

## Challenges and Opportunities for LGBTQI+ Inclusion at Work

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Abstract: Over the past forty years, an early emphasis on equal opportunities among both Human Resource Management (HRM) practitioners and scholars has gradually shifted to a focus on diversity management and, more recently, a burgeoning interest in inclusion (Oswick & Noon, 2014). This chapter examines inclusion in the context of lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) employees and provides an overview of the current state of play and further opportunities for employers to facilitate the full and free participation of these workers. After defining inclusion and its appeal to organisations, we will review organisational challenges to the inclusion of LGBTQI+ workers, including those unique to members of this community relative to other minority groups and also those posed by the diversity within this group.

Keywords: LGBTQI+, Gender, Sexual Orientation, Diversity, Inclusion, Stigma, Employee Resource Groups

## **Challenges and Opportunities for LGBTQI+ Inclusion at Work**

### **Introduction**

Over the past forty years, an early emphasis on equal opportunities among both Human Resource Management (HRM) practitioners and scholars has gradually shifted to a focus on diversity management and, more recently, a burgeoning interest in inclusion (Oswick & Noon, 2014). This means that while the primary goal of most organisations used to reside in 'levelling the playing field' for women and members of minority and marginalised groups, organisational attention now centres on leveraging workforce diversity for profit and productivity: "managing" diversity as a resource to be exploited. The concept of inclusion refers to organisational efforts to make employees feel valued, respected and able to contribute to organisational processes as a fully belonging member.

This chapter examines inclusion in the context of lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) employees and provides an overview of the current state of play and further opportunities for employers to facilitate the full and free participation of these workers. After defining inclusion and its appeal to organisations, we will review organisational challenges to the inclusion of LGBTQI+ workers, including those unique to members of this community relative to other minority groups and also those posed by the diversity within this group. How can organisations successfully celebrate diverse identities without perpetuating stereotypes, or outing individuals against their wishes? How can employers ensure that LGBTQI+ voices are represented in the design and delivery of organisational initiatives without adding extra (unpaid) labour to their existing workloads? From the discussion of these issues, the chapter will go on to explore steps that organisations can take to increase inclusion, such as continuous engagement initiatives, employee resource groups and environmental cues that normalise diversity in sexual orientation and gender identity expression. We will then conclude by looking ahead to remaining challenges for LGBTQI+ employees and multinational organisations in the context of increasing social conservatism in many countries.

*What is inclusion and why do organisations want to have it?*

Inclusion has been defined in a variety of ways, most of which feature the idea of belongingness. According to Shore et al. (2011, p. 1265), inclusion is "the degree to which an employee perceives that he or she is an esteemed member of the work group through experiencing treatment that satisfies his or her needs for belongingness and uniqueness".

Taking a more critical approach and linking inclusion to the business case for diversity, Baker and Kelan (2015) characterise inclusion as “a change process focusing on engaging, integrating and valuing individual employees” (p. 81) in order that they might be “harnessed to increase the effectiveness of an organisation’s human capital” (p. 82). In keeping with this notion of organisational effectiveness, common reasons for prioritising inclusion include positive effects on brand building among potential customers or clients; reducing incidence of discrimination or harassment that might otherwise result in costly litigation; and improving recruitment and retention, particularly among younger workers who are more aware of social diversity issues and more attuned to employers’ equality and diversity credentials (Gibson and Fernandez, 2018). Meeting legal obligations with regard to equalities legislation and fulfilling corporate social responsibility imperatives are also drivers of inclusion initiatives in organisations, as are expectations of greater employee productivity.

Empirical evidence supports the positive impact of inclusion on job-related attitudes and behaviours. For example, Downey and colleagues (2015) found that organisational diversity practices predict increased employee engagement via the establishment of a trusting climate, and the relationship between diversity practices and trust climate is moderated by employee perceptions of inclusion. Inclusive organisational practices and leader behaviours have been positively associated with perceived organisational performance in public sector employees (Sabharwal, 2014) and with increased quality of care among human service employees, via increased innovation and job satisfaction (Brimhall & Mor Barak, 2018). In a study of LGBT US federal employees, Sabharwal and colleagues (2019) found that perceptions of an open and supportive workplace environment were associated with lower levels of intentions to leave the organisation.

Recent research on the extent to which LGBTQI+ employees experience workplace inclusion shows that while the situation has improved over time, inclusion remains elusive for many. According to the Human Rights Campaign Foundation’s (2018) report, nearly half of LGBTQ workers in the United States of America are closeted at work; while over seventy percent of both straight and LGBTQ workers report that they are comfortable talking about their partner, spouse or dating to their colleagues, 36% of straight workers say they would be uncomfortable hearing an LGBTQ co-worker talk about dating and just under 60% of straight workers think that it is “unprofessional” to discuss sexual orientation or gender identity in the workplace. In the United Kingdom, research from the LGBT rights charity Stonewall found that more than a third of LGBT workers report having concealed their sexual orientation or gender identity within the past year to avoid discrimination (Bachmann & Gooch, 2018). Other findings demonstrated how a significant minority of LGBTQI+ individuals would not feel comfortable reporting homophobic or transphobic bullying in the workplace to their employers, and that nearly one third of transgender workers who identify as non-binary don’t feel able to wear work clothing that represents their gender expression. Looking at corporate signals, only 34% of FTSE250 company websites mention sexual orientation (Stockdale et al., 2018), and only 17% of FTSE100 company websites refer directly to transgender individuals (Beauregard, Arevshatian, Booth, & Whittle, 2018).

