Managing DIVERSITY and INCLUSION

an INTERNATIONAL PERSPECTIVE

edited by

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Intended learning outcomes

Each chapter starts by setting out clearly what key information you should soon understand, so you can easily track your progress.

Discussion activities

These activities are designed to get you to think about key issues and interesting scenarios, and will hopefully provoke constructive debates between you and your classmates.
increasingly take on masculine roles there will be substantial change in gender stereotypes. However, the converse may also occur: a traditionally male role becomes increasingly occupied by women, that role may become less valued. Finally, we should not lose sight of the fact that in general men still have more socio-political power than women to define the relative status of different roles in society. Not surprisingly, women can find it difficult to gain access to higher-status masculine roles – a phenomenon called the glass ceiling. One explanation is that male prejudice or backlash against women with power, constructs the glass ceiling (Birdman and Glick, 2013). Again, either sex can be a glass ceiling if gender stereotypes are incongruent with the organisation’s norms. For example, Young and James (2011) found that male flight attendants face a glass ceiling because, to put it simply, stereotypes about men prevent people from expecting men to make ‘good’ flight attendants – male stereotypes block promotion.

Discussion questions

1. Compare and contrast the four major debates outlined in the chapter, i.e. essentialism versus social constructionism, universalism versus cultural relativism, reductionism versus complexity, and identity versus coalition politics. How does each debate contribute to our understanding of diversity issues in organisations? How can these debates be used by management in order to develop policies for diversity management?

2. As a manager, how would you address the challenges faced by minority employees?

3. What is the glass ceiling and why do you think it has proved to be such a barrier to women and men?

4. Have you been associated with an organisation that made assumptions associated with a masculinist orientation? Describe the culture.

5. How would you apply social identity theory, embodied integrativ theory and demographic approaches in preparing an organisation to adopt diversity?

6. How might critical and positivist approaches contribute to the advancement of women and minorities to higher-level positions in an organisation?

7. As a manager, how would you accommodate the special needs of different groups – e.g. single parents, older workers, or employees with poor English language skills – without appearing to show favouritism?

8. Have you ever tried to team up with people from a racial/ethnic, class, religious, etc. background very different from your own? What happened? If you have not had such an experience, why do you think that was? How can the theoretical approaches in this chapter help you to reflect further on that experience?

9. What knowledge or skills would you need to be able to take action against an instance of racism? How could the theories presented in this chapter enable you to take action against racism?

Organisational insights

These boxes provide examples of how companies and organisations confront diversity issues in a huge variety of ways, sometimes successfully and sometimes generating problems.

Summary and recommendations

These sections at the end of each chapter summarise the content and outline the key lessons to which readers and organisations should pay attention.

Case studies

Each chapter covers a major diversity issue in depth in its case studies, so you can get a full picture of the various nuances of the situation.
Managing Diversity and Inclusion

Further reading

This section highlights books and articles that will help to broaden your understanding of that chapter.

References

A wealth of further reading material is available here, as all the sources that have collectively informed the writing of the chapter are gathered in one place.
Companion website

In addition to the wealth of information and activities contained in this book, further useful resources for both lecturers and students are available from the companion website. Simply head to http://study.sagepub.com/syed to discover the following resources:

- Instructor's Manual containing key points and indicative answers to questions in each chapter
- Videos of the contributors discussing their research and chapters
- Links to useful websites relevant to each chapter
- Access to SAGE journal articles cited in the book
- PowerPoint slides for instructors.
Sexual minorities in the workplace

Mustafa Bilgehan Ozturk and Nick Rumens

Intended learning outcomes

After reading this chapter, you will be able to:

