The practice of asking individuals their former name is commonplace among some organizations that operate under the assumption that individuals (especially women) may have a former name due to changes in marital status and the associated name changes that some choose to go through. In this case, organizations could go a step further to specify that the organization does not discriminate on the basis of gender identity, and allow space for a person to write in their formerly used gender pronoun in addition to their former name. Or, the organization could incorporate the practice of referring to everyone as the gender-neutral pronoun "they," which would serve to not out a person to a former employer, but would not serve to act as a signpost for trans* people when applying to jobs. Further, regarding potential interruptions in social networks, employers need to monitor the use of names and pronouns by employees, and provide opportunities for formal and informal social networks to develop.

5 Conclusion

Trans* employees face significant hardships in their workplace experiences, often related to disruptions in their social networks. Organizations can adopt formal and informal policies and procedures that can enhance inclusion and lead to improved stability. While this chapter pulls on available research to make recommendations to improve the workplace experiences of trans* employees, there are many notable gaps in knowledge that both limit the applicability of these recommendations and provide opportunities for future inquiry. Particularly, more research needs to focus on the experiences of trans* employees prior to and post-transition, as most has concentrated on the transition process itself. The changing political and legal context allows comparisons of employment experiences between organizations, cities, or states that offer varying degrees of protection (or lack thereof) for trans* employees. As organizations change their policies and procedures to become more trans* inclusive, research should focus on the intended and unintended consequences.

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LGBT Company Network Groups in the UK: Tackling Opportunities and Complexities in the Workplace

Fiona Colgan

1 Introduction

Over the last 20 years, many large UK-based organizations have established company employee equality network groups (Bond et al. 2009). It has been argued that company employee equality networks groups (CNGs) can provide routes to visibility, empowerment, personal growth and networks for their members as well as a range of diversity and business-orientated activities for organizations (Singh et al. 2006; Colgan and McKearney 2012). Squires (2010) suggested that the changing UK legal equality framework might provide increasing opportunities for cross equality strand working. This chapter will explore the opportunities and complexities of cross equality strand working by CNGs within a changing legal, political and social UK context.

It will do this by exploring lesbian, gay and bisexual (LGB)[1] employee perceptions of CNGs and their initiatives within a UK-based global private sector company (Comco). The in-depth case study research took place between 2004 and 2009 (Colgan et al. 2006; Bond et al. 2009). It took place following the introduction of the anti-discrimination Employment Equality (Sexual Orientation) Regulations and the Employment Equality (Religion or Belief) Regulations in December 2003, the Gender Recognition Act (2004) and the Employment Equality (Age) (Amendment) Regulations 2006 and in the lead up to the introduction of the Equality Act (2010).

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[1] The chapter draws on research funded to consider lesbian, gay and bisexual perceptions of the impact of the Employment Equality (SO) Regulations 2003. However most UK organizations have chosen to establish equality network groups that aim to be inclusive of lesbian, gay, bisexual and transgendered issues. In the UK, these groups are referred to as LGBT company network groups so this is the terminology used to describe Comco's network group in this chapter.

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The single Equality Act replaced existing UK legislation targeting specific equality strands (e.g. Sex Discrimination Act, Race Relations Act, Disability Discrimination Act in addition to the legislation listed above). Instead it identified nine 'protected characteristics' including sex, disability, age, race, religion and belief, pregnancy and maternity, marriage and civil partnership in addition to sexual orientation and gender reassignment. The argument was that the move to a single equality legal framework would simplify the law and encourage a more consistent and intersectional cross diversity strand approach to employment equality within organizations (Squires 2010; Colgan 2014). Thus the research took place at a fairly optimistic time for cross strand equality/diversity work in the UK, prior to the election of a Conservative Liberal Democrat coalition government in 2010.

The chapter will first introduce the case study organization, its equality/diversity structures and provide an outline of the research. It will then explore LGB employee perceptions of the CNGs and their participation within them. Finally it will consider the perceived opportunities and complexities of cross equality strand work across Comco's equality networks and its apprentice and graduate networks. It will do this drawing on Yuval-Davis's (1998) notion of 'transversal' coalition politics whereby people in different constituencies although rooted in their own identity, beliefs and membership may be prepared/required to shift to a position of exchange on matters of common concern within the work context.

2 The Case Study: Comco—A Global Private Sector Organization

Comco employed over 100,000 people in 55 countries in 2009 (over 80 % in the UK). It provided goods and services in 170 countries around the world (*Sustainability Report* 2009). Its Diversity Team is located in Human Resources but focuses on equality/diversity issues which affect both staff and customer/client groups. Benchmarking is an important element of its work. For example in recent years it has sought to ensure that it maintains its top ten placement in four major diversity benchmarks (e.g. Opportunity Now—Gender, International Business Equality Index—LGBT, Race for Opportunity, Employers Forum on Disability). It works with HR business partners who in turn work closely with line managers in the operational business to deliver the corporate operational corporate responsibility and diversity agenda.

> Diversity is at the heart of our company and makes us more resilient and competitive. Our workforce reflects the diversity of our customers, so we can imagine, create and deliver the products and services they require now and in the future. We know that talented people are not defined by their age, gender, sexuality, work status, ethnicity, beliefs or where they live. Each of our people bring skills, ability, energy and unique perspective to [Comco], so we take care to maintain a working environment that supports this diverse workforce (*Sustainability Report* 2011).

The Diversity team also consults and negotiates with its recognised trade unions on its diversity and equality committee. The organization has had a long commitment to equality/diversity issues including the establishment of senior management diversity champions and CNGs. The organization has a policy to 'encourage employee networks' but 'we don't force them' (Diversity Manager 2009). The first network, the Women's network was set up by a group of women after attending a women's development course in 1986 (Singh et al. 2006), followed by the Ethnic Minority and Disabled CNGs. In line with this proactive staff-led approach, Comco agreed to establish an internal company LGBT CNG following a formal request from its LGBT employees in 1981. The Muslim and Christian CNG were more recently established following formal requests in 2005. CNGs may be focused on a diversity strand but may also be for other groupings such as apprentices and graduates who are recognised to work across organizational units so may find a CNG helpful in overcoming a degree of isolation and in providing a common voice to the organization on key issues.

> Fundamentally what we say to our employees is if you want to form an employee network it must be a recognised voice for a minority group whatever that is, be democratically managed via an elected chair and an elected committee, be open to all, and as well as providing a benefit to that group there must be a business benefit to the organization… We see that in terms of working with those networks to look at say products and services, to look at policies that we develop where they have a specific feel, understanding or view on which we may consult them (Diversity Manager 2009).

Each CNG was clear that in gaining formal recognition from the Equality Diversity Forum it had to establish its remit, management competence and the benefits to the company it would provide (Christian CNG key informant 2009). In return, it gained recognition, a budget (which varied annually according to the internal bidding process), 'facility time' for the chair/co-chairs and a set of rules to abide by. For example, Comco CNGs are required to be open to all employees and contractors so for example men may join the Women's CNG and the LGBT CNG is not restricted to people who identify as LGBT. This means they do not operate as 'self-organised' democratic constituencies and 'safe spaces' as may be the case in some trade unions (Colgan and Ledwith 2002) or in other organizational contexts (Colgan et al. 2006). Rather as open networks they are intended to promote 'integration' and provide a company 'resource' in assisting employees, contractors and managers to gain a broader understanding of diversity (Muslim CNG KI1 2009).

Thus CNGs are usually expected by employers to help create competitive advantage (Stonewall 2012). Research shows that this can lead to a complex balancing act between representing their constituenc(ies) whilst also being seen to contribute business benefits to the organization (Githens and Aragon 2009; Colgan and McKearney 2012). Additional concerns may arise concerning the opportunities and complexities provided by cross strand working across equality CNGs plus apprentice and graduate CNGs. For example CNG chairs met quarterly with the diversity team to talk about the strategy and direction of the networks in order to co-ordinate and avoid clashes in activities. They met to discuss and agree how to progress what might seem at first glance fairly straightforward corporate diversity initiatives such as Comco 'Diversity days' as well as potentially more controversial initiatives promoted by one or other network group such as a 'Faith and Homophobia' seminar or a 'Promote the Family' week for example.

The case study research took place during two study periods. Phase 1 between 2004 and 2006 (Colgan et al. 2006) and phase 2 between 2008 and 2009 (Bond et al. 2009). In total, 25 interviews were conducted. Seventeen interviews with LGB employees (self identified as: lesbians (5) gay men (9) bisexual transgender (1), bisexual woman (1) and bisexual man (1). Three of the respondents self-identified as disabled and three as black and minority ethnic (BME). The 17 respondents included 2 LGBT CNG key informants (KI) interviewed in Phase 1 and 2 KI interviewed in Phase 2. To maximize the diversity of LGB interviewees, we used multiple access routes such as organizational newsletters, email or intranet sites, invitations via LGBT CNG and trade union groups.