### ***How can organisations improve this situation for their LGBTQI+ employees and work toward inclusion for all?***

Given the sizeable LGBTQI+ umbrella and the diversity that falls underneath it, organisations have much to consider and manage to ensure that appropriate policies and practices are implemented, working effectively, and are sustainable. This section discusses the unique challenges that LGBTQI+ individuals face in the workplace. Further, we discuss how organisations can adequately celebrate sexual orientation and gender identities without making LGBTQI+ employees feel tokenized. We also consider that not all LGBTQI+ individuals desire to

be 'out' at work, and that some organisational programs, even though perhaps meant from 'good' intentions, have potential to be perceived as invasive.

### *Challenges faced by LGBTQI+ individuals in the workplace*

The challenges of LGBTQI+ individuals do not merely arise while employed in an organisation and navigating their respective organisation's practices and policies. Due to prejudices related to being LGBTQI+, these individuals often speak to limited employment access and career paths that are often delayed, hindered, or sabotaged. Early career issues can occur with LGBTQI+ youth, as many are not getting the right direction and coaching from career advisors as these advisors may not be adequately equipped nor have knowledge about how to best serve the needs of LGBTQI+ youth (e.g., Goodrich, 2012). LGBTQI+ youth also tend to be more attentive to their identity development than their future career prospects (Schmidt & Nilsson, 2006; Scott, Belke, & Barfield, 2011). Career selection is put on hold as cognitive resources required to make these early career decisions are being usurped. This resource depletion is further compounded by anxiety related to anticipated discrimination in the workplace (e.g., Scott et al., 2011).

In their meta-analytic synthesis of international studies, Blais et al. (2018) reported that 12.3% of LGBTQI+ applicants, on average, have indicated that they were encouraged not to apply or were removed from the hiring process altogether. Further, indicating association with a trans group or organisation dramatically reduces the chances that one receives a callback from an employing organisation (Bardales, 2013). Although the attributes that would identify one as LGBTQI+ are often invisible or undetectable, discrimination has occurred during job interviews with candidates not receiving job offers due to being their authentic self, e.g., gay male candidate behaving in an effeminate manner or trans candidate not perfectly 'passing' as their preferred gender (e.g., Budge, Tebbe, & Howard, 2010). Additionally, for trans applicants, unfortunately, it can be a 'damned if you do, damned if you don't' scenario regarding disclosing gender history in a job application. If one does not disclose and is later determined different, the trans individual can be judged by the employer as lying (Budge et al., 2010). Yet, if one does disclose, the employing organisation may question the applicant's credibility, mental health, and professional fitness (MacDonnell & Grigorovich, 2012). Hence, trans applicants are likely to be more concerned about how they will be perceived (Waite, 2012). These additional concerns have negative implications for how confidently trans individuals present themselves and may further induce anxiety and fear (Pepper & Lorah, 2008). To be sure, LGBTQI+ applicants' experiences during the recruitment and selection process are largely dependent on the national and/or local jurisdiction laws of the applicant. LGBTQI+ applicants tend to face greater discrimination in countries considered less liberal (e.g., Greece) than in those considered more liberal (e.g., Belgium; Steffens et al., 2016).

Studies also have shown that anticipation of stigma and ultimately discrimination inhibits LGBTQI+ individuals in recognizing and pursuing potential job and career opportunities (e.g., Fassinger, 1996). As a result, some LGBTQI+ employees tend to remain employed with longer tenures in organisations where they feel protected from discrimination and/or ghettoize themselves by working in 'gay'borhoods and/or in occupations in which they can be their authentic selves with minimal risk of harm or discrimination. Hence, LGBTQI+ employees often sacrifice career promotion and growth opportunities, fit with their qualifications and abilities, and increased wages (Ragins, 2004; Ragins & Cornwell, 2001). Evidence has shown the consequences that LGBTQI+ individuals can face by not pursuing potential career advancement in order to avoid discrimination: for example, LGBTQI+ individuals have received lower salaries than heterosexual employees (Ng, Schweitzer, & Lyones, 2012), and trans individuals have accepted lower-skilled and lower-paid job opportunities (Gagné, Tewksbury, & McGaughey, 1997) as a result of anticipated stigma.

Due to the prevalence of LGBTQI+ identities being stigmatised both in the media and real life, the anticipation of such events are likely salient and stressful to LGBTQI+ individuals, in turn impacting their confidence, mental health, and performance. Across international samples, 42.4% of LGBTQI+ employees reported being victims of verbal harassment; 38.9% indicated having been asked inappropriate question(s) about their identity; while 25.4%, on average, stated they were the recipient of rumors that questioned their abilities and reputation in the workplace (Blais et al., 2018). Transgender employees may face even greater risk from discrimination and stress because trans people are three times more likely to lose their jobs in comparison with their LGB counterparts (Sears & Mallory, 2011). For those who belong to other minority groups in addition to LGBTQI+ categories, their risk of discrimination can dramatically increase, as result of 'double jeopardy' or belonging to multiple marginalized groups who may additively or multiplicatively experience harm (Berdahl & Moore, 2006).