• Understand the variety of issues and challenges that may influence the employment experiences of sexual minorities
• Differentiate the main theoretical approaches which attempt to explain why and how sexual minorities are marginalised and discriminated against in various work settings
• Apply legal, political and social contextual factors in order to develop multi-faceted understandings of sexual minority employment in the UK and cross-nationally
• Recognise the critical influence of relations of power and inequality in the workplace, and how these affect the organisational practices designed to provide sexual minority employees with a voice in the workplace
• Explain the variations in workplace experiences of sexual minorities on the basis of influencing factors such as employment sector, organisation size and equal opportunity and diversity practices in regard to sexual orientation

Introduction

The term ‘sexual minority’ has traditionally been understood and used to collectively identify lesbian, gay and bisexual individuals. In this sense, sexual minorities are
groups of people whose sexual orientation or sexual characteristics are different from the majority of the population who are presumed to be heterosexual. Transgender individuals (men and women who identify as the opposite gender) have also been referred to as 'sexual minorities', regardless of whether they have undergone any form of gender-reassignment. Transgender people may identify sexually as heterosexual, gay, lesbian, bisexual or simply 'trans' (LGBT), demanding more sensitive understandings about how sexuality and gender intersect in ways that influence how these individuals identify belonging to sexual and gender minority groups. Although LGBT individuals can suffer from different types of sexual and gender discrimination (e.g. homophobia, biphobia, transphobia, sexism), the term ‘sexual minority’ can also be used to indicate a shared sense of discrimination among minority groups who fall outside prevailing sexual norms. Looked at this way, the term ‘sexual minority’ typically refers to those people whose sexual characteristics and practices are socially and legally less accepted. As such, the understandings and meanings associated with what groups of individuals constitute a sexual minority are historically patterned, changing at any given time and from one cultural context to another. Crucially, however, sexual minority is a term that is often used to describe groups of individuals who experience rejection, disapprobation, ridicule and misrecognition, not because they are inherently ‘deviant’ or ‘unnatural’, despite vociferations to the contrary, but simply because they differ from what is routinely experienced and understood as ‘normal’ by the presumed majority.

In this chapter, we consider sexual minorities (LGBT) in the context of workplace relations. We first review the contributions made by a range of theoretical traditions to our understanding of the type and extent of discrimination faced by LGBT employees. We then explain how the impact of context on the workplace experiences of sexual minorities helps us to understand that sexual stigma and prejudice do not exist in a vacuum. Rather, they take particular forms and expressions depending on a range of social, legal, political and organisational contextual factors. For example, organisational contextual factors such as workplace culture, company size and employment sector, together with wider social and legal contextual factors, are considered in this chapter. Similarly, this chapter argues that an analysis of the employment experiences of sexual minority employees remains incomplete without adequate attention devoted to underlying relations of sexual and gendered power within the workplace, which may constrain or encourage the development, shape and purpose of organisational practices designed to give sexual minority employees a voice in the workplace, which may allow them to participate openly as LGBT in organisational life. The chapter ends with recommendations for good practice in addressing the inequalities experienced by sexual minority employees at work. These recommendations will resonate with those who are charged with improving the workplace experiences of sexual minority employees, such as equality and diversity practitioners, managers, industry-wide and sector-specific professional bodies and policy makers.
Theories for understanding the workplace experiences of sexual minorities

There are different theoretical approaches that attempt to explain the workplace issues and challenges faced by sexual minorities. Chief among these approaches are economic, psychological and poststructuralist theories. Economic studies have usually focused on explaining labour market distortions and inequalities as a result of discrimination on the basis of sexuality (e.g. Badgett, 1995; Drydakis, 2009; Weichselbaumer, 2003). Wage penalties suffered as a result of sexual minority status in the marketplace have been a primary focus in this literature. These studies have been complemented with experimental field research that has demonstrated the difficulties faced by LGBT individuals in securing employment. More recently, in the context of greater social acceptance of LGBT people in and outside work in many Western countries, the economic approach has also investigated the impact of LGBT workplace inclusion on company performance.