In addition 2 KI interviews were held with a senior member of the Diversity Team and a trade union (in both Phase 1 and Phase 2) plus 4 KI from other company networks (Phase 2). The interviews were taped and transcribed verbatim for analysis. The interviews were supplemented by access to company and trade union websites and documents. The data was analysed using grounded analysis techniques and is presented below under two key emergent themes.

3 LGB Employee Perceptions of and Participation in Company Network Groups

Raeburn (2004) has argued that the establishment of lesbian and gay company networks was linked initially to waves of sexual orientation activism in the United States.[2] A similar pattern appears to be true of LGBT company and trade union networks in the UK (Colgan and McKearney 2012). However, as with other equality groups, LGBT people are not a 'unified' homogeneous social group (Cockburn 1995; Colgan and Ledwith 2000). It is important to recognize their experiences are diverse, and their perceptions are interpreted through lenses of ethnicity, class, age, disability, religion, occupation, geography, culture and so on (Richardson and Monro 2012). An individual's identity can be viewed as interactive, being constructed in interaction with others, and being validated or not by others (Cornell and Hartmann 1998; Taylor et al. 2011). Thus, although, it may be argued that it is in all LGBT people's political interests to see LGBT people 'out' at work and becoming actively involved in organizational decision-making processes in order to ensure LGBT visibility, it may not be realistic to assume that LGBT

[2] This early study focused on lesbian and gay activism but over time research has broadened to recognize bisexual and transgender activism in the formation and development of LGBT policies and CNG (Githens and Aragon 2009).

people will view the LGBT and other CNG and their activities in the same way. This section explores the LGB respondent's perceptions of the LGBT and other CNGs as possible 'safe spaces' within which they felt able to work to share their concerns, aspirations and establish priorities.

It was interesting to find that the establishment of the LGBT CNG was reported to be a key indicator of inclusion by most LGB interviewees. All agreed that it established a visible contact point for both LGBT and non-LGBT employees and contractors within company structures and at events. In the main, the LGB respondents thought the CNG was doing this well within the UK and global connections were being improved.

> I think probably the pivotal thing they did was the creation of the [LGBT] network group. Not necessarily because it gives you a social group that you can go and mix with. But it does mean that you have a feeling that there is a point within [Comco] that you can go to if you need to and you know that that group is supported by [Comco]. And I think around that they have actually done quite a lot of things such as they do organise social events so when the partnership legislation went through they arranged a presentation on the partnership legislation that you could just go along...and they had someone there from HR who was explaining what [Comco] would be doing to change its HR policies to fit in with this. (Gay man 1, 2005)

The LGB employees also spoke positively about receiving information about the LGBT (and other CNGs) when they had applied to Comco and at workplace induction and training events. For example, communication about its existence reduced concerns about discrimination on grounds of sexual orientation at work.

> That would have been one of my main concerns and that was just done away completely as soon as I saw there was a network for me... I was also very, very excited about the prospect that if there was a network then there must be someone running that network and I could actually use the fact that it [sexual orientation] is a very big part of my personality and my life to enhance my career and actually get involved ...: I think the very fact that it said there was a network for LGBT people and, you know, women and what have you, that was very encouraging. (Lesbian LGBT CNG KI1 2009)

The existence of an LGBT CNG was perceived to provide evidence that Comco was committed to recognising diversity across the piece. This included the provision of a whistle blowing option via a help line should staff see people being treated unfairly and/or for reasons pertaining to a diversity group. There was strong support for the establishment of CNGs. These were seen as proof that Comco's policies were committed to recognising and enhancing people's capabilities across all minority groups.

> It has its networks for Christians, for LGBT, its women's network, its ethnic minorities network and so on. It's using those networks not only to support the people within those networks but to find out what those communities want. And the fact that there is a network there means that whether open or closed an individual can go into that network and say 'Help'...there is somebody there that you could go to and say 'I need some support'. Because the networks exist, there is a safety blanket, almost. (Gay man 2, 2005)

Amongst the 17 LGB respondents interviewed the LGBT company network group was the prioritised source of CNG information and 15 respondents were active members of it. Three of the six women interviewed were also members of the Women's CNG, in order to lend it their support. As Comco's workforce was 77 % male it was recognised that some sections of Comco could be a 'lonely place for a woman' (Bisexual woman LGBT Network key informant 2, 2005). However, although aware that the LGBT CNG was also predominantly male, all of the women chose to be active in the LGBT network.

> I care most about the LGBT stuff . . . there is about 50% women in all of the areas that I am involved in. So I am feeling that I am not lacking visibility there. . .I don't need the visibility and the emphasised support quite as much in those areas. . . whereas sexual orientation is so much lower on everybody's agenda and it's so much less obvious as well that I am a gay person. . .unless I specifically choose to tell you. (Lesbian LGBT CNG KI1 2009)

As the female LGBT CNG co-chair, she had developed a forum on the LGBT network website which was 'devoted to women but not exclusive to women' and had organised LGBT events and conference calls targeted at gender issues. This sought to foster the inclusion of lesbian, bisexual women and trans-women within the predominantly male LGBT CNG. These initiatives were valued by the women LGBT CNG respondents.

> It's not just a sexuality thing, it's also for me it's also a woman thing. Not just here but everywhere. My identity as a lesbian is mixed with my identity as a woman and helping other women (Lesbian 1, 2005).

Two other women and one man although members of the LGBT CNG had prioritised their activism of the LGBT union network within their trade union. This decision was informed by their political allegiance to the labour movement and their analysis of how best to improve the working lives of LGBT employees.

> There is crossover. . .we wanted people to know that there were union people working on these things too. . .but we made a political decision at the advisory committee that [company] employee networks have limited use in progressing things. (Lesbian union KI 2005)

Amongst the three bisexual respondents, the transgender respondent preferred to be an active member of the trade union working as a health and safety representative rather than a member of the union or CNG LGBT group. This was in part for reasons of political allegiance but also because the union had been supportive in helping this interviewee negotiate a return to work following a transphobic attack outside work. As indicated above, the bisexual woman respondent was a member of the LGBT CNG committee. The third respondent described himself as a 'Black bisexual man. . .who just happens to be an engineer'. He said he did not feel able to disclose his sexual orientation at work for fear of 'losing the comradeship' of his predominantly male colleagues Although a member of the union, he said he was 'not interested' in being in being a member of either the LGBT nor the Ethnic minorities CNG (Bisexual man 1, 2005).

The two other ethnic minority gay men interviewed said they chose to be primarily active in the LGBT CNG although one had sought to forge ties between the Ethnic minority, LGBT and Women's CNGs.

> There was a point when I actively engaged with the ethnic minority network because I am a member of the ethnic minority network and I was engaging with the women's network and at one point it was working very well. We were doing joint events. (Gay man 3, 2005)

However, over time he had become less involved in the ethnic minority network in part because he was the only 'out' LGB person and because he not always been comfortable with the political dynamics associated with it.

> I felt very uncomfortable...of constantly having, you know, to carry this label 'I am an ethnic minority'. So I haven't been really that involved...as much as I tried...also the network is very Asian dominated...so not a good representation [of the workforce] (Gay man 3, 2005)

Three of the LGB interviewees identified as disabled but only one expressed interest in developing work with the Disability network because 'we've never specifically recognised LGBT people with a disability' (Lesbian LGBT CNG KI1 2009). Joint initiatives were in place with the Apprentice and Graduate Networks concerning recruitment, induction and pastoral support (Apprentice network KI 2009). Some of the LGBT interviewees had begun work in Comco as apprentices and graduates so were familiar with and very open to working with these network groups.

The LGB respondents were broadly positive about the establishment of the Christian and Muslim CNGs in 2005, seeing these as appropriate within an organization with employees in a number of different countries and contexts.

> I am an atheist, or a humanist but what I have learned in life is that I need to take a very pluralist view. (Gay man 4, 2005)

A few LGBT network members expressed concern about possible clashes in LGBT and faith equality/diversity agendas. One of these LGB interviewees who described himself as Christian said that in his view the Christian CNG was geared to 'happy clappy Christians' (Gay man 3, 2005). He suggested that its leadership and membership was aimed at a more fundamentalist Christian perspective than his own. Thus he did not consider membership within it as a comfortable option for an LGB Christian such as himself. A Christian CNG informant however explained that as with other network groups it was open to all.

> If somebody wanted to join, the sort of approach we have adopted is anyone can join the Christian network, even if they've got no faith, if they want to join they can join. The only sort of stipulation is that... we say that we are Christian so we have a Christian ethos. So we don't say this person or this group of people can't join or anything like that...If you are not a Christian you can still benefit from coming along...we don't exclude anybody from joining, that's probably a better way of putting it. (Christian CNG KI 2009)

As the two Christian and Muslim network groups had only been established in 2005, a Diversity Manager (2005) said that some initial uncertainty concerning their role was not surprising as Comco worked to shape its policy and practice on religion and belief.

