

Chapter 3

The Workplace Movement

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INTRODUCTION

Over the past ten years, we have seen the development of a "workplace movement" for gay, lesbian, bisexual, and transgender people that has been of great significance in building the identity of this group within the society. This approach has been modeled after similar approaches among racial/ethnic groups, as well as women's groups.

However this recent trend must also be viewed as a consequence of the development of the broader gay and lesbian rights movement that has occurred over the past 100 years.

HISTORICAL EVOLUTION OF THE MODERN AMERICAN GAY MOVEMENT

During the late nineteenth century, Krafft-Ebbing and Freud specifically identified the "homosexual" as a personality type (Minton, 1992). In Germany before and after World War I, an extremely advanced gay/lesbian culture was developed; but the Nazis eliminated this culture and put many gays and lesbians into the concentration camps. By contrast, the United States saw the development of "drag balls" in New York City during this same historical period, but only a limited amount of social interaction elsewhere in the country, which has only recently been documented in academic studies (Newton, 1993). During World War II, we saw the develop-

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ment of social connections among gay and lesbian members of the military, as documented by Shilts (1994). Since that time, the Stonewall riots, the blossoming of a gay and lesbian movement, reaction from the right-wing (as Anita Bryant fought the first successes of the gay movement), and the AIDS epidemic have all occurred—with consequent backlash from the right-wing, resulting from the higher expectations of the G/L/B/T movement.

THE FORCES THAT MOVE PEOPLE TO COME OUT IN THE WORKPLACE

Gays, lesbians, and bisexuals have for years tended to hide their identity in the workplace. On the other hand, powerful historical forces have been developing, which encourage gays, lesbians, and bisexuals to come out in the workplace.

First, the AIDS epidemic has been a period of great change for the gay, lesbian, and bisexual community in many ways. The fact that gay men have been dying of AIDS has interconnected the workplace with gay men's lives—a relationship that had been previously compartmentalized. The reasons for compartmentalization were obvious. The effects of coming out had sometimes been so negative (including job loss) that gays, lesbians, and bisexuals were afraid to come out. The AIDS epidemic provided the sense that there was nothing left to lose, ensuring that many people came out who would otherwise not. The domestic partners movement began as a primarily lesbian effort, but shifted into the gay men's community as AIDS moved gay men into more committed relationships. The discrimination present in the workplace against gays, lesbians, and bisexuals had always been a source of anger; however it was not until the enormous number of discrimination cases against persons with AIDS that gay men began to "come out" in an attempt to deal with the blatant discrimination they saw. And AIDS has had the effect of ensuring a "revolution of compassion" within the gay community, wherein support, community activism, and mutual assistance have been the order of the day.

Second, the gay, lesbian, and bisexual population has been maturing. People who had "come out" in previous years are now going

through developmental changes, and are expecting more from their lives. They no longer see it as respectable to live emotionally crippled lives within their own organizations. People who have been working within organizations for ten to twenty years now expect more of their organizations than previously.

Third, they have watched the examples of other gays, lesbians, and bisexuals around the country (and around the world) who have been dealing with workplace issues. The power of the mass media to cover the activities of gays, lesbians, and bisexuals in workplace groups has been truly astonishing. The fact that the Human Rights Campaign Fund held a dinner where leading corporate representatives were invited to meet hitherto closeted gays and lesbians from their workplaces resounded like a shot throughout the gay community nationwide, providing much of the impetus for workplace groups to begin throughout the country.

Fourth, younger gays, bisexuals, and lesbians have been developing a different sense of identity. Being "out" has almost become acceptable if not fashionable. Younger people expect that with their status (and especially with domestic partners status) come certain rights, which earlier generations of gays, lesbians, and bisexuals would never have dared ask for.

Fifth, there is simply a recognition that the workplace is where one spends eight or more hours a day of one's life. Why would people want to be themselves only in the evenings and on the weekends, when they could also be themselves during the work day as well? Being oneself as a gay, lesbian, or bisexual person in the workplace also implies being treated equally in terms of hiring, evaluations, promotions, benefits, and other work perquisites.

Finally, the workplace support group has become a national movement with its own national conferences (the fifth of which was held in California during 1995).