In contrast, psychology theories have focused on examining issues of disclosure of sexual orientation (often termed as ‘coming out’ as LGBT) and identity management in the context of discriminatory workplaces, noting the consequences for sexual minority workers’ mental and emotional well-being (e.g. Griffith and Hebl, 2002; King and Cortina, 2010; Ragins, 2008). For instance, in this approach, scholars have theorised sexual orientation as a form of invisible stigma, socially constructed, that affects how, when and where LGBT employees can or cannot disclose their sexuality at work, examining how disclosure can negatively and positively influence organisational outcomes such as employee satisfaction and company performance. The psychological approach has focused also on how the perceived and actual sexual prejudices of co-workers, customers/clients and managers can influence LGBT employees’ decisions about to whom they disclose as LGBT, under what conditions and to what extent. (For a wider understanding of psychological perspectives on diversity that goes beyond LGBT concerns, refer to Chapter 2.)

Finally, poststructuralist theories focus on revealing how power relations within organisations may privilege some sexualities over others (e.g. Bendl et al., 2008; Ozturk and Rumens, 2014; Rumens and Kerfoot, 2009; Ward and Winstanley, 2003). Poststructuralist-inspired studies of LGBT employees have examined how heteronormativity, a term used to describe how gender and sexuality are separated into hierarchically organised categories, reinforces restrictive binaries such as heterosexual/homosexual, man/woman and masculine/feminine. In each case, one element of the binary is privileged over another. For instance, heterosexuality is privileged over homosexuality, with the latter considered to be ‘deviant’ and ‘abnormal’ in regard to heterosexuality which is considered ‘neutral’ and ‘normal’. Poststructuralist analyses question these enduring binaries, interrogating how they are reproduced in and
through organisations, constraining the conditions of possibility for sexual minorities to participate openly in the workplace.

**Economic theories**

One of the earliest economic analyses of sexual orientation discrimination was carried out on the wage effects of sexual prejudice in labour markets. There is now widespread evidence from different labour market contexts that LGBT individuals have consistently suffered a wage penalty in the workplace. In a seminal study of US wage differentials in respect of sexual minorities, Badgett (1995: 726) found that ‘gay and bisexual male workers earned from 11% to 27% less than heterosexual male workers with the same experience, education, occupation, marital status, and region of residence’. According to the same study, lesbians and bisexual women also seem to earn considerably less as a consequence of pay discrimination based on sexual prejudice, although the results are not as consistent in the case of gay and bisexual men. Later studies have documented similar differentials in earning power, with gay and bisexual men experiencing the brunt of discriminatory pay regimes, with the weight of the penalty reaching as much as 30 per cent under-remuneration (Carpenter, 2007). These results are replicated in many employment contexts around the world, even in the case of ‘gay-friendly’ countries such as Sweden, with substantial negative pay outcomes reported for sexual minority workers (Ahmed and Hammarstedt, 2010). More recently, Martell (2013) demonstrates that there is an enduring variation in sexual minority earnings power from that of the general population of workers, even after taking into account a plethora of differences in workers’ characteristics and abilities. According to Martell, relative invisibility of sexual orientation status allows some sexual minorities to ‘pass’ as heterosexual, which accounts for some moderation of the wage penalty. However, given that many LGBT individuals appear to prefer coming out from the corporate closet, they may end up paying a wage penalty as a result of a persistent income–disclosure trade-off.