Another challenge of LGBTQI+ employees is that of underrepresentation; specifically, that LGBTQI+ identified individuals are underrepresented in organisational literature and are unlikely to be reflected in middle management or at the top ranks of the organisation. Hence, there tends to be no recognition or anyone to look up to as visible representation to junior LGBTQI+ that progression is possible. For example, only 17% of FTSE 100 companies' websites specifically provide discussion related to trans employees' issues (Beauregard et al., 2018). Signal and attraction-selection-attrition theories suggest potential trans applicants may not be attracted to organisations who do not speak to the trans community, in turn making it more difficult for organisations to acquire more trans leaders (Schneider, 1987; Rynes, 1991). Although in the minority, there are examples like Tim Cook, CEO of Apple, and Martine Rothblatt, CEO of United Therapeutics Corporation who are breaking barriers and providing leadership examples required to promote LGBTQI+ advancement.

Finally, transitioning to one's identified gender is a long and difficult process for trans individuals, both physically and mentally (Jones, 2013). The mind and body requirements for change to occur can take medical attention, e.g., medical, surgical, and cosmetic procedures and therapies, and these transitioning individuals often experience pain and discomfort due to these operations and procedures. As transitioning takes time, trans employees may appear or present differently depending on their stage of transition. Some choose not to go through the lengthy and often painful process, yet may desire some medical or cosmetic change to better fit their identified gender. For example, some may choose to dress in ways that confirm their identity, morph their body so that they present as their identified gender (e.g., binding breasts, tucking genitalia), and/or dress to appear gender neutral or androgynous (see Richards et al, 2016). Even if trans individuals make an effort to 'pass' to the public as their sex identity, they may never completely 'pass' as it can be difficult to fully change genetics. Trans employees have suggested that this period is extremely stressful and one where they are very vulnerable (e.g., forced to use employer restrooms or to follow dress codes that do not fit their identity), with some reporting experiences of being bullied, harassed, diminished, rejected, and discriminated (Jones, 2013; Marvell, Broughton, Bresse, & Tyler, 2017).

During and after the transitioning process, trans employees may be referred to as the wrong pronoun by the cisgender public and workplace colleagues, leaving trans employees feeling disrespected (Bender-Baird, 2011; Brewster, Velez, Mennicke, & Tebbe, 2014). Depending on the legal protection provided, trans employees may lose their jobs due to their employer citing reasons related to the trans worker failing to meet the required competences; however, such terminations are usually linked to prejudiced organisational cultures (Budge et al., 2010; Gut, Arevshatian, & Beauregard, 2018). Although trans employees generally feel better about themselves after transitioning, performance evaluations can change particularly for MtF trans employees, as now they begin to experience the inequalities and biases that women have faced for centuries (Schilt & Connell, 2007; Yavorsky, 2012).

### *The risk of tokenism*

When organisations actually ‘walk the talk,’ LGBTQI+ related inclusive practices and policies can minimise perceived discrimination by employees, in turn increasing the number of people who choose to disclose their LGBTQI+ identities. Policy related to significant others being welcome to company social events has been found to be the most influential initiative of all policies and practices tested in a quantitative study by Ragins & Cornwell (2001). Yet, when implementing and managing practices and policies, organisations must show to all stakeholders that they have a sincere interest in the advancement and wellbeing of their minority employees and are making a genuine effort. Organisations must try and do this without embracing surface-level symbolism which, whilst giving the appearance of being inclusive, achieves only superficial outcomes rather than real change. In this way, LGBTQI+ stakeholders and related initiatives are used as tokens to generate public goodwill and manage organisational branding and image. For example, while employers distributing LGBTQI+ ‘rainbow’ lanyards to employees who wish to demonstrate allyship with the LGBTQI+ community can help to amplify and normalise such support, it can also have the unintended consequence of ambiguating the signal value of the lanyard. Some employees who wear ‘rainbow’ lanyards do not embody legitimate allyship behaviours, and it can confuse LGBTQI+ employees in identifying whom to approach in the workplace for support and resources (Calvard, O’Toole, & Hardwick, 2020). Such initiatives, particularly if token gestures, can falsely promote stakeholder impressions that homophobia and transphobia have been erased from the workplace and foster a false sense of security. Yet, in reality, some LGBTQI+ employees in these contexts may remain fearful due to the presence of stigma and bias (Calvard et al., 2020).

If employer efforts make employees feel tokenized, research has suggested that minorities might suffer from negative consequences due to heightened visibility and pressures to perform certain tasks (e.g., King, Hebl, George, & Matusik, 2010). In implementing their inclusive initiatives, organisations often can treat their LGBTQI+ members as ‘model minorities’, basing role, task, and other assignments on stereotypes of the group. When these initiatives emerge and require staff to implement them, managers tend to rely on their default response and approach minority employees in their teams to take on these roles. This can be exhausting for employees who may feel overworked with the additional duties and find it challenging to complete their assigned job tasks and maintain work-life balance (Calvard et al., 2020). Consistently assigning minority employees to these diversity and inclusion roles also reduces the opportunity for majority employees to champion and lead inclusive initiatives. Additionally, managers can assign other work and nonwork-related duties (e.g., planning office socials) based on positive stereotypes (e.g., gay men are stylish), yet this misguided approach can lead employees feeling frustrated, improperly utilized, and not genuinely celebrated.