4 Comco Network Groups: Opportunities and Complexities of Cross Equality Strand Working

This chapter will now turn to a consideration of the opportunities and complexities of cross equality strand working from the point of view of members of the LGBT CNG and other equality network groups. As seen above most of the LGB interviewees seemed to prioritise their allegiance to the LGBT CNG. However, Comco expects CNGs to progress its equality/diversity and corporate responsibility agenda. This requires CNG members to become involved in transversal working (Yuval-Davis 1998), a form of 'coalition politics' where individuals in different CNGs are prepared to shift to a position of exchange on equality/diversity areas within the work context. This can be easier where members of network groups are active in other network groups and can therefore expedite working together to identify areas of common interest. The opportunities and complexities of cross-strand work are explored via three themes below.

4.1 Working Across Groups: Transversal Working

Representatives from the Comco Diversity Team met with the chairs from the CNGs monthly. These meetings considered common issues, encouraged groups to share good practice and develop linkages. A recent topic had been the introduction of monitoring on grounds of sexual orientation and religion and belief. CNGs shared views on the process by which equality data was collected plus issues of confidentiality so allowing the LGBT, Christian and Muslim network groups to raise concerns but also benefit from the views and experiences of other network groups.

> We have a monthly network Chairs call. For people who can make it face-to-face, you know, there is a meeting… usually we go through what are the activities that are taking place and where are the stumbling blocks, what is coming down from Group HR or Group People and Policy that we need to be aware of, what do we need to start looking at integrating. (Muslim CNG KI1 2009)

The interviews with members of the CNGs indicated that there was a shared understanding about how the network groups should work to benefit the company.

> Well, we have a remit, the network isn't just about ourselves, it's about benefiting the company, that is an important thing. So we see that we want to benefit ourselves as Christians and I am sure that goes for other groups as well but we don't want to be selfish. We believe, we are employed by the company… so our network should benefit the company as well. (Christian CNG KI 2009)

However, levels of support could be variable with one LGBT CNG chair reporting difficulties in being granted time by his line manager to fulfill his role. This required continued intervention from the Diversity Team to ensure line management support.

> We had agreed that I could do two hours a week on LGBT network group issues. . .on conference calls and one day a month on more external or HR central type work and then [my manager] didn't honour that. . .I felt let down. . . I was shouted at and told that I didn't deserve any special consideration. . . That I really had to decide what I wanted to do, to continue with this diversity stuff or have a career. (LGBT CNG KI3 2005)

Network groups supported each other when it came to demanding more proactive senior management support, funding and recognition for their work in Comco (Gay man 3, 2005). A Diversity Manager stated the company position.

> We have been working with the networks and their line managers around allowing people the time within their job but at the end of the day this is something that people sign up to do on a voluntary basis like working for a charity or whatever. . .yes, it's really important to us but people do have their day jobs to do as well. So it's a case of balancing that. (Diversity Manager 2005)

The CNGs also worked closely on pastoral care issues. The networks provide initial points of contact for members who experience discrimination and harassment at work. Each network had established a pastoral care officer and these worked quite closely together putting members in touch with the Comco employee assistance programme where more advanced support was required.

> We worked all together. . .threw ideas at each other. . . sharing information from their networks to ours. . . just building across the board a contact list rather than just one pastoral carer having all the contacts. . . for example the women's network, I worked quite closely with. . .because of issues going across both [concerning discrimination against lesbian, bisexual and trans women]. . .to get the best solution for them, whether it would be with the women's network pastoral carer or with myself and it was basically rather than just one person working on it, it was one, two, three, four people working for that one person. (LGBT CNG KI4 2009).

4.2 *Events/Activities: Opportunities and Complexities*

When it came to working together on events and activities, the two faith CNGs said they often worked together.

> We tend to work with the Christian network. And there have been occasions where we've got workshops running and they've got workshops running and we will make sure that each are invited, we get their members involved as well as our members will get involved with theirs. So we try to do as much cross-working as possible. (Muslim CNG KI2 2009)

In addition, the Muslim CNG also said it worked with the Ethnic minority network.

> We work quite a lot with the ethnic minority network because what we find is that people who are part of the Muslim network are also part of the ethnic minority network as well. And we often get invited to their events at the same time, the training that they do as well. (Muslim CNG KI1 2009)

Interestingly the LGBT CNG said its main links were with the Women's, Ethnic minority, Apprentice and Graduate networks. This was in part a result of having developed interlinking structures including having a woman's co-ordinator in the LGBT network who was also a member of the Women's network. The Apprentice and Graduate CNG had each established LGBT and other equality co-ordinators (Apprentice CNG KI 2009). As a result the LGBT CNG had run a joint event with the Women's network on 'Healthy living' as an event of common interest to their memberships in well-being and healthy living. Although the LGBT CNG group said it 'was open to all networks', it felt that it had been less successful in joint working with the Faith CNGS thus far (LGBT CNG KI3 2005).

Aside from in-house corporate network events, the CNGs were expected to run 'Diversity open days' around the country. This required the network groups to prepare stands and displays to illustrate what Diversity meant and showcase a range of initiatives in Comco. This had created some stress for members of the LGBT CNG who feared there might be a homophobic response to their stand and displays from colleagues or members of the public attending the event. This was a fear exacerbated for some following the establishment of the Faith networks.

> I have some concerns to be honest. Perhaps partly being in the [LGBT] network I am not sure what happens when you put the network in the same room as the Christian or the Muslim network and members of the public attending the stands. I think the ethnic minorities network. . .they wouldn't have a stance on sexuality per se. However, obviously the Christian network might and the Muslim network might. Certainly more might, I don't know. And I suppose this is one of the big problems with equality, where do you draw the lines between when one person's equality is interfering with another person's equality. (Gay man 1, 2005)

Also when publicising these joint initiatives the LGBT CNG perceived some reticence on the part of the company and one or two other groups with respect to sexual orientation equality work.

> I think in [Comco] to put it really bluntly we do diversity because it's the right thing to do. And as part of diversity you have to have a sexuality group. I don't know that it's really accepted, valued, appreciated. (LGBT CNG KI3 2005)

At a recent inter-network day for example the invitation and publicity talked about networks in the plural and invited people to come along to talk about matters of 'gender, culture and ethnicity'. It was a source of annoyance to the LGBT CNG that 'there was no mention of sexuality again' even though the LGBT network had 'explicitly said that it's really important that you say sexuality' when publicising these events in the UK (LGBT CNG KI3 2005). Nevertheless there was an awareness that in a global company there was a need to 'tread carefully because of cultural differences' when rolling out company network initiatives to overseas contractors (Gay man 1, 2005).

Another complicating factor in joint working arose from the expectation that the network groups should do 'a lot of internal and external PR, winning awards' (Diversity Manager 2009). A few interviewees reported that this could lead to competition rather than co-operation at times.

> I think there is a lot of mistrust amongst networks as well. Because they feel, there is a competition amongst them and I think it's very unhealthy, thinking, you know, which

> network gets the most money...which is seen as the best and which is putting on fantastic events. (Gay man 3, 2005).

4.3 Faith and Homophobia Conference: Difficulties in Transversal Working

In 2009, in order to improve links and develop work around sexual orientation and faith, the LGBT CNG had proposed a conference on sexual orientation and homophobia. The intention was to:

> make sure that sexual orientation and religion can co-exist in harmony as opposed to being at odds with one another...building ties between people with faith and people of minority sexual orientation and recognising people who fit into both categories. (LGBT key informant 2009)

The LGBT CNG had proposed the conference because it wanted to develop a more intersectional (Crenshaw 1991; Taylor et al. 2011) approach to its work. In doing so the network recognised they needed to work in a transversal way with the other networks to move forward.

> We could be more integrated in terms of our networks and people who fit in what I call microcosms of diversity. For our network...I am the women's coordinator, we have a specific women's focus but we don't have a specific focus on disability or religion or ethnicity or anything like that and we could. And similarly in the other networks they could go out of their way to do this...e.g. make sure that in the women's network...they got something there that says ... if you are a gay woman, we cater for you, we do this....I think particularly the religion and belief one there can be tension. From both sides. You know, people of faith sometimes can have very derogatory opinions about sexual orientation but similarly people of minority sexual orientation can think that everybody of a certain religion is going to be prejudiced against them... So we could do more in both networks to say there are people who may have that attitude but they are in the minority (LGBT CNG KI1 2009)

Comco had agreed to sponsor the conference which would involve outside speakers plus Comco senior managers including the Head of Diversity and the LGBT Company Champion. The Diversity Manager (2009) said the organization was happy to sponsor the event but admitted that most of the drive for the conference 'comes from the sexual orientation rather than the faith side. The faith networks...you know, don't want to get involved'. He was concerned that this was likely to have an effect on the potential audience.

> I think you know, people might come with both a faith and sexual orientation...but I would be interested to see how many people come from the faith perspective and how many people come from the sexual orientation perspective. (Diversity Manager 2009)

The Christian and Muslim CNGS said they were prepared to work together on matters of shared common concern such as tackling discrimination. However they did not necessarily see it as their role at the time, to shift beyond that position in order to participate in an initiative such as the faith and homophobia conference.