Another strand of economic research has considered the challenges faced by LGBT people in finding employment. For instance, Weichselbaumer (2003) conducted experimental research where hypothetical job applications, which were comparable in all aspects except for sexual orientation, were submitted to prospective employers in Austria. Study findings showed that the job interview invitation rate for lesbian women was up to 13 per cent less than for heterosexual women. A similar experimental design investigating discrimination-based distortions in hiring decisions in the case of Greece found that discrimination against gay male applicants lowered their ability to secure a job interview by as much as 26 per cent (Drydakis, 2009). In the most recent audit study of this type, Tilcsik (2011) demonstrates that gay men in the US are substantially less likely to be invited for job interviews, but the level and amount of hiring discrimination varies significantly based on regional social attitudes and equality laws in place in different states. Both wage discrimination and hiring discrimination studies of this kind document the persistent, pervasive and harmful employment discrimination against LGBT employees in different labour markets.
Against this backdrop of labour market discrimination, there is a growing literature that makes the business case for the full equality and inclusion of LGBT individuals in the workforce. The business case argues that the acceptance and inclusion of LGBT employees in the workplace can help not only improve job satisfaction and participation among LGBT employees, but also help organisations to improve productivity and efficiency. Some organisations have taken great strides to badge themselves as ‘gay-friendly’, developing a strong corporate social responsibility ethos of diversity and inclusion. Profit motivated ‘gay-friendly’ organisations may elicit higher interest in company stock due to market expectations that a more inclusive workforce policy will entail better corporate productivity (Badgett et al., 2013). For instance, analysing the stock performance of companies with a positive corporate equality index (CEI) score (a measure of LGBT inclusion in a corporation), Wang and Schwarz (2010) find a good CEI score received in a particular year is, statistically speaking, likely to lead to improved stock performance in the following year.

Organisational insight 9.1

Finance

The global finance industry has a strong masculine bias in terms of what type of employee personalities, leadership styles and on-the-job behaviours are valued by the employers. While in many occupations cooperation and teamwork are touted as highly prized qualities of an idealised model employee, the archetypal successful finance worker is pushy, aggressive and greedy, with a highly dramatic work attitude. According to Prugl (2012: 22), ‘the financial sector is one of the few bastions of virtually uncontested masculine privilege remaining in the aftermath of feminism’. The hyper-competitive industry norms are especially acute in trading, a line of work that has been viewed as the straight man’s natural employment habitat. Being a trader represents the epitome of a testosterone-driven, macho orientation to work, where ‘guys’ are locked in a zero-sum game in the markets; and for there to be winners, there must be losers, a status which must be avoided at all cost. Companies actively seek out those who can fulfil a heroic vision of a conqueror of the markets in their employment processes. The fall of the once-illustrious, big four global investment banking firm Lehman Brothers has been explained by this constructed masculinist drive to conquer, where risks are downplayed, and gains are sought with aggressive abandon, and the emergent suggestion is that the 2008 financial meltdown could have been averted if Lehman Brothers were possibly more like Lehman Sisters (van Staveren, 2014).
Psychology theories

Psychological approaches have been particularly concerned with investigating the negative consequences of stigmatisation for sexual minorities, especially the influence on employee well-being in the workplace. It is demonstrated that discrimination on the basis of sexuality has strong negative ramifications for sexual minority workers’ mental and emotional well-being (King and Cortina, 2010). Conceptualising non-heterosexual orientation as a source of invisible stigma (i.e. a non-readily observable trait), there is often concern that LGBT individuals who perceive discrimination in their work environments may be forced to limit how they express their sexual identities in the workplace (Ragins and Cornwell, 2001). The issue of which work colleagues know about an individual’s actual or presumed sexual identity can serve to amplify fears associated with workplace disclosure decisions among LGBT employees (Ragins et al., 2007). Organisational supportiveness is taken as a major dynamic of positive contextual change, which enhances sexual minority workers’ job satisfaction, and reduces anxiety and stress at work (Griffith and Hebl, 2002). Sexual minorities who are more satisfied in their roles as a result of non-discrimination, and who therefore also feel less anxiety and stress, are shown to have greater commitment to their companies. This has been framed as a recommendation for businesses to engage with sexual minorities in the workplace (King and Cortina, 2010).