### *The question of disclosure*

Although disclosure tends to be greater in organisations that have policies that forbid discrimination and encourage inclusivity, identity disclosure is a very personal decision and dependent on the person and their situation (Ragins & Cornwell, 2001). Following invisible stigma disclosure (Ragins, 2008) and cross-domain identity transition (Ladge, Clair, & Greenberg, 2012) theories, LGBTQI+ employees who have disclosed their stigmatized identity in both work and nonwork domains, have complete identity integration and may be best suited to take full advantage of their organisation’s inclusive initiatives and workplace relationships, which facilitate improved personal and work-related outcomes (e.g., Law, Martinez, Ruggs, Hebl, & Akers, 2011). However, these outcomes likely are enhanced when employees, working with their respective human resources department and management, can completely control their disclosure narrative (Bender-Baird, 2011). Although the decision to disclose is dependent

on supportive contexts, individual differences, and perceived disclosure consequences (Ragins, 2008), disclosure is not an all-or-none phenomenon for LGBTQI+ employees (Ragins & Cornwell, 2001). Ragins and Cornwell (2001) reported that 11.7% did not disclose their sexual orientation identity at work; 61.6% disclosed to some extent, while the remainder indicated complete disclosure. Trans employees' disclosure rate at work is lower, with evidence from one study suggesting that only 35% disclose their trans identity (Maguen, Shipherd, Harris, & Welch, 2007).

Even in workplace contexts where diversity is celebrated, some LGBTQI+ employees choose not to disclose. This could stem from LGBTQI+ employees' individual differences, their desire to maintain a specific workplace image, and/or trying to avoid biased evaluations from others in the workplace (e.g., students finding straight instructors more credible than gay instructors; Russ, Simonds, & Hunt, 2010). Some may decide to create a façade to successfully conceal their LGBTQI+ identity to meet the above objectives; however, this has the potential to elicit personal burnout and other negative outcomes (Newheiser & Barreto, 2014; Ragins, 2008). Further, some trans individuals have the ability to 'pass' in public and thus 'go stealth' in their workplace as their affirmed gender, preferring instead to subvert the stigma and challenges that are associated with being openly trans (Budge et al., 2010).

Therefore, even if organisations are being genuine and proactive, they must realise that they cannot force their inclusive initiatives on unwilling participants. Employees who do not want to disclose their LGBTQI+ identity and sense that they have no choice with organisational practices and policies may have a negative emotional response, disidentify and withdraw from work (e.g., Booth, Shantz, Glomb, Duffy, & Stillwell, 2020; Shantz & Booth, 2014). They may not feel understood by the organisation because initiatives are not self-verifying and have the potential to jeopardize their desired state of identity (Booth et al., 2020). These employees could perceive such practices as an invasion of privacy, particularly if they are inundated and constantly reminded of the initiatives. Although these practices are intended to be inclusive, LGBTQI+ employees who do not want to lose their control over their disclosure decision may perceive such initiatives as mechanisms to be 'outed' (Budge et al., 2010).

### ***Moving toward inclusion***

In spite of these challenges, we have identified three ways organisations can begin better supporting their LGBTQI+ employees.

### ***Signals and systems***

A meaningful way for organisations to be more inclusive of LGBTQI+ employees is to deploy signals and systems that make it easy for employees to embody their LGBTQI+ identity at work, should they choose to do so (Clair, Beatty, and Maclean, 2005). In the proceeding section, we differentiate signals from systems, defining the former as any stimuli that provides a visual cue that LGBTQI+ identities are welcome in an organisational context, and the latter as processes that facilitate the authentic inclusion of LGBTQI+ identities with as little emotional labour needed from the individual as possible. In line with Follmer, Sabat, and Siuta (2019), we propose the simultaneous deployment of signals and systemic processes to be an imperative part of destigmatizing LGBTQI+ identities within the workplace.

#### **Signals**

As stated, there are a number of signals organisations can use to communicate the acceptance of LGBTQI+ employees, beginning with the creation of a job posting through to an employee's departure from the organisation. One way to signal inclusion is the utilisation of

gender neutral language in recruitment materials. Gender neutral language speaks to both the use of gendered pronouns, but also gender coded words. It has long been accepted that the language used in job postings has a cascading effect on the types of people who are drawn to an organisation, and, in turn, the extent to which that organisation's culture is welcoming to others (Bem and Bem, 1973; cf., Eagly and Karau, 1991; Schmader, Whitehead, and Wysocki, 2007). Indeed, an experimental study by Gaucher, Friesen, and Kay (2011) found that crafting job postings with 'masculine-coded' words -- such as 'competitive,' 'headstrong,' 'outspoken' -- led women to find such postings less appealing. It would behoove organisations to apply these binary-gender learnings to ensure adverts are as accessible as possible to potential employees outside the gender binary as well. One action point for organisations is to ensure job postings utilise gender-neutral descriptors (e.g., the singular 'they' or 'this person,' rather than 'he' or 'she') when describing desirable applicants in job adverts. To further optimise performance in this area, organisations can utilise software to screen potential job postings and flag gendered language, such as Applied and Gender Decoder.