> The recognition of an individual and discrimination against individuals is important and I support that wholeheartedly. What you have to be careful of is where you draw the line... so that you are promoting things that are then expecting other people to act in a different way. How can I word that? For example, as a Christian group we would wholeheartedly support the Muslim network in not being discriminated against, the LGBT group and so forth. We have no problem whatsoever with that and we work really well together. But the difficulty is... where one group is more supported than another group and that would mean they could impose their view above other views and that would then become very difficult because not all the groups agree. For example...the gay and lesbian group may have different views on marriage and things than the Christian group has. Now if you adopt the principle that we are all equal and that nobody is better than anyone else and we should treat each other with respect...that's fine. (Christian CNG KI 2009)

This did not mean they were unwilling to work with the LGBT CNG on other initiatives. However, as with the Christian CNG, the Muslim CNG said they perceived a clash in interests and beliefs between their different constituencies.

> I believe there is often a clash in terms of reconciling faith with sexual orientation in terms of the LGBT community... What we have to try and do in my view is understand how we tackle those barriers. In my view whilst it's not necessarily our place to promote, our religion teaches us tolerance. And I think that sometimes we tend to forget that... recently I spoke to an ex-Chair of the LGBT network and I said... often our two networks haven't got along as well as maybe they should have. And I can understand why because a lot of our people who are part of our network don't want anything to do with that [sexual orientation and gender identity]. But it's about how can I myself learn from what you are doing and you also in turn learn from what we are doing. (Muslim CNG KI1 2009)

5 Conclusion

The chapter focused on the role and activities of a UK-based LGBT CNG within a global company. The company encouraged the establishment of CNGs in order to provide a benefit both to minority groups and a benefit to the organization. Its diversity work was argued to be integral to its business approach and in common with other multinational organizations a key element in meeting its corporate responsibility agenda (Colgan 2011). The research took place between 2005 and 2009 at a time when a changing legal, political and social context offered opportunities for more cross equality strand working (Squires 2010). The chapter explored these opportunities focusing on CNGs in Comco.

In line with the growing body of research which recognizes diversity amongst LGBT people (Richardson and Monro 2012), the chapter first focused on LGB perceptions of the LGBT and the other equality CNGs as potential support mechanisms within the organization. Most LGB interviewees prioritized their membership of the LGBT CNG although reporting membership and activism within other CNGs and the trade union. This overlapping membership was particularly helpful in developing linkages and cross equality strand work across CNGs. There was evidence that members of the CNGS perceived benefits from being involved in corporate networking. Also that Comco perceived benefits from the voluntarily contributed range of business-oriented activities (Singh et al. 2006).

The chapter found Yuval Davis's (1998) conceptualization of 'transversal' coalition politics useful in framing its discussion of both the opportunities and complexities of cross equality strand working across CNGs. It found plenty of evidence of transversal working. Firstly there was a shared understanding that the networks should operate within company policy to benefit the company not purely to represent network members. This meant that there was a commitment not to discriminate on any grounds and to co-operate to communicate that message and provide pastoral care to those experiencing discrimination at work. Also to make sure CNGs had the resources to carry out their work and to proactively tackle line managers who created barriers to CNG involvement and initiatives.

However, when it came to organizing events and activities some complexities in transversal working emerged. Differing alliances and coalitions were developing. Work agendas differed, for example, the LGBT CNG was able to shift to a position of exchange with the Women's and Apprentices CNG to reach out to their perceived 'microcosms of diversity' whereas the two faith CNGs more easily allied to develop their work focusing on faith issues. Where joint events such as Diversity Days ran there were reported to be underlying tensions concerning publicity being amended to take account of clashing views. LGBT respondents perceived that this could lead to some 'soft-pedalling' when it came to the LGBT CNG and its work. This was felt to be unacceptable in the UK although it was recognised 'diversity' messages might need to be adapted as appropriate to stakeholders in different global contexts (Jonsen et al. 2013). The complexities in transversal working between the LGBT and Faith CNGs emerged when it came to the LGBT CNG sponsored Faith and Homophobia conference. Although willing to work with the LGBT CNG on matters of joint concern, neither the Christian nor the Muslim CNG felt able to be directly involved with that event. Too great a clash between membership identity, beliefs and priorities was perceived to exist. The limits of transversality and cross equality strand working had been reached. However, there was evidence of cross strand understanding if not working as neither of the Faith networks opposed the conference taking place. Instead there was evidence of Comco's support for its LGBT CNG as the Faith and Homophobia conference had proceeded successfully. It was publicized to all Comco employees so providing the opportunity for employees across all CNG to attend and engage with the cross strand diversity opportunities and complexities issues the conference raised.

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Transgressing Gender Binarism in the Workplace? Including Transgender and Intersexuality Perspectives in Organizational Restroom Policies

Monika Huesmann

1 Introduction

Public restrooms and restrooms in organizations are usually gender segregated. Individuals try to find the appropriate men's or women's restrooms. The *Ladies* and *Gentlemen* signs or pictograms on toilet doors "are instrumental to the dominant gender order in the West" (Cavanagh 2010, p. 32). For most people, their needs would have to be quite urgent to use the "wrong" restroom. Transgender/transsexual people or intersex people, however, may not always be able or willing to fit in with this idea of binary gender segregated restrooms. Transgender/transsexual people usually don't identify with the gender assigned to them at birth, and intersex people are usually born with an ambiguous sexual anatomy, so the definition of either male or female is incorrect (Bittner 2011, p. 8).

It is important to acknowledge that transgender/transsexual people and intersex people are not facing the same forms of discrimination (a more detailed and deeper discussion can be found in Köllen 2016), especially when searching for or using restrooms. Intersex people are forced to choose between men's or women's restrooms, although neither might fit their sex/gender identity. Transgender/transsexual people might identify themselves as men or women but might not be accepted in the restrooms because of their biological sex at birth or their gender identity. People are not always either men or women; there are many varieties and identities that do not fit the binary-based man-woman concept.

There is a need to address the discrimination inherent in gender segregated restrooms. This article presents the history and reality of gender segregated restrooms as an institution used in organizations. It discusses the design of

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restrooms from a diversity management perspective and provides some examples which illustrate the difficulties in changing such a persistent institution like gender segregated restrooms.

2 History and Reality of Gender Segregated Restrooms

Gender segregated public restrooms date back to eighteenth century Europe. In 1739, gender segregated public restrooms were set up for a ball in a restaurant in Paris. In the restrooms for women, chambermaids were at their disposal and in the restrooms for men there were valets (Cavanagh 2010, p. 28).

Restrooms have always been a civil rights battleground. For example, the segregation of bathrooms for *white* and *colored* people was based on grounds advanced by white people about race specific diseases that supposedly could be caught from toilet seats. Women have sometimes been excluded from male jobs because no restrooms for women were available in the workplaces (Maskos 2011). Lambda Legal formulated model restroom access policies on the grounds that "Everyone deserves to be treated with respect and dignity, including while involved in such basic human activities as using a public restroom" (Lambda Legal n.d.).

The European Union emphasizes "the need to take seriously discrimination with regard to age, gender, ethnic origin, disability, sexual orientation, religion and belief" (Committee of the Regions 2007, C 57/40). Most of the time, discrimination against transgender/transsexual or intersex people is subsumed under the term sexual orientation (even given the controversial discussions that transgender/transsexual or intersex doesn't express sexual orientations [Köllen 2016]). Discrimination on the grounds of sexual orientation is prohibited in the EU (The Council of the European Union 2000/78/EC), even though the different countries promote it very differently. However, the EU LGBT (Lesbian, Gay, Bisexual and Transgender) Survey (2013) shows that around 30 % of transgender respondents felt discriminated against when looking for a job and/or at work (European Union Agency for Fundamental Rights 2013).

Focusing on diversity in organizations with regard to the dimensions of gender and sexual identity, the often used abbreviation LGBT doesn't describe all varieties. Sexual identity is much more diverse, embracing, for example, omnisexuality, questioning, or all the other facets of identity (see e.g. University of Queensland 2015). The management of workforce diversity is crucial to positively affect performance and climate in organizations, so diversity management is becoming an important part of strategic business management. Many definitions are used to define and interpret diversity management. One simple definition is that diversity management can be understood as "a management philosophy that seeks to recognize and value heterogeneity in organizations" (Özbilgin et al. 2015). There is a wide range of measures to support organizations on their way to recognizing and valuing diversity in the workplace. But recognizing diversity is also a question of how the architecture and design of restrooms make people feel comfortable and safe at work.

3 Restrooms as Institutions

The structure of formal organizations arises in an institutionalized context, and practices that have been institutionalized in society are incorporated into organizations to increase their legitimacy (Meyer and Rowan 1977, p. 340). The institution of gender segregated restrooms (including architecture, interior design, all standards and rules of restroom usage, norms and habits) might not seem to be as important, but at the moment there are very few organizations that do not use gender segregated restrooms.