Another strand of this literature is that sexual minorities often use sexual identity management strategies to cope with workplace contexts that actually or potentially discriminate against them. An early but enduring model of workplace identity management specifies three specific workplace disclosure strategies which sexual minorities undertake; namely, counterfeiting, avoidance and integration (Woods and Lucas, 1993). Counterfeiting indicates actions taken to deliberately portray a heterosexual image and persona at work, which amounts to passing as a non-LGBT employee. Avoidance is an intentional strategy of omitting displays of behaviour or disclosure of information that may signal one’s sexual minority status to colleagues. Finally, integration involves being open about one’s sexual identity and freely revealing details that indicate a minority sexual identity, but with the aim of being folded into the heterosexual majority.

With changing societal attitudes as well as the wider introduction and implementation of progressive legal safeguards, many sexual minority workers in Western European, and increasingly US, work contexts eschew counterfeiting, and instead opt for either avoidance or integration strategies. In developing nations, where there are limited legal safeguards to tap into and where strong anti-gay prejudice may go unchecked or even be encouraged, counterfeiting or avoidance remain the principal identity management strategies. Aside from such identity management strategies, employees often adjust their openness from one colleague/client to another according to different encounters and interactions within the same workplace (Button, 2001), or disclose to varying degrees along a changing continuum based on differences in perceived threats (Ragins and Cornwell, 2001). In this sense, disclosure as LGBT is not a one-off event but an ongoing process. Finally, sexual minority workers may often face public–private tensions in the
Poststructuralist theories

Poststructuralist theories within the organisation literature attempt to uncover and problematise dominant (e.g. heteronormative) discourses that construct sexual minorities as subordinate subjects in the workplace. This approach takes the workplace not as a container for sexuality and sexual minorities, but treats sexuality and the workplace as mutually influencing, not only in the sense that places of work shape how sexualities and sexual minorities are understood and experienced, but also in the sense that the workplace is sexualised through how sexualities and sexual minorities are constructed and attributed meaning at work. For example, LGBT employees who fit in with heteronormative expectations about how they should behave and dress professionally are likely to be attributed recognition as viable, productive human components of organisational life (Rumens and Kerfoot, 2009). LGBT employees who are unable or who choose not to conform to heteronormative discourses may be discursively constructed as ‘abnormal’ and ‘deviant’ and, in some cases, experience a sense of silence or erasure from organisational life. According to Ward and Winstanley (2003), silence can take many forms: 1) silence as reactive (where colleagues react to coming out as a sexual minority with silence, as opposed to extensive talk of straight people’s private lives); 2) silence as a means of suppression (where talk of homosexuality is eschewed in the organisation to ‘invisibilise’ sexual minorities); 3) silence as censorship (where for instance laws can drive sexuality underground in social life).

Rumens and Kerfoot (2009) also draw on poststructuralist theories to examine how gay men working in ‘gay-friendly’ work contexts face specific identity dilemmas as they construct themselves as professionals. This is because the concepts ‘professional’ and ‘professionalism’ are often linked to heteronormative expectations of what it is to behave and embody these constructs, which typically involves a separation of sexuality from professionalism. This can limit how gay men might use sexuality as a source of professionalism in the workplace (just as it might be the case for heterosexuals too), as well as heightening their vigilance about how discourses of homosexuality that associate it with perversion and paedophilia can have a devastating impact on maintaining a professional identity as an openly gay man at work.

Poststructuralist analyses may also be used to challenge and dismantle harmful sexual binaries. Research that draws on queer theory, a set of conceptual resources partly rooted in poststructuralist theories, seeks to destabilise heteronormativity. For example, queer theory is deployed in a strategic manner to question the very diversity management discourses which are supposed to create the conditions whereby sexual minorities may be included in the workplace. Analysing diversity management theory and practice from a queer theory perspective, Bendl et al. (2008) reveal how diversity
management discourses sustain a heteronormative notion of diversity that constrains how sexual difference and sexual diversity are understood, experienced and managed in the workplace. This research highlights the need to critically examine even those organisational discourses and practices which are purportedly designed to help sexual minority groups achieve inclusion in the work context. A queer theoretical perspective exhorts us to question ideas which seem, at first glance, reasonable, natural or normal. In this context, Bendl et al. (2008) invite us to consider the contention that diversity management policy and practice supports sexual minorities only in ways that affirm heteronormative understandings of organisational sexuality. (Refer to Chapter 3 to review policy and practice of diversity management in the workplace in general.)