Workplace policies can also be used to signal inclusion of non-normative gender expression. Many corporate dress code policies have, historically, dictated different rules for men and women. In 2010, Swiss bank UBS notably received much criticism upon its 44-page staff dress code being made public, in which women were instructed how to apply makeup, which perfumes to wear, and even the colour of their underwear, while men were told to keep their beards neat and were permitted to wear only a black suit with a red tie (BBC, 2011). However, as noted by the Society for Human Resource Management, dress codes are often based on stereotypical gender presentations; it's not unheard of for women to be strongly encouraged to wear a full-face makeup, while it would be frowned upon for a man to arrive in the same way (Wilkie, 2019). Such reductive policies often disproportionately impact LGBTQI+ people, as queer people are more likely to embody non-normative or genderfluid gender expression (Sawyer and Thoroughgood, 2017). If organisations feel appearance guidelines to be necessary, they should make them applicable to all employees (e.g., ripped jeans are not permissible at work), rather than stratifying guidelines according to gender, as to allow all employees to express themselves authentically.

Organisations can also use formal benefits policies to signal their support for non-traditional familial structures, specifically as pertains to partner benefits and care leave. Though same-sex marriage is becoming more commonplace throughout the west, enabling same-sex partners to enjoy the same benefits afforded to heterosexual couples (e.g., healthcare, tax breaks, etc.), there remain many places where same-sex relationships are held on unequal footing. As such, organisations should proactively incorporate same-sex partner benefits to whatever extent their operating country laws allow them to do so, including allowances for formal marriages not being possible (e.g., acknowledging common law partnerships). Healthcare benefits should also cover trans-specific healthcare needs, such as hormones or gender-affirming surgeries such as voluntary mastectomies ('top surgery'). In addition to marital/partner benefits, same-sex couples who choose to have children are also liable to face challenges accessing parental leave. A study of same-sex parental leave policies in 34 OECD countries found that same-sex male couples were at the greatest deficit compared to their mixed-sex counterparts, with only four countries providing equal leave, as compared to the 19 countries that offer equal leave to same-sex female couples (Wong, Jou, Raub, and Heymann, 2019). Where possible, organisations should supplement these national leave policies such that same-sex employees receive the same leave entitlements as heterosexual employees.

Another way organisations can signal acceptance of LGBTQI+ individuals is to encourage all employees to include their pronouns in email signatures. As elaborated by the UK-based LGBT+ advocacy organisation Stonewall, requesting that all employees specify their pronouns may help trans/non-binary/gender non-conforming employees feel less othered in their experience of having to clarify theirs. Having pronouns included in a statutory setting such



as an email signature further provides others with a point of reference, reducing the onus on LGBT+ employees to have to continually “come out” with respect to their gender identity. It’s important, however, for organisations to encourage rather than require pronoun sharing, as making it mandatory may make employees feel pressured to “out” themselves before they’re ready, or may otherwise contribute to a hostile working experience for some individuals (McDonald, 2019).

In addition to the aforementioned language-based strategies for signalling inclusion to LGBTQI+ employees, organisations should also consider utilising visual signals of LGBTQI+ inclusion. Another way this can be achieved is through the acknowledgement of commemorative days significant to the LGBTQI+ community, including Pride month, National Coming Out Day, and Trans Awareness Week. Acknowledgement can take the form of posters, informational articles on company intranet sites, or written statements. Finally, organisations can encourage employees to personalize their workspaces, where personalization is defined as “the display and arrangement of artifacts and objects according to personal choices and desires” (Elsbach and Pratt, 2007: 198). Research by Elsbach (2003, 2004), Gosling, Ko, Mannarelli, and Morris (2002), and Wells (2000) have documented that personalizing workspaces facilitates feelings of identity affirmation and distinctiveness, particularly in highly depersonalized environments such as call centers. Wells (2000) further demonstrated that these positive feelings contribute towards lower levels of turnover and higher overall morale.

## Systems

Though signals are a crucial first step to promoting the inclusion of LGBTQI+ identities in the workplace, it’s equally imperative that these signals are met with systemic processes within an organisation that turn the promise of inclusion into a reality. One systemic change organisations can make to support LGBTQI+ employees is the equipment of all workspaces with gender neutral bathrooms. The topic of bathroom usage has come under much public scrutiny in recent years, perhaps most famously within the context of North Carolina’s Public Facilities Privacy & Security Act, or House Bill 2 (HB2). Passed in 2016, a portion of HB2 required that citizens only use restrooms that aligned with the sex listed on their birth certificate (Lichtblau and Faussett, 2016). HB2 and similar laws are problematic not only for transgender individuals, but also for cisgender individuals who present in a way that is atypical of their assigned sex. Explicitly identifying certain restrooms as all-gender or gender-neutral alleviates concerns that one might find themselves in harm’s way for doing gender ‘incorrectly,’ and reduces the labour of trans/gender non-conforming employees to seek out safe accommodation.’