THE IMPORTANCE OF THE MANAGERIAL- EMPLOYEE RELATIONSHIP

The gay/lesbian/bisexual workplace movement begins, as does much of the broader gay movement, with a support group. As is the case with other vulnerable groups, the key to survival often involves

getting people together who share a similar issue so that they may strategize about how to approach the issue. After people in the gay community became aware of the existence of the workplace movement (due to publicity resulting from the HRCF event), they began to develop such groups throughout the country. Gay, lesbian, and bisexual employees began to speak to one another about the previously unthinkable idea of meeting together to discuss work issues, either on or off site. When one reads James Woods' 1993 book titled *The Corporate Closet: The Professional Lives of Gay Men in America*, one will see how desperate the lives of gay men in large organizations had become (Woods, 1993). Lack of communication, alienation, and efforts to deny that gay men and lesbians had ever met off site were the rule. The workplace movement helped to change that situation irreversibly.

But simply getting together and forming a workplace group was not enough, as people in the movement soon discovered. There was recognition that nothing would happen in the workplace without the involvement of management. In many cases, small delegations of employees began to meet with top managers of corporations, non-profit organizations, and government agencies to discuss their concerns about domestic partners benefits, lack of job opportunities, workplace harassment, and similar issues. Interestingly enough, top managers have generally been quite receptive because they recognized the way in which the oppressive situation of gays, lesbians, and bisexuals in the organization prevented them from full use of their skills. In essence, what happened was the development of an interactive process. Gay employees raised their concerns about workplace environment, while managers educated themselves, as well as their subordinates, about gay/lesbian/bisexual issues.

IMPLICATIONS FOR MANAGERS

When managers begin to deal with the issue of gay, lesbian, bisexual, and transgender employees requesting a workplace group, they need to understand the following issues.

First, it is helpful to understand that the obstacles for women, racial/ethnic minorities, and sexual orientation minorities are real

cultural barriers. Even the most extraordinarily talented people may be stalled in an entry-level position.

Second, one should build an organizational culture that provides recognition of each of these groups as acceptable and contributing to the results of the organization. "Visible recognition" means that posters for workplace groups can be placed on the bulletin boards, and that the accomplishments of the workplace groups can be recognized in agency newsletters, among other possibilities.

Third, when the employees ask for organizational support to develop workplace organization, that support should be provided. This includes the use of training on work-related issues of interest to the groups; use of agency time for group meetings; and responding to other needs identified collectively by the workplace groups.

Fourth, mentoring skills should be offered to individuals from each of the groups in an even-handed manner. Be aware that doing so may lead to criticism. Be willing to take the criticism.

Fifth, recognize that each of the minority groups have in common severe cultural oppression, but that many of the issues they deal with may be significantly different.

Sixth, do not be afraid to discuss the issues of sexism, racism, and homophobia with your employees who are dealing with the issues every day. Both you and your employees may well learn something about each other.

THE DEVELOPMENTAL PROCESS

If managers and employees begin to work collaboratively on the issues faced by gays, lesbians, and bisexuals, a series of events may occur. One way to look at the process of establishment of these workplace groups is to look at it as a developmental process, as follows:

1. Unconscious Stage—People are isolated, know that there is no way out of their unhappy, closeted situation and do not communicate with one another.
2. Conscious Level—At this stage, one or several workers recognize their isolation, and attempt to develop a means to develop support (e.g., a workgroup).
3. Reaching Management with the Issues—The workers meet

and then get together with management to mutually deal with expressed concerns.

4. **Management Legitimizes the Group**—The workgroup negotiates legitimacy from the top management group; then, it proceeds to work on training needs for the broader organization. It then begins to get the strength to ask for benefits, which would ensure equality of treatment.
5. **Networking**—The workplace groups begin to meet with representatives of other G/L/B/T workplace groups in order to obtain new ideas about how to keep the groups operative, as well as vital.

At the end of this process, employees will begin to have been mainstreamed into the organization and treated as equals. That is what the manager will want to have happen. The issue is not so much one of productivity improvement, although that may be one side-effect for some employees. It is more a motivational and ethical issue wherein employees are treated as equals, and staff members as well as the organization are the better for it. Additionally, the emotional stress for the employee is reduced, which helps to make the organization an easier place to work in—both for the employee, as well as those with whom the employee works.

ATTEMPTS TO STOP THE MOVEMENT

As always, there are those who would try to stop this movement toward human empowerment. For example, reactionary right-wing groups have launched campaigns against those organizations which provide a supportive environment for all of their employees. At least one senator has attempted to devise legislation designed to thwart the implementation of workplace groups in the federal government. But like all kinds of rear-guard actions against cultural change, one would think that such efforts would be doomed to failure. The majority of people are reasonable and fair-minded within organizations, and it is to them that one's attention should be directed.