**Discussion activity 9.1**

Compare and contrast the economic, psychological and poststructuralist theories outlined above. What approach to explaining the work experiences of sexual minorities do you prefer, and why? What implications for management and organisational practice can be drawn from the insights derived from these theories? Can you think of any other issues that may have a bearing on the work lives of sexual minorities, which these approaches have not considered?

**Contextual detail: sexual minority employees in the UK**

Over the past two decades or so, the UK has experienced a progressive socio-cultural shift, where previously restrictive and unsupportive attitudes toward sexual minorities have been substantially liberalised. Weeks (2007) asserts that a social world that was predicated upon sexual restraint and orthodoxy, where practising homosexuality was previously a criminal offence in the UK, has been revolutionised to a point of appreciation and acceptance of sexual diversity. Indeed, the Civil Partnership Act (2004) and the Marriage (Same Sex Couples) Act (2013) have been key milestones in helping LGBT people to gain recognition as citizens and take their place in society's basic building block, family life, alongside heterosexuals. This progressive normalisation of sexual minority identity is highly significant, as it can potentially constitute a critical aspect of the social justice case for greater support and valuation of sexual minorities in the workplace. These UK legal reforms – together with the Employment Equality (Sexual Orientation) Regulations (2003) and the Equality Act (2010), which protect sexual minorities from prejudice- or fear-based discrimination in the workplace – have been important as another driver for equality action. Previously, social justice and business case arguments for addressing sexual orientation at work served as the stimulus for employers to develop formal 'gay-friendly' signals, such as policies that include sexual
orientation, LGBT networks and support groups. Typically, organisations in the public sector have been in the vanguard here, although many private and third sector organisations are making significant advances in this respect. Legal reform by itself is insufficient to eradicate employment discrimination towards sexual minorities but it does provide provisions that allow victimised sexual minorities to seek legal redress through the courts. Legal reforms may also serve a legitimating function at the level of society for sexual minorities, which have opened up previously restrictive notions of citizenship to LGBT people, and shape more inclusive business environments.

Progressive contextual changes in the UK have also conditioned the possibility for the rise of the ‘pink pound’, defined as the substantial buying capacity of members of the LGBT population in the UK, which has influenced a corporate view of sexual minorities as customers/clients. Sexual minorities, who are often stereotyped as having more disposable income, and so may command significant monetary power in the marketplace, are valued highly by some organisations as potentially affluent consumers. As such, some work organisations are increasingly motivated, as part of a business case rationale, to support their sexual minority workers on the basis that these employees possess insider knowledge about the preferences and demands of potential LGBT consumers. At the same time, such strategies are problematic for their tendency to stereotype LGBT people (particularly gay men and lesbians) as affluent and middle class, ignoring the realities of those sexual minorities on lower incomes. Demographically, sexual minorities are more diverse than stereotypes give credit for, but not enough is known about the position and participation rates of LGBT people in the UK labour market given the paucity of statistical data on this issue. Some surveys suggest that the number of openly LGBT people is about 5 per cent of the total population (Hayes et al., 2012). It is likely that this number would be around 10 per cent, if LGBT people could come out without fear of negative consequences. These survey results must be treated with caution, but they can operate as a critical factor in support of the business case for full sexual minority equality and inclusion in the workplace.

**Discussion activity 9.2**

What kinds of further legal and socio-cultural progress may be necessary to reach full equality for sexual minorities in UK workplaces? What new diversity and equality policies may be necessary to capitalise upon the gains made by progressive legal and socio-cultural reforms? What are the limits of legal reforms for eradicating sexual prejudice in the workplace? Are there also organisational-level differences in the way companies approach diversity and equality in regard to sexual minorities?