Another systemic change organisations can employ to support their LGBTQI+ employees is to include fields for legal and preferred names; pronouns; and gender-neutral honorifics (e.g., Mx., M.) on hiring documents and other intra-organisational forms, such as event bookings or benefit enrollment forms. It is often an onerous task for trans and gender non-conforming individuals to have to consistently out themselves and educate others as to how they would like to be addressed. Further, given that changes are often implemented on an ad-hoc basis (e.g., on the email system, but not the payroll system), it can take several rounds of self-advocating before their names, honorifics, and pronouns have been comprehensively updated. As a result, organisations should endeavour to provide spaces for this information to be collected and processed all at once upon hire, to minimise the extra labour required from the employee.

Finally, it’s important that organisations develop processes that acknowledge and accommodate employees who transition during the course of their employment. For example, an employee may identify as male at the time of hire, and in turn select male honorifics/pronouns on all formal paperwork. However, she may later realise she is a woman.

As opposed to waiting for the employee to approach HR and update her identifying information, a systemic approach to transitioning would be to allow employees to access and update their HR systems data at any time. Should this not be technologically feasible, organisations should endeavour to conduct HR system data refreshes at different points throughout the year. Proactively seeking out this information signals to employees that their organisation recognises that identities might evolve over time, and also alleviates the stress of an employee having to broach the subject with HR themselves.

### *Employee Resource Groups*

The second way organisations can promote the inclusion of their LGBTQI+ employees is through the creation of Employee Resource Groups (ERGs). ERGs have been a feature in organisations since the 1970s, when a group of Xerox employees formed the Black Employee Caucus in response to race riots in upstate New York (Briscoe and Safford, 2015). Over time, such groups have taken on additional names, such as affinity groups, employee networks, or employee forums. ERGs are defined as “groups of employees in an organisation formed to act as a resource for both members and the organisation” (Kaplan, Sabin & Smaller-Swift, 2009, p.1). Group membership is voluntary, and is generally predicated on a demographic (e.g., gender or race), life stage (e.g., carers, early careers), or function (e.g., support staff, sales teams).

ERGs offer numerous benefits to both employees and organisations. One such benefit is the opportunity to develop non-role related ties at work. Though, as has been noted above, the LGBTQI+ umbrella contains a multitude of experiences, ERGs that are built around a shared experience of ‘otherness’ helps to foster a sense of “in the same boat consciousness,” which is a key facet to workplace socialization, driving outcomes such as reduced turnover and increased commitment and positive affect towards the organisation (Van Maanen and Schein, 1979). Empirical work by Colgan and McKearny (2012) found that LGBTQI+ ERGs enable employees to develop inter-organisational networks of support for things like training, locating resources, networking, and sharing challenges. Indeed, ERGs have the added benefit of providing ties outside of one’s team, meaning that these ties are likely to sustain regardless of where an individual moves within an organisation, offering more durability than team or role-based ties (Moser and Ashforth, 2020).

We propose ERGs are linked to activism by way of providing a mechanism to cultivate employee voice. Employee voice is defined as “nonrequired behaviour that emphasizes expression of constructive challenge with an intent to improve rather than merely criticize” (Van Dyne and LePine, 1998, p. 109). As mentioned earlier, ERGs are generally predicated on underserved, undervoiced group membership (e.g., racial/ethnic minority, specific functions, etc.); as such, these groups are well-poised to generate conversations around what can be improved in the organisation for the benefit of these identities. To this point, an empirical study by Briscoe and Safford (2008) demonstrated how the presence and persistence of LGBTQI+ employee groups increased firms’ susceptibility to adopting same-sex partner benefit policies at Fortune 500 organisations.

In discussing the benefits of ERGs, however, we would be remiss not to also mention their susceptibility to overuse, or “scope creep”. While ERGs have great capacity to empower employees, they are often called upon in times of crisis to perform unpaid labor for their organisations (Morris, 2020). Indeed, in some ways, their very existence constitutes an act of service from employees. As Diversity and Inclusion has become an increasingly salient pillar of an organisation’s CSR profile, having ERGs that serve various communities has evolved from being a ‘nice to have’ to being an important signal of an organisation’s commitment to equity, diversity, and inclusion (Welbourne, Schlachter, and Rolf, 2017). And yet, despite their importance, ERGs are rarely given sufficient resources from organisations to facilitate their

activities. Resource deficiency often manifests itself financially, such that groups aren't given enough funding to host events or compensate external speakers, but also takes the form of insufficient labor to carry out their activities. Groups are typically run by volunteers who take on the mission of the ERG in addition to a full-time job. Despite such positions being considered little more than an extracurricular, group leads and members are often tasked with Diversity and Inclusion tasks that central organisational teams like HR don't feel qualified to carry out on their own, such as drafting statements denouncing or supporting current events or creating more inclusive policy language (Tiku, 2020). As is the case with any organisational citizenship behaviour, such tasks necessitate employees' withdrawal from other, potentially more lucrative extra-role behaviours, in turn reducing their ability to access rewards such as pay rises or promotions (Bergeron, 2007).