Besides the simple approach reflected in attempting to slow social change by prohibition, there is the more subtle issue of

whether cultural diversity programs (including workplace groups) are just another fad. The author has looked at it from both sides: (1) On the one hand, there is always the suspicion that managers set up such groups to provide "horizontal enrichment" but with nothing substantive in terms of benefits. Similarly, there is the possibility that the worst excesses of firing and harassment are eliminated, but that other gains are limited. (2) On the other hand, we see many of these groups getting started around the country and meeting employee needs. We see gay people coming out at work and indicating it has made their lives easier. The author's sense is that even if there is limited improvement, this is a step forward for an oppressed minority. The simple establishment of such groups makes it possible to think about providing training to all employees, having domestic partners benefits, and ensuring the hiring and possible promotion of gay and lesbian employees. (The pages that follow provide a summary of the charter of the "Workplace Alliance," a coalition of over thirty G/L/B/T workplace groups in Minnesota.)

REFERENCES

- Minton, Henry. 1992. *Gay and Lesbian Studies*. Binghamton, NY: Harrington Park Press.
- Newton, Esther. 1993. *Cherry Grove, Fire Island: Sixty Years in America's First Gay and Lesbian Town*. Boston, MA: Beacon Press.
- Shilts, Randy. 1994. *Conduct Unbecoming: Gays and Lesbians in the U.S. Military*. New York, NY: Fawcett Columbine.
- Woods, James D., with Jay H. Lucas. 1993. *The Corporate Closet: The Professional Lives of Gay Men in America*. New York, NY: The Free Press.

THE WORKPLACE ALLIANCE

An Association of Minnesota Gay, Lesbian,
Bisexual and Transgender Employee Networks

Our Vision

Through the elimination of homophobia and discrimination, every workplace will be an environment where gay, lesbian, bisexual and transgender employees can be "out," visible and comfortable being themselves.

Our Mission

To foster positive workplace environments for lesbian, gay, bisexual and transgender employees through:

- Education—of ourselves, our employers, and our co-workers.
- Collaboration—of our ideas, our experiences, and our resources.

Workplace Alliance Forums

The Workplace Alliance Forums were developed to bring together executives, managers and supervisors to learn about issues faced by their gay, lesbian, bisexual and transgender employees, and to share information regarding the impact of sexual orientation and gender identity on the workplace. The first Forum was held in May of 1994 at Honeywell Inc.'s world headquarters in Minneapolis. The topic for this first event centered on organizing employee networks. The second Workplace Alliance Forum, held on National Coming Out Day in 1994, was hosted by the St. Paul Companies and addressed marketing to the G/L/B/T community. Since then, Forum events have been hosted by Hennepin County, Northern States Power, the Minneapolis Star-Tribune, The Prudential, and Ramsey County.

Workplace Alliance Forums foster alliances on three levels: between executives, managers and supervisors in different organizations; between employees in different organizations; and between executives, managers, supervisors and employees within each organization.

Workplace Alliance Meetings

The Workplace Alliance meetings are designed to provide an opportunity for employees in different organizations to network, socialize and share information. Open to any individual, the meetings also provide an opportunity for presenting specific programs, generating ideas for future events, and discussing Steering Committee activities.

The Workplace Alliance Steering Committee

The Steering Committee consists of twelve members elected through the general Alliance meetings. The Steering Committee meets at least monthly to plan and oversee the activities of the Alliance. Steering Committee members include two cochairs, two communications officers, two community events liaisons, a forum facilitator, an internal events coordinator, a mentorship coordinator, and a representative from the Gay and Lesbian Community Action Council.

Workplace Alliance Subcommittees

Subcommittees allow people to focus, in a small group, on their specific interest or professional area. Subcommittee leadership and participants change yearly, creating many opportunities for people to work with others who share the same interests.

Chapter 11

The Agenda for Justice

Wallace Swan

INTRODUCTION

There are a number of issues that face gays, lesbians, bisexuals, and transgender persons when they confront the issue of justice in American society. Far from being an issue of "special privileges" (the terminology adopted by the reactionary right to discredit efforts designed to ensure equality), one finds a series of egregious and demeaning events that face members of the gay/lesbian/bisexual/transgender community when they simply wish to live a normal life. They are often discriminated against in housing, education, basic human privacy, health issues, and relationships (not to mention divorce, custody, and issues relating to adoption and foster care). To be sure, such invidious treatment does not occur in all cases—but it does occur often enough to make life for many members of the community miserable. In order to address these problems, many states and local jurisdictions have developed policies designed to protect the rights of gay, lesbian, bisexual, and transgender persons.