Restrooms in workplaces are especially gender segregated. In Germany there are legal requirements that have led to their widespread use. The German Work Safety Regulations (Arbeitsstättenverordnung 12.8.2004) stipulate that an employer has to make restrooms available, and restrooms have to be set up for women and men separately, or that it must be possible to use them separately (§6 Arbeitsstättenverordnung 12.8.2004). In some SMEs (small and medium sized enterprises) where only men are employed, only one restroom for men is required. In such cases the employer may think twice about hiring women because of the need to set up a second restroom. This may involve the use of space, time and money. The Technical Rules for Workplaces [German: Technische Regeln für Arbeitsstätten] specify the implementation of the German work safety regulations. Under these rules, gender segregated toilets are required as soon as more than nine workers are employed (technische Regeln für Arbeitsstätten 2013, p. 919) “The New Institutionalism in organizational analysis takes rule systems seriously” (Suchman and Edelman 1996, p. 904). Organizations are complex social actors “whose behavior is shaped as much by their cultural environments as by rational calculations” (Suchman and Edelman 1996, p. 918). They react to legal regulations but not with simple obedience; organizational compliance can be formal and symbolic although consequential (Suchman and Edelman 1996, p. 920). The discussion about all-gender restrooms or unisex restrooms has not found its way into regulations so far.

In the United States the Occupational Safety and Health Administration (OSHA) sets the sanitation standards. These standards require employers to make toilet facilities available and accessible without too many restrictions (Taylor et al. 2011). The Human Rights Campaign (HRC) proposes restroom standards in case of gender transitions in the workplace. But the HRC also emphasizes that these standards might contradict each other. It states that employees can use the restroom that corresponds with their full-time gender presentation, that they might opt for unisex facilities and that they should not be required to do so permanently (Taylor et al. 2011, p. 106). Weiss (2007, p. 26) thinks that organizations should create their own solutions by considering five criteria: number of restrooms within walking distance, availability of single use restrooms, lengths of employees' transitions, employees' comfort levels and the comfort levels of co-workers. It is important to consider that both strategies need an individual that asks for a solution or needs one.

So gender segregated restrooms might not increase legitimacy, but not using them might harm legitimacy or fuel the fear that legitimacy might be questioned. According to Deephouse and Suchman (2008), "'subjects of legitimation' are those social entities, structures, actions and ideas whose acceptability is being assessed" (Deephouse and Suchman 2008, p. 54).

Following the idea that "the more numerous the adopters of a practice, the more widespread its acceptance and the greater its legitimacy" (Deephouse and Suchman 2008, p. 55), gender segregated restrooms seem to be a source of legitimacy in an organization.

However, at the moment, the standard restroom policies are being questioned. Discussions about sex and gender, the idea of changing the rules and policies of organizations from excluding social groups to being inclusive, and diversity promoting policies have all reached at least some employers.

4 Restrooms from the Perspective of Diversity Management

There exists a wide range of instruments and measures to promote and support diversity and to prevent discrimination. In this article the focus is on restrooms as "a small but fundamental part of everyday life" (WSUP n.d.). In all organizations, all people use restrooms and as long as they are at least accessible, clean and functional, they receive little attention. But for employees who dislike or do not fit into gender binarism, the design and accessibility of restrooms can be of great importance. That is the reason why organizational efforts to support diversity should also be directed towards unavoidable places like restrooms. Gender segregated restrooms are some of the last remnants of segregation based on sex (Winkler 2013). Interestingly enough, few people ever question this segregation. Gendered bathrooms do not seem to cause inequalities. But as Michael Kimmel states in an interview about inequality based on race: "That shows how privilege works. Privilege is invisible to those who have it" (Kimmel 2008, p. 7). As long as one does not question a person's gender identity, there is a restroom available, even if women have to accept longer lines.

Approaches to realize a multicultural organization in which diversity is respected and valued are still discussed. One approach is to address instruments to prevent discrimination against certain social groups like women's promotion programs or support for people with disabilities. These positive actions refer to a number of measures to counteract the effects of past discrimination of particular groups (Equality Online 2006). The particular group has to be identified, and afterwards this group can be addressed.

In this context of positive action, one important issue is that the organization needs to know the self-definition of employees (and quite often the assumed standard, which invites no discussion, is cisgender, where individuals experience their own gender matching the sex they were assigned at birth). Ernst & Young introduced Workplace Gender Transition Guidelines (Ernst & Young n.d.), in which rights and responsibilities are described. They recommend in an environment with gender segregated restrooms that "Once the 'real life experience' begins, a transitioning individual will not be required to use the restrooms of his or her designated sex at birth" (Ernst & Young n.d.). The "real life experience" is often used as a legal term and describes a period of time in which transgender individuals live full-time in their preferred gender role (WPATH 2008). In some countries this experience has to be documented before hormone replacement therapy or genital reassignment surgery. It is quite an excessive requirement to force individuals to inform their employers about their idea of transitioning to make sure that they can use the proper restrooms. For co-workers who might feel uncomfortable, Ernst & Young have the rule that "Co-Workers who have personal concerns about sharing restrooms or locker rooms with a transgendered individual should be invited to have an honest discussion with an appropriate People Team Member or a representative of EY [Ernst & Young]" (Ernst & Young n.d.). These guidelines might work for some employees, but it can cause considerable trouble and difficulties for others, especially employees who don't want to be forced to decide between men's and women's restrooms. This example shows that being inclusive and the use of gender segregated restrooms are, in some regards, contradictive, and regulations, along with a lot of involuntary disclosures and specifications do not solve the problem.

5 Legitimate Exceptions of Gender Segregation Concerning Restrooms

So far the institution of gender segregated restrooms can exclude employees from the relaxed, comfortable and safe access of restrooms. Institutions often seem to persist for long periods of time, but "persistence and change go hand-in-hand" (Acemoglu 2009, p. 7). Thornton and Ocasio focus "on three mechanisms of change: institutional entrepreneurs, structural overlap and event sequencing and a fourth topic, often an antecedent or consequence of change—competing institutional logics" (Thornton and Ocasio 2008, p. 115). Institutional entrepreneurs need to have access to resources to change institutions. Transgender/transsexual or intersexual people need resources to change gender segregated restrooms. That is not always the case. Sometimes diversity managers or departments might carry out the mission of being institutional entrepreneurs and support transgender/transsexual or intersexual employees. Structural overlap occurs when different organizational structures are forced into association, and event sequencing is defined as the unfolding of unique events that can transform institutions (Thornton and Ocasio

2008, p.116). For example, the Alice Salomon University of Applied Sciences organized a university day about the everyday discrimination caused by gender binarism (Grothues and Meister 2013, p. 6). This event, followed by the decision to change some dedications of restrooms, marked the change in their restroom policies.

Thinking about restrooms, the fourth topic of competing logics allows for interesting conclusions concerning restroom policies. Thornton and Ocasio state that competing logics are not explanations for change but antecedents or consequences (Thornton and Ocasio 2008, p.118). Gender segregated restrooms are widespread, but there are three exceptions from gender segregation that are accepted which often go unmentioned (Huesmann 2015).

The first exception is the design of restrooms in airplanes, trains and buses. The pictogram is *WC* (see Fig. 1), *00* or just *Restroom*. Shortage of space is an often used argument to introduce one restroom for all people.

The second exception is quite often the disabled restroom (see Fig. 2). Here men and women are supposed to use the same restroom as long as they are disabled. Even the pictogram for this is intended to be not clearly gendered. Most often a person is in a wheelchair (the male shape of this pictogram is understood as neutral). The introduction of this gender neutral restroom is not a widely discussed matter. Shortage of space, the idea that there are not as many disabled people who are using it and the idea that sex/gender doesn't play an important role in the lives of disabled people might be the reasons for this exception.

Fig. 1 ICE train of Deutsche Bahn, 2015. © Photography: Monika Huesmann

Fig. 2 Airport Vienna (1), 2014. © Photography: Monika Huesmann

Fig. 3 Airport Vienna (2), 2014. © Photography: Monika Huesmann

The third exception is not as obvious as the other ones. The station for diaper changing is often integrated into women's restrooms, seldom into disabled restrooms and very seldom into men's restrooms. The usage of the diaper changing station, however, is not based on the gender of the person whose diaper is to be changed. So the segregation is based on the gender of the person who takes care of the diaper changing (see Fig. 3).

These three exceptions are widely accepted, so competing logics of restroom designs can be found in many organizations. As stated before, Thornton and Ocasio argue that competing logics are not an explanation for change but can be seen as antecedents or consequences of change (Thornton and Ocasio 2008, p. 117). In the case of restroom design, these competing logics are persisting in many organizations without the experience of contradiction. But these competing logics might be understood as antecedents for change.

6 The Difficult Steps on the Way to Changing Gender Segregated Restrooms

Institutions are persistent and difficult to change. Holm describes the paradoxical situation of actors who want to change institutions and their actions and intentions are conditioned by those institutions (Holm 1995, p. 398). In the following, some organizational steps to change gender segregated restrooms into designs that are meant to be more inclusive are presented and the struggle to overcome gender binarism is discussed.