In order to best equip ERGs to elevate rather than burden employees, organisations should embed groups into the fabric of their organisational structures instead of framing them as an extracurricular. In other words, ERGs need to be legitimised by organisational leadership. One way of conferring legitimacy is to ensure a member of the C-Suite is appointed as a champion for a given ERG (Bethea, 2020). Ideally, this person should be an out-group member (e.g., not a member of the ERG). Having an out-group member champion an ERG signals to other out-group members that group-related issues are matters of importance to all members of an organisation, rather than solely members of the community. Another way of conferring legitimacy to ERGs is to allow group leaders and committee members to allocate a percentage of their job role time to ERG-related commitments (Bethea, 2020). Allowing for this formal allocation of time implies that these activities are considered a central priority of the organisation, rather than something to be squeezed in when possible. This delineation should be made in formal documents, such as contracts, but should also be reflected in any timekeeping tools utilised by the organisation, such as timesheets. Finally, legitimacy can also be imbued through financial means, such as, for example, offering a financial incentive such as a bonus or an overall salary increase in exchange for labor provided to ERGs (Starling, 2020).

In sum, ERGs are an effective mechanism for connecting LGBTQI+ employees and providing a mechanism for employee voice. However, for employees to derive the intended benefits from ERGs, they must be allowed to exist solely as groups *by* and *for* employees -- rather than a body to be called on by leaders to perform work that would otherwise be handled by a paid external consultant.

### *Collective engagement*

Perhaps the most important part of authentically including LGBTQI+ employees at work is to engage in dialogue about what that looks like for the employees at that organisation specifically. Though senior leaders may want to demonstrate their support for the community by marching in the local Pride parade, for example, LGBTQI+ employees may not find resonance in doing so. To go against their wishes -- even when it's meant to demonstrate support -- can connote a form of exploitation, whereby it is more important to *appear* supportive than it is to actually engage with one's employees.

Cisgender and heterosexual friends and work colleagues may ask LGBTQI+ individuals to educate them about transphobia/homophobia and enquire 'what do you think of these phobias' or 'what can I do to help?'. This is somewhat akin to the experiences of racial minorities in their efforts to eradicate racial inequality and police brutality (Wilson, 2020). These majority individuals are not being mindful of the potential for how the marginalized person's explanation can generate negative emotions (e.g., pain or fear) from conjuring previous and current negative interactions that the marginalized person has witnessed or personally experienced inside and outside of the workplace. Additionally, from hearing these stories from the marginalized, majority individuals may not be prepared for the negative emotions that they

may feel, as they may become more aware of their ignorance of the minority experience, may attribute blame to themselves as a potential contributor, and/or may recognize their lack of helping the marginalized (Wilson, 2020). It is unfair to expect the marginalized to educate and to determine a way forward for majority individuals 'to help' or 'make change.' The onus should not be on the marginalized as this can be cognitively and emotionally depleting, causing negative consequences. Responsibility lies within cisgender and heterosexual individuals to educate themselves, as well as determine ways in which they can use their privilege and majority status to dismantle transphobia and homophobia. These points do not mean that organisations should favour the voice of the majority over those of the marginalized employees on how initiatives are run and organized. For programs to be effective and widely utilized it is imperative that there is genuine buy-in, communication, involvement and leadership from these marginalized groups. However, the marginalized should not be expected to always do the heavy lifting in designing, enforcing, and informing inclusive initiatives. These activities should be a collaboration, espoused throughout the organisation with the majority's involvement. The access to greater resources which is enjoyed by the majority will assist in sustaining inclusive initiatives and help to bring about the widespread organisational change required.

## **Conclusion**

As the preceding sections have shown, LGBTQI+ workers often continue to face barriers to inclusion in the workplace. The conclusion to this chapter focuses on challenges remaining for employers in creating inclusive policies and practices in countries with LGBTQI+- unfriendly legislation and social norms, and for transgender employees undergoing gender transition. We come to a close by noting how recent socio-political developments in the West have created newly regressive environments in which LGBTQI+ individuals are under increased threat, making employer support more important than ever.

An ongoing challenge for multinational organisations is how to reconcile their LGBTQI+- inclusive policies and practices from headquarters with local legal frameworks in host countries that are unsympathetic to LGBTQI+ rights. The delicate balancing act between localising Human Resource Management (HRM) practices and global standardisation becomes especially difficult in legal environments that either make little provision for LGBTQI+ equality or criminalise same-sex relationships outright. For example, Luiz and Spencer's (2019) research found that multinationals experience difficulty in aligning their corporate values and HRM policies regarding support for LGBTQI+ employees with legislative requirements and local institutions in the African nations where they operate. Protecting LGBTQI+ employees from discriminatory selection, promotion and dismissal practices or from harassment and bullying can be an arduous task when there is no legal basis for these protections or their enforcement. In countries where engaging in same-sex relationships can lead to prosecution, organisations may not be able to maintain safe working conditions for LGBTQI+ employees.

Research by Boerties (2012) on LGBTQI+- friendly multinationals sheds light on how these organisations tackle such problems. When there are challenges to policy enforcement due to weak or nonexistent anti-discrimination legislation in host countries, multinationals often implement "soft" measures such as investment in LGBTQI+ inclusion and awareness programmes, training, mentoring, and diversity standards for recruitment. The purpose of these is to try to ensure LGBTQI+ equality in daily operations and to gradually affect attitude change among the local workforce. As Trau and colleagues (2018) argue, while local communities' legal and socio-normative features influence organisations' LGBTQI+ policies, this process is recursive in that communities' regulative and socio-normative processes are also influenced in turn by organisations' approach in relation to the stigmatization of LGBTQI+ individuals within those communities. Winning local hearts and minds over to LGBTQI+ inclusion may therefore be

possible via the sustained implementation of culturally sensitive compromises to LGBTQI+ equality by multinational employers.