ANTIDISCRIMINATION RULES

The first bulwark against discrimination is found in the laws and regulations passed by states and localities. According to the Gay and Lesbian Task Force (May 1996),

Nine states [editor's note: now eleven] in the U.S.A. have civil rights laws passed by the legislature and signed by the (gover-

nor) that include sexual orientation . . . At least 9 states in the U.S.A. have executive orders banning discrimination based on sexual orientation. At least 129 cities or counties in the U.S.A. have civil rights ordinances or have council or mayoral proclamations banning sexual orientation discrimination in public employment. (National Gay and Lesbian Task Force, May, 1996)

Other sources suggest a slightly larger figure—perhaps as high as 165. The only problem is that there are “. . . 82,341 governmental units in the United States representing three levels of government and a variety of hybrids; one national government; fifty state governments; 3,041 counties; 16,734 townships; 19,076 cities and towns; 28,588 special districts . . . and 14,581 school districts” (Perry, 1989). Thus, the coverage of these laws is relatively limited. Efforts have been underway to ensure nationwide protection for many years, but such endeavors thus far have come to naught.

SODOMY REPEAL

One of the basic assumptions that the majority of people have in the United States is that they may control how their bodies are used. There are large numbers of governmental jurisdictions, however, that have decided to intervene in the lives of people, thereby challenging this personal control. In the state of Georgia, a person was observed committing sodomy (through a partially open door, during the serving of a parking summons by a policeman). The case (*Bowers v. Hardwick*) was sent to the United States Supreme Court, and it was decided that such cases (which would seemingly involve national privacy protections) should be dealt with on a state-by-state basis. There are currently fifteen states that prohibit sodomy for both sexes, and an additional seven states that proscribe sodomy for same-sex relationships (National Gay and Lesbian Task Force, May 1996).

HATE CRIMES

The incidence of hate crimes against gays, lesbians, bisexuals, and transgender persons has been documented to be high. This

writer has had a rock thrown at him at a gay pride parade, been called a “fag” by carloads of passing men, and has received a death threat sufficient to require disconnecting his phone. The problem clearly exists and tends to increase during periods when gay issues are politicized. Probably the most helpful numbers regarding this phenomena have been compiled by the National Gay and Lesbian Task Force. According to this organization, “There were 2,212 reported episodes of anti-gay harassment and violence in 11 U.S. cities in 1995” (National Gay and Lesbian Task Force, May 1996). Despite this large number of reported incidents (in only a few cities with sophisticated reporting systems), only twenty out of the fifty states have hate crime laws specifically protecting lesbian and gay citizens (National Gay and Lesbian Task Force, May 1996). There is also a federal law that calls for national reporting of hate crimes.

THE ISSUE OF AIDS

One of the major issues underlying much of the discrimination that has occurred against the gay community is that of AIDS. Enormous numbers of cases of discrimination have been documented against persons with AIDS; for example, in a five-year period in the 1980s, over 13,000 discrimination complaints related to HIV status were submitted to state and local human rights organizations (Buris, Dalton, Miller, and the Yale AIDS Law Project, 1993) The result of this kind of extremely detailed documentation, as well as that prepared by the American Civil Liberties Union, was to help in ensuring that AIDS-related discrimination was banned by inclusion of AIDS within the Americans with Disabilities Act.

DOMESTIC PARTNERS AND SAME-SEX MARRIAGE

At the beginning of the openly gay movement following Stonewall, there were several efforts by couples to file for marriage in the states of Washington, Minnesota, and Kentucky. The supreme courts of each of these states summarily ruled such efforts to be unconstitutional. The major result of such decisions was to signifi-

cantly change the direction of gay relationships for years to come. But some elements of the community (especially among the lesbian population) continued to express their interest in societal sanctioning of their relationships, and worked on encouraging domestic partners relationships to be recognized by their employers. Later, the development of the AIDS epidemic provided a great impetus to gay men to enter into committed relationships. By 1994, there were significant numbers of organizations that recognized such relationships; including sixty-four corporations, ten unions, twenty-six non-profits, forty-six universities, ten counties, three school districts, and thirty-four cities (Swan, 1994) for a total of 193 organizations. By 1996, the Human Rights Campaign had identified 313 such organizations (Human Rights Campaign, *Lavender Magazine*, 1996) Now a case in Hawaii has provided the possibility of adding the option of marriage to that of domestic partners benefits.