Organizations can decide to build new restrooms, redesign and rebuild existing ones fundamentally, or rename or rededicate existing ones. There are different options to introduce non-segregated restrooms or change from gender segregated restrooms to less gender segregated or non-segregated solutions. The most important difference in the design of restrooms is that they can be single stalled or have

Fig. 4 Guggenheim Museum New York, 2015. © Photography: Monika Huesmann

partitions, and the partitions can be solid walls or just a visual protection. To find restrooms and know which ones to use, the most important communication instruments are pictograms. They also tell all employees and external visitors the restroom's policies and the gender ideas concerning restroom usage.

Adjusting the policies for single-stalled restrooms is quite easy because people don't meet while they are using them. Only the regulations about who is invited or meant to enter these restrooms need be changed. One example for the idea to design more inclusive single-stalled restrooms can be found in the University of California. The president of this university responded to concerns raised by gay and transgender students and staff with the direction to create more gender neutral restrooms. All existing single-stall restrooms are made available to users of any gender and single-stalled restrooms will be considered in plans for new and renovated buildings (CBS Los Angeles 2014).

Another solution for single-stalled restrooms is to change them into unisex restrooms. This pictogram can be found on the first floor of the Guggenheim Museum in New York (see Fig. 4). It is interesting to note that the pictogram still refers to gender binarism, even if people of "both" genders are invited. The sub-headline *UNISEX* with the addition *Single Occupancy* displays that the organization thinks that this pictogram requires explanation.

Common restrooms can be a more difficult problem. Very often the women's restrooms are composed of some stalls and a shared place with wash basins and mirrors. Men's restrooms share in the same way a place with wash basins and mirrors, but they can be composed of some stalls and more or less open urinals. One option to redesign common restrooms, for instance, is the rededication of gender segregated restrooms into all-gender restrooms.

The Alice Salomon University of Applied Sciences (ASH) in Berlin discussed this rededication on a university day for gender diversity to avoid discrimination against transsexual persons in January 2013. The ASH rededicated 4 of 22 restrooms into all-gender restrooms. The pictogram of the four restrooms reads *WC all gender welcome*, and the rededication was posted on Facebook. The reactions on Facebook were overwhelming. Some people liked it, but many postings are described as "anti-queer outcry" (Beier 2013: p. 39). A group of students carried out a survey about the all-gender restrooms 1 year after they were introduced (Lüddemann 2014). One interesting finding was that of 353 persons, most of them students of the ASH, 202 thought that all-gender restrooms make sense as a standard practice. But only 168 think that the all-gender restrooms in their university are reasonable. The author didn't try to explain this contradiction. The students also asked if the respondents are using the all-gender restrooms. Students who didn't define themselves as male or female (neither/nor) used the all-gender restrooms quite often (94 %). Students who defined themselves as others (with an open answer field to write down individual identification) used them 100 %. 81 % of the female students used the all-gender restrooms, but only 75 % of the male students used them (Lüddemann 2014, p. 17). It was an unusual decision to rededicate former men's and women's restrooms to all-gender ones. 28 % of the all-gender restroom users are bothered by the open urinals in the former men's restrooms, and 6 % claim missing urinals from the former women's restrooms. Generally, each stall in the former women's restrooms is provided with a trash can and around 13 % claim the trash cans are missing from the former men's restrooms (Lüddemann 2014, p. 13). The pictogram used in the ASH still refers to gender, even if gender binarism is avoided.

A slightly different solution of rededication is chosen by some city halls of the Berlin boroughs Mitte and Friedrichshain Kreuzberg. In September 2014, only one of the women's restrooms was rededicated as a unisex restroom by changing the pictogram to show a man and a woman (Loy 2014). With this solution issues with the urinals were avoided, but now there are fewer women's restrooms compared to men's restrooms. In city halls with restrooms on each floor and only a few users, this might not cause bigger problems. In places where many people use the restrooms in restricted time frames, it can cause problems. Women use restrooms around 5–7 times a day, spending roughly 18 min a day, and men use restrooms 3–4 times a day, using them 15 min a day (Furrer 2004, p. 184). The biggest difference is that women always go into cubicles, which requires more time compared to using urinals. In all theaters, festivals, opera houses and clubs, the effect is obvious: in front of the women's restrooms there are long lines while men just walk into their restrooms. But it is not only the different time needs and the cubicles vs. urinals situation that cause the queues in front of women's bathrooms. In many buildings the space that is used for building restrooms is just divided into two same-sized spaces, one for men and one for women. The space needed for urinals is much less compared to cubicles, which is the reason why men's restrooms regularly provide more facilities compared to women's restrooms. These two effects, having the same size but a different number of facilities, and the time-demanding cubicles, lead to the annoying queuing in front of women's restrooms. Security experts have been demanding for a long time that the waiting lines in front of women's restrooms need to be reconsidered while planning new sport arenas or opera houses. The closing of security doors after a break is always dependent on the last women in line, long after the restrooms for men are emptied. The queuing in front of women's restrooms is a well and widely known phenomenon. It is an open question as to why architects and planners don't rethink the size and design of restrooms and still dedicate half of the restroom space to men's and half to women's restrooms. This is another interesting sign of the resistance from changing something in traditional restroom design.

All together this leads to the conclusion that the rededication of women's restrooms might only be at first sight an easy and cheap solution, but because of the growth of waiting lines in front of women's restrooms, it might cause resistance.

The rededication of existing restrooms by changing the pictograms is obviously a very cheap solution. But even though the changing of signage in the city halls is very cheap without any other adjustments, the argumentation against *gender toilets* is still based on costs (Civitas Institut 2013). On the homepage of the Civitas Institut, a group of Catholic people for Christianization argue that the financing of these "extravagant needs increases the debts of Berlin and the taxpayers have to pay for it" (Civitas Institut 2013).

The *Bildzeitung*, a German tabloid, also contributes to this discussion about the "crazy dispute about the unisex toilet" (Bildonline 2013). They argue that unisex toilets exist in trains, airplanes and many clubs and that they don't cause trouble any more. But in the same article they inconsistently call the resolution of the city hall "a bizarre blossom of gender mainstreaming" (Bildonline 2013). This illustrates the competing logics of the institution of gender segregated restrooms.

The Newark Airport close to New York City still uses gender segregated restrooms, but close by there are companion care restrooms. Each companion care restroom is quite spacious and has a wash basin, a mirror and a toilet bowl. The labels for these companion care restrooms are somewhat confusing: where one pictogram shows a man and a woman with a wall between them, the other pictogram shows a man, a woman and a "neutral" person in a wheelchair without any walls (see Fig. 5). It is not clear how many people are allowed to use them at the same time but they still refer to the classic man, woman and non-gendered disabled person.

These examples show interesting differences about the labels organizations use. It is possible to find all-gender restrooms (e.g. Alice Salomon University of Applied Sciences Berlin), unisex restrooms (e.g. different city halls of Berlin boroughs), gender-free restrooms (e.g. the self-governed student house at the College of

Fig. 5 Newark Airport New York, 2015. © Photography: Monika Huesmann

Fig. 6 WC with urinal and WC without urinal, Gay Advice Center Berlin, 2015. © Photography: Monika Huesmann

Education Freiburg) or gender-neutral restrooms (e.g. University of California). All of these labels still refer to bipolar gender segregation.

Distinct from these gender referencing labels are labels like the simple *Restroom* (e.g. Washington, D.C.) or the denomination the *Schwulenberatung Berlin* (gay advice centre Berlin) uses. In their new office building, one can find restrooms on every landing. They are labeled: *WC with urinal* and *WC without urinal* (see Fig. 6). The advantage of this solution is that restrooms can be used without any reference to sex/gender and no one needs a gender definition to find a restroom. These labels don't refer to gender anymore; the labels describe the function and not the person.

Some organizations or initiators claim positive side effects of all-gender/gender neutral/functional defined restrooms. In many places one can find diaper changing tables in restrooms. Very often they are integrated into women's restrooms and the pictogram shows a woman changing a diaper. A public and legitimate place for men to do so is not always provided. With unisex/gender neutral/all-gender/functional restrooms, the diaper changing table can be included without determining the gender of the diaper-changing person and/or the gender of the person whose diaper is changed.

Another effect is that restrooms for disabled persons are most of the time meant to have gender neutral toilets. This gender neutral design is not only a question of costs and room planning. Looking at the importance that is given to the gender segregation with "normal" restrooms and the implicitness of using a gender neutral design for disabled people, this design denies the importance of sex/gender/sexuality for disabled people compared to not-disabled people. Using a restroom and pictogram design that emphasizes the function of the restrooms (with space for wheelchair or without), disabled people are not treated differently.