In countries with serious legal impediments to LGBTQI+ equality, however, Boerties finds that multinationals are reluctant to appear as though they are imposing their own values in an imperialistic fashion. In nations such as Nigeria or Saudi Arabia, therefore, multinationals do not seek to negotiate for more favourable workplace conditions for LGBTQI+ employees, perceiving the gap between their own corporate values and the conservative social mores and local legislative conditions to be unbridgeable. In these environments, multinational firms choose not to implement LGBTQI+ equality policies because they cannot be upheld by local legislation. This raises issues for LGBTQI+ expatriate employees. As McPhail (2017) notes, a greater proportion of LGBTQI+ employees are likely to be found in senior management positions relative to their straight and cisgender counterparts and thus they represent a significant number of the top talent eligible for international assignments. However, assignments in particular countries would represent a risk to LGBTQI+ individuals' health and safety and employers must therefore grapple with how to protect their workers. Some multinationals may choose to offer alternative country assignments, or provide extensive preparation for LGBTQI+ expatriates along with emergency support measures as required including extraction, legal assistance or confidential advice; others, such as Accenture and IBM, have made available virtual international assignments in which the LGBTQI+ employee resides in their own country of choice and exposure to local legal conditions that may endanger their safety is therefore minimised (Boerties, 2012).

Another challenge remaining for organisations is the question of how best to support transgender employees who may be transitioning in the workplace from the expression of one gender identity to another. This process is widely acknowledged as having the potential to be highly stressful for transgender employees for a variety of reasons. Interventions such as hormone therapy, surgery and cosmetic procedures like laser hair removal can produce anything from physical discomfort to potentially serious health complications (Beauregard, Booth & Whiley, 2020). During and post-transition, transgender individuals adjust gendered speech, non-verbal communication and behaviour patterns, causing others in the workplace to see them differently and change their own behaviour toward them (Schilt & Connell, 2007). During this period, transgender employees are particularly vulnerable to workplace harassment and bullying, and, in turn, anxiety and depression (Marvell et al., 2017; Sawyer & Thoroughgood, 2017).

Workplace inclusion can therefore be seen as vitally important for transitioning employees. Many transgender employees have reported higher levels of job satisfaction after transitioning and described feeling more comfortable at work in their new gender identity presentation (Drydakis, 2016). However, there is considerable evidence to suggest that many transgender employees lose their jobs post-transition and that while dismissal is construed as being performance-related, employer discomfort and prejudice are likely to underlie these decisions (Gut et al., 2018). While Human Resources should be the first point of contact for transgender employees to obtain support for their transition journey, research suggests that organisations are often ill-equipped to respond to these workers' needs for inclusion, lacking knowledge and training on the issues they face at work (Beauregard et al., 2020).

Indeed, as the political environment continues to be volatile throughout the western world, employer support for LGBTQI+ inclusion becomes increasingly crucial. Resurgent populism among right-wing governments has raised concerns for hard-won LGBTQI+ rights. Despite having decriminalised same-sex relationships in 1932, decades before most European nations, nearly one third of towns and regions in Poland have passed (non-binding) resolutions that declare them free of "LGBT ideology" (Ash, 2020). While campaigning for re-election, President Andrzej Duda referred to the promotion of rights for the LGBTQI+ community as "even more destructive" than communism; the Archbishop of Krakow, influential in a predominantly Catholic nation, has spoken in warning tones about a neo-Marxist "rainbow plague" (Ash, 2020). Such prominent antipathy toward LGBTQI+ equality clearly has negative implications for the inclusion of LGBTQI+

individuals in Polish organisations, normalising prejudice and denigrating those who advocate for this community.

Author J. K. Rowling has further continued to use social media to express her view that transgender women are not women and should not be allowed access to women-only spaces such as changing rooms and bathrooms (Lampen, 2020). Facing criticism from many for this trans-exclusive perspective, Rowling published a 3,690-word blog post contending that although she broadly supports transgender individuals, transgender women remain, biologically, men and thus pose a threat of sexual violence to cisgender women upon whom they might prey if permitted entry to “safe spaces” for women. The media attention garnered by this series of events has, according to transgender women participating in a mental health conference panel session chaired by one of the authors of this chapter (personal communication, October 12, 2020), increased their direct experience of verbal harassment and abuse by strangers in public and online. Emboldened by Rowling’s initial statements and continued arguments, US Senator James Lankford quoted her blog post while blocking Senate consideration of the Equality Act, a bill that would have entitled LGBTQI+ individuals to civil rights protections in the USA (Fitzsimons, 2020).

In this type of socio-political climate, employer promotion of LGBTQI+ inclusion is critical. When public attitudes shift to intolerance and in some cases outright homophobia or transphobia, the workplace may be one of the few (or only) bastions of support that LGBTQI+ employees experience. Modelling an environment where diversity in sexuality and gender identity expression is not simply tolerated, but respected and valued, shows LGBTQI+ employees and their co-workers a viable way forward in what seem like increasingly troubled times. Efforts toward organisational inclusion for LGBTQI+ employees thus goes beyond improving workplace relationships and productivity; it can establish hope for a better future.

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