DIVORCE, CUSTODY, ADOPTION, AND FOSTER CARE ISSUES

The issue of G/L/B/T persons in mixed (nongay) marriages has been one of considerable concern to a fair number of those within the gay community. According to Michael Ross, the percentage is in the range of 10 to 20 percent in the United States, the Netherlands, Denmark, and West Germany (Ross, 1983). The breakup of such marriages has yielded many custody issues:

“[Eleven] states have laws that make sexual orientation irrelevant in custody cases.” (National Gay and Lesbian Task Force, 1993)

“Courts in 11 states have ruled that gay men and lesbians, on the basis of their sexual orientation, are unfit to receive custody of their children.” (National Gay and Lesbian Task Force, 1993)

“In 17 states, courts have ruled that sexual orientation can be a factor in child custody decisions only if a connection is made

between the parent's sexual orientation and an adverse impact on the child.” (National Gay and Lesbian Task Force, 1993)

On the other hand, gays and lesbians have begun to express an interest in having children, even if they have never participated in a “mixed marriage.” However, circumvention is necessary to accomplish this goal in most cases:

“While 6 states permit joint adoption by same-sex couples, most adoptions by lesbian and gay couples are officially recorded as single-parent adoptions.” (National Gay and Lesbian Task Force, 1993)

On the other hand, a number of lesbians have moved in the direction of having children. This has been very positive in most cases, but the lack of marital arrangements leads to significant child custody issues if the partners dissolve their relationship.

TRANSGENDER ISSUES

Although acknowledged many years ago, the issues of transgender persons are only recently being recognized as being those which should be accorded the status of rights. Minnesota is the first state to extend coverage under its human rights law to transgender persons. But even in this state, with its tradition of progressiveness, the specifics of supporting these rights sometimes elude many legislators. During the 1995 session, for instance, a long-standing tradition of providing General Assistance Medical Care to persons going through the University of Minnesota's program that assists transgender persons was deleted from funding in order to presumably save money (\$100,000) for the state.

There are other issues of importance that need to be aggressively dealt with in order to respond to the needs of transgender persons. These include providing funding to assist in making this transition, assistance with mental health issues, provision of appropriate support, and the need to assist in the development of an advocacy movement that will ensure political action to maintain and promote the rights of the transgender community.

BISEXUALITY ISSUES

Similarly, the issue of bisexuality is one that has become more visible in the past few years. The Kinsey scale indicates that there is no simple division of sexuality into "gay" and "straight": There are many people who fall into the middle category of bisexuality. Over the years, bisexuals have become more open; but with this openness comes the recognition that this group is one that bears a special stigma, because they do not neatly fit into one or the other of the categories. This makes bisexuals susceptible to criticism from both "straight" people, who cannot imagine their interest in same-sex behavior; and inaccurate criticism from "gay" people, who sometimes see bisexuals as willing to accept the benefits of a heterosexual society without paying the price of stigma that gay people must deal with routinely. Bisexuals thus are in need of support, an environment that understands their special needs, and policy that recognizes who they are as well as providing them with legal protection.

CONCLUSION

There is a wide range of issues that constitute justice concerns for the G/L/B/T community. In this chapter, we have only touched upon a few of the major ones.

REFERENCES

- Buris, Scott, Harlon L. Dalton, Judith Leonie Miller, and the Yale AIDS Law Project (eds.), 1993. *AIDS Law Today: A New Guide for the Public*. New Haven, CT: Yale University Press. In *Gay and Lesbian Stats: A Pocket Guide of Facts and Figures*, Bennett L. Singer and David Deschamps (eds.), New York: New Press, 1994:21.
- Human Rights Campaign Releases Statistics on Gay Workers' Rights, 1996. *Lavender Magazine*, August 16:24.
- National Gay and Lesbian Task Force, Washington, DC, 1993. In *Gay and Lesbian Stats: A Pocket Guide of Facts and Figures*, Bennett L. Singer and David Deschamps, (eds.), New York: New Press, 1994:36.
- National Gay and Lesbian Task Force, 1996. *Lesbian, Gay and Bisexual Civil Rights Laws in the U.S.*, May.

- Perry, James, (ed.), 1989. *Handbook of Public Administration*, San Francisco, CA: Jossey-Bass Publishers, 7.
- Ross, Michael, 1983. *The Married Homosexual Man: A Psychological Study*, Boston: Routledge and Kegan Paul, 24.
- Swan, Wallace, 1994. Appendix—Businesses, Non-Profits, and Unions with Domestic Partners Benefits. In *Gleichgeschlechtliche "Ehen,"* Bea Verschraegen, Wien: MEDIEN und RECHT Verlags GmbH, 233-240.