7 Conclusion

Gender segregated restrooms are a persistent institution. But there are three exceptions that are widely accepted and most of the time used without protest or uneasiness: the restrooms for disabled people, the restrooms in trains and airplanes, and the diaper changing locations. These competing logics can be interpreted as antecedents of change, particularly to give actors in organizations the strong backing to work on these necessary and important changes. For diversity management, it is a necessary step to have restrooms for everyone of all genders, especially with regard to transsexual rights. There are two perspectives one has to consider: an individual should not be forced to choose between two identities they might not feel comfortable with; and there are persons inside the restroom who might feel insecure or worse. With regard to gender, restrooms can be more relaxed spaces.

The examples of rededicated restrooms show how difficult it is to really dispose of the gender segregated restrooms. But as shown, there is quite a range of restroom layouts that suits the needs of all employees. The most convincing advantages to start with these changes are that organizations don't have to start rearranging restrooms because of an employee's coming out and/or problems because of gender segregated restrooms occur. Restrooms that are not gender segregated don't need to be legalized by *others*; they can be used by everyone as long as they are designed to meet the comfort levels of all employees. And even individual employees or customers don't need to define themselves.

Looking at restrooms in organizations, restrooms, as mentioned above, have been a civil rights battleground, and with the introduction of all-gender/gender neutral/functional restrooms, not all problems are solved. In Maine a state court has ruled that transgender students must be allowed to use the bathrooms that match who they are. They cannot be forced to use unisex facilities. In one case a young student started as a boy and was presented as a girl by the third grade. In the fifth grade the students in this school started to use communal restrooms and the student initially used the girls' restroom. In the fifth grade a male student began to follow her into the girls' restroom saying he could use it too. Because of this and similar incidents, school officials terminated the girl's use of the girls' restroom and required her to use the unisex staff restroom (Wetzstein 2014). The solution of school officials to force this girl to use gender-neutral facilities rather than the girls' restroom is "happening out of this very basic belief that trans girls aren't girls" (Binaohan 2015).

This example shows that restrooms are an important topic to consider but the design of restrooms alone doesn't change prejudices, and the stereotyping and harassment of people who don't fit the stereotypes of the privileged. Organizations should not wait until employees demand access or another design. To avoid suspenseful situations, organizations can, however, take the first step.

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Implementing LGBT-Diversity Management in a Global Company: The Case of SAP

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1 Introduction

SAP employs over 76,000 people, working in more than 130 countries around the world, which makes it a very diverse workplace, due to the various national and cultural backgrounds of its employees. SAP's LGBT organization, Pride@SAP, was founded in Germany in 2001 and was initially named HomoSAPiens. It is SAP's longest-standing employee resources group, and one which has jumpstarted many activities. It has also contributed to making sexual orientation and gender identity key issues of SAP's current diversity management approach. This chapter will first offer a brief overview of the Pride@SAP networks in Germany, the USA, and Brazil. Then the campaign "It Gets Better" will be described, SAP's initiatives in terms of gender identity will be outlined, and a conclusion will end the chapter.

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2 Pride@SAP

2.1 Pride@SAP Germany

The whole concept of employee networks started in 2001 with the very first LGBT group at SAP, initially named HomoSAPiens. This group was created by five employees and started as an informal mailbox, which organized "Rainbow Lunches" for the participants. However, in the summer of 2001, the group became "official", emerging as the first employee network at SAP, and the second LGBT Network in Germany. Although initially HomoSAPiens operated solely at SAP's headquarters in Walldorf in Germany, the news soon spread to other subsidiaries, such as the ones in Brazil and in the USA.

The HomoSAPiens group in Germany, now called Pride@SAP Germany, introduced "diversity talks" at SAP. During the past decade, the group started diversity management, with Diversity@SAP, SAP's office for diversity and inclusion. Around the same time, the first official internal publication made mention of the group, highlighting its existence. From then on, the LGBT group received more and more recognition. In 2008, SAP received the Max-Spohr Award, an accolade which honors companies in Germany for excellent diversity management practices. The donor of this award is the Völklinger Kreis, a German network of gay managers and entrepreneurs. At that time, only four companies had received the award prior to SAP: Ford Germany, Deutsche Bank, Deutsche Bahn, and Volkswagen Financial Services.

In 2009, SAP became a member of the "Bündnis gegen Homophobie" (the "Alliance Against Homophobia") and in 2010 joined the Milk Recruiting Fair (now restyled as "Sticks and Stones"), for LGBT job candidates, where Angelika Dammann, the former Chief Human Resources Officer of the SAP AG, addressed the attendees. In 2013 SAP partnered with Deutsche Bank to host an LGBT think tank workshop. The objective was to further promote diversity, and increase the number of new members (especially women) in the LGBT networks. SAP also collaborated with Berlin City Hall to improve the agenda for transgender employees in the workplace by means of the project "Trans* in Arbeit" ("Trans* at Work") participating in workshops and hosting plenary sessions. In addition, SAP was one of the founding members of the PROUTATWORK Foundation (www.proutatwork.de), which aims at fighting homophobia and transphobia at work.

2.2 Pride@SAP North America

David Ramsay (Program Manager, United States), recalls that the quest for official workplace rights for LGBT colleagues began in 2001: "One of our colleagues, Leslie Bulbuk, had been with SAP Labs in Palo Alto for just over 3 years. Her partner, Marta, was a Brazilian woman working in the tech industry, who found out that her position at a different company was likely to be eliminated". Leslie wanted to ensure that Marta could still have health coverage while she was between jobs, so she took it upon herself to campaign internally for SAP to offer domestic partner health coverage.

This type of coverage was already available at SAP's German headquarters and for other corporate peers local to the Silicon Valley office in which Leslie had worked, so this became a matter of principle and equality of benefits for employees. She worked to rally all the LGBT colleagues she could find at the office to see if she could get the broader support from the group with her request. "We were only really a handful of people at the time", recalls David, "but this led to the start of the Palo Alto chapter of what was then called Global HomoSAPiens" (David).

Leslie also started working closely with the Human Rights Campaign (HRC) to get SAP listed on the Corporate Equality Index (CEI), which at that point was in its infancy as a transformative tool with which corporations could push for LGBT rights. SAP's early scores in the CEI left much to be desired, but with advocacy, education, and perseverance, SAP managed to achieve a 100 % score in 2010. There was, however, still much work to be done.

Moya Watson (Product Manager, United States) remembers a feeling of disenfranchisement among LGBT colleagues in the early days: "We were not represented at Global Diversity Days. Some of the offices were rumored to be 'don't ask, don't tell' environments . . . and I did not know a single out lesbian in an office of thousands. I thought 'what could I possibly do?'" (Moya). The situation for Moya began to change in 2011.

Throughout 2011 and into 2012, Moya began to lead the building of an LGBT presence at SAP Palo Alto. Moya thought that one of the primary reasons for an employee resource group (ERG) to exist would be to foster a sense of belonging and to combat exclusion. Therefore, one of the first things the group did was to initiate a rebranding from HomoSAPiens to Pride@SAP Palo Alto. This was a response to the desire for a more inclusive name. This resonated not only throughout North America but globally as well, and not only did the group grow to become Pride@SAP North America, but the global employee resource group itself was eventually named Pride@SAP.

Individuals, like Leslie, David, and Moya, were the key to the rejuvenation of Pride@SAP North America, but every individual participating in the group as a whole has contributed to its development.

2.3 Pride@SAP Brazil

In mid-2013, a group of five SAP employees from the São Leopoldo office decided to create a local chapter of the global LGBT employee network. The need was felt in the face of a perceived lack of support for the LGBT community in the local office. LGBT topics were not mentioned, and being out was taboo amongst the employees.

After some discussion and development of the structure, Pride@SAP was launched. Membership increased slowly by word of mouth, but there was little initial progression, and the momentum of the group had begun to flag somewhat. This situation changed when Pride@SAP Brazil had a meeting with a more established employee network, the Business Women's Network, whose focus was on career development of female colleagues. This meeting demonstrated that, in order to receive the support needed, Pride@SAP should involve colleagues in strategic areas of the business.

Help was then received from the marketing and human resources departments, and a sponsor from the leadership team, who brought executive oversight. The first thing that the group did was to engage with the colleagues from the other areas of SAP and make one of the founding leaders the primary leader. The communication strategy was to make public the creation of the group via internal communication channels and to ask people to join. The group was 'private', and one could only see the other members by joining the group oneself.

The first result observed was a noticeable membership increase, from 5 members to 30, in a period of 3 months. At the beginning, only LGBT people felt comfortable joining, and the network was perceived as an LGBT-only network. This later changed through a campaign that called for 'allies'. Straight colleagues were asked to record videos and to thereby send a positive message to LGBT coworkers. Official communications from the company spread the news about the activities of Pride@SAP Brazil, which helped the group to gain considerable attention within the company. However, most of the members joined because of word of mouth.

After some time, some straight colleagues began joining the group, which led to a change in the identity and strategy of the group. Pride@SAP Brazil was now positioned as a group for "everyone who believes in equality", regardless of his or her sexual orientation or gender identity. This made the distribution of the group shift, with 50 % of members now self-identifying as non-LGBT. In the interests of transparency, the list of members was subsequently made visible to everyone, in order to emphasize that there was no need for members to hide or feel in any way ashamed.

Information about the group and its impact on diversity was included in the official onboarding process. Workshops on "Diversity and Inclusion" were conceptualized and conducted, aiming to increase the general awareness of these issues. The workshops were open to anyone who wanted to understand more about diversity. Furthermore, members started to participate in LGBT roundtable discussions, addressing issues of LGBT diversity. The leader of the group, Niarchos Pombo, started participating in leadership team meetings and wrote emails to managers, with the support of the HR department, so that LGBT diversity was also something that came from top to bottom.

In 2014, Pride@SAP Brazil organized the first southern Brazil LGBT Summit, to discuss LGBT diversity. Currently, Pride@SAP Brazil is working with SAP offices in other Latin American subsidiaries, such as Argentina and Mexico, to create and develop their first two employee networks: Pride@SAP and Business Women's Network.

3 It Gets Better

2012 was a very important year for Pride@SAP, not only because of the rebrand of the group, from HomoSAPiens to Pride@SAP, but also because it was the year in which Pride@SAP joined the "It Gets Better" project (see http://www.itgetsbetter.org/). Moya Watson started to show some of the videos filmed for the "It Gets Better" project from SAP's corporate peers at the LGBT monthly lunches, a series of informal lunch gatherings with the participation of LGBT colleagues. It was apparent, by early 2012, that there was a high degree of interest from many SAP employees in joining the "It Gets Better" Project.

It was then that Moya discovered something that, whilst initially shocking, would prove ultimately transformative, galvanizing a whole movement within SAP. A colleague, Steve Fehr, had only weeks before lost his 18 year old son Jeffrey to suicide. Jeffrey had been a trailblazer, as an out male cheerleader at his high school, and a role model for many, but years of anti-gay bullying had finally taken their toll. When Moya approached Steve about making SAP's "It Gets Better" film in the wake of this loss, his response was: "I will do whatever I can to prevent one family suffering the pain and loss we suffer" (Steve, USA).

The result was not only a groundbreaking "It Gets Better" film that made a huge impact inside SAP and outside the company, but also a much larger and newly rejuvenated LGBT employee network that welcomed friends and allies.

However, in the same year of the release of "It Gets Better: SAP Employees", SAP took a dip in its score in the Corporate Equality Index (CEI) of the Human Rights Campaign (HRC). The HRC had added health benefits for transitioning employees to the CEI criteria in 2012, which caused the rating of SAP to drop. To regain the 100 % score, it was necessary from then on to broaden both focus and remit, and to actively ameliorate the situation for transgender and transitioning employees. SAP has pursued this goal, but it took SAP (and many other indexed companies) some years to regain a perfect score. David Ramsay spearheaded this achievement, by working hand-in-hand with colleagues in the SAP payroll department, who have, since then, become strong allies for Pride@SAP. David emphasizes four points for success in working with stakeholders on LGBT equality internally: "Start early, build relationships, create a business case, and engage executive sponsors" (David).

4 Gender Identity

4.1 Gender Transition Guidelines

The Gender Transition Guidelines (GTG) were created in Germany. They serve as a guide for dealing with the issue of transsexualism or transgender identity for personnel administration (human resources), supervisors, and employees who may be affected directly or indirectly. More importantly, they provide transgender employees with a resource, in which they can find information and guidance on the processes available.

The GTG were published in 2008, and were written by Claudia Schmidt, while she was undergoing her transition. They were the first guidelines regarding this subject that SAP had, largely because this was the first situation of the kind that SAP had faced. “Had the GTG been in place when I started transitioning I could have spared myself and others lots of hours and nerves,” recalls Claudia. Based on this initial case, representatives from Pride@SAP, HR, and additional organizational levels from the company assessed the case and identified which areas and departments might be affected by a transition. From the standard guideline structure provided by the HRC in the US, the GTG was written and tailored to the specifics needs of SAP.

The GTG describes aspects of transitioning with respect to administration and social life at SAP, and serves as general orientation for SAP and employees with the subtitle “How do I start the transition process in my work environment?”. Since each case is unique, the GTG is a basic resource, providing a foundation where employees can start.

Claudia remembers that “For me it all started back in 2006 when I realized there was not a snowflake’s chance in hell I could continue with the life I had been leading up to that time. However, here is where the trouble starts. How will friends and family react? What about other people? The workplace is one of the areas where we spend many hours in contact with colleagues and customers and even sports activities take place here. What was most important to me was to keep an environment which I felt provided stability and some ‘homeliness’ compared to all the changes that were about to come” (Claudia, developer, Germany).

Almost all those around transgender people are unaware of the everyday annoyances that they may experience, depending on the degree of passing as a member of the respective gender. This is why support and guidance are very important. With the GTG, SAP has a basis from where it can start.

“I had an agreement with my manager to work at home during the transition process,” says Paula, a consultant from Brazil. During this time, her HR Director took the initiative to invite Paula’s psychologist to explain more about gender identity, transgender and the transition process to the whole office. “It was a very important step, because he explained and gave information to decrease the prejudices”, says Paula. However, many obstacles persist. Paula continues: “After the transition, some people distanced themselves from me. Despite the SAP guidelines, I still suffer some prejudice at work [. . .]. What we need the most, not only at SAP, is information” (Paula).

4.2 Gender-Neutral Toilets/Restrooms

“Has anybody ever taken the wrong door to the restrooms? Imagine how you would feel if you were forced to use the facilities of the other gender on a daily basis,” says

Claudia. Using a restroom that does not conform to your gender can cause a lot of distress to those during the male/female transition. A person becomes subject to discrimination and harassment, no matter which binary toilet he or she chooses.

With this in mind, SAP decided to create gender-neutral toilets. Since January 2015, three toilet facilities in Waldorf in Germany were redesigned as gender-neutral, having the transgender symbol on their doors. The objective of this change was to provide everyone with an environment in which they could feel safe, while also embracing the wellbeing of everyone in the workforce.

4.3 HR and Trans Applicants

A few years ago, SAP began defining more explicitly how to make its workforce more diverse. The activities that focus on bringing more minorities, including LGBT, to the workforce are coordinated by Diversity@SAP and Pride@SAP, two offices that deal with these cases worldwide. Their activities have full support from HR.

"HR participates in the actions created by Pride@SAP, but they are the ones that create and suggest such activities", clarifies Adriana, HR Director from Brazil. Regarding trans applicants, the HR department has no special activities. If the applicant uses a different social name than the one on his/her documents, corporate e-mails and IDs are modified to match his/her preference. Paula says that "When I decided to undergo the transition, they changed my data to reflect my social name without delay".

SAP does not try to "hide" trans people from customers and partners. On the contrary, SAP gives all the support it can in order to avoid prejudice and annoyances that might arise due to a difference in documentation regarding the social name. "SAP issued a letter to the first customer that I visited after my transition, explaining about my documentation," explains Paula.

5 Conclusion

LGBT rights at SAP have come a long way since its inception. In such a small amount of time, several LGBT groups have been started and are paving the way for more ongoing progress and development. They have gained ground and recognition that would have been inconceivable at the outset. Adriana says, "We have dealt with all of this very quickly. Ten years ago, everything was new, more complicated, but we have gone through situations that demonstrated that we will deal with it".

Support continues to improve, especially from a top management standpoint. For instance, on 18 June 2015, SAP has declared that they would be taking part, for the first time, in the Annual San Francisco Pride Parade, and one of the many people representing SAP was Jenny Dearborn (Chief Learning Officer at SAP and executive sponsor of the Pride@SAP employee network, United States). She is one of the global leaders that are actively working towards an improved future for LGBT inside and outside SAP. “Creating a diverse and inclusive culture makes us a better company, fuels our innovation, enhances our daily work and leads to a more authentic and fulfilling day-to-day work experience for all of our employees” (Dearborn 2015).

However, SAP has much more still to achieve. Debora de Souza, a Support Team Manager from Brazil, says, “The challenge is still the discrimination, because it is veiled. It is not someone saying ‘I do not want to work with this person because he is gay’, but there is the discrimination of avoiding this person, of unconsciously not inviting this person to a project or initiative. If we reach the point where everyone is seen as a person, and what matters is the delivered result, then we have met our goal” (Debora, Support Team Manager, Brazil).

Despite all this, as Adriana remarks, “the most important thing is the company showing that it has an open environment, where the person feels safe and respected. It’s different when the company has 100 % of its workforce with good access to information. It eases the inclusion and the acceptance of diversity. We still have a lot to do, but it’s easier due to our people” (Adriana).

“Run Prouder”, an initiative by Pride@SAP Brazil to demonstrate a welcoming environment where LGBT and non-LGBT colleagues could work together was so successful that it is currently being replicated by other locations to increase LGBT awareness. “Today at SAP we can say ‘We are not only here; we make a difference’”, states Moya. She goes on to add that “I know my sense of purpose definitely comes from the opportunity to make the world better for our kids and from a passion for helping our LGBT colleagues around the world feel safe and work to their fullest potential. And SAP values and supports me in that purpose” (Moya).

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Reference

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