Go online and review the diversity management policies in five UK companies. Identify the similarities and differences there are within a UK context.
Cross-national contextual detail: sexual minorities in the workplace

Around the world, contextual realities of being a sexual minority vary drastically from one country to another. Areas outside the EU are particularly noted for potential workplace rights gaps in respect of sexual minorities, although even within the EU, there is variation in the degree to which sexual minorities are protected from sexual prejudice. Globally, the vast majority of nations fail to uphold the most basic human rights of LGBT individuals, let alone protect sexual minorities from discrimination at work. Nor are the rights violations or abuses against sexual minorities following a trajectory of linear decline. According to a multinational societal attitude survey conducted by the Pew Research Center (2013), the global divide on the issue of sexual minorities is very strong, with some countries such as Uganda (96 per cent) and Nigeria (98 per cent) demonstrating extremely high animosity to homosexuality at the level of the general public. Consistent with such public sentiments, both of these countries have recently pursued an aggressive criminalisation of same-sex conduct, with long prison terms imposed upon individuals identified to be sexual minorities.

The recognition of and advances towards sexual diversity are routinely thwarted and even reversed, with some countries showing momentary progress only to regress at a later point in time in terms of their legal provisions for equality. For instance, among BRIC countries, Russia and India serve as instances of recent high-profile assaults on sexual minority rights, broadly construed. In Russia, in 2013, authorities passed legislation that would outlaw any promotion of homosexuality as a viable or normal identity to children. The wording of the Russian anti-LGBT legislation is so vague that it could potentially apply to any speech or supportive action in favour of LGBT individuals (Lenskyj, 2014), with the possible result that workplace rights of sexual minorities are now under increasing attack. The Indian Supreme Court decided in 2013 to reinstate Section 377, a colonial-era law banning same-sex intimate relations, which had been overturned some years previously by a lower court. There is now a discouraging precedent in India, where the prevailing impression is that even hard-won rights can be taken back from sexual minorities at one stroke. The wider significance of the Indian Supreme Court decision has been to delegitimise the standing of sexual minorities in society, and as a result their position in the employment sphere could be at greater risk.

In the Middle Eastern context, in an in-depth qualitative study of lesbian, gay and bisexual employees in Turkey, Ozturk (2011) found evidence of substantial discrimination in the employment sphere, ranging from seemingly mild but ridiculing jokes, to name-calling and mental abuse, to job termination, and even threats of violence. This study underscores the socio-cultural constitutive elements of such discrimination, where both patriarchy and heteronormativity work in tandem to render sexual minority work lives unliveable, or otherwise impose substantial penalties upon the free expression of sexual minority status. Sadly, in the Turkish case, sexual orientation discrimination is upheld in both public and private spheres, with family members’ complicity in the perpetration of violence of various kinds. Ozturk and Özbilgin
Sexual minorities in the workplace

(2014) provide a range of critical cases that include honour killings against sexual minorities, job terminations in schooling and de-licensing in football refereeing, to demonstrate the encompassing nature of homophobia in the Turkish system of values. Turkey is a remarkable case study because the country is purportedly the first Islamic society with a Western-style, democratic governance structure based on free and fair elections, although it has a nascent autocratic political elite, which has been widely protested in recent years, culminating in the now notorious Gezi Park events.

In the US, there is a mixed picture regarding legal protection and rights for sexual minorities. Despite recent advances with regards to LGBT marriage equality, LGBT individuals do not yet have the nationwide right to form marriages. With no access to formal state acknowledgement of their relationships, sexual minorities are deprived of the legitimating effect of an important societal institution. Partly as a consequence, there is also no national anti-discrimination employment regulation across the US, and at present in many States, sexual minorities can be fired for simply disclosing their LGBT status. Notwithstanding this challenging context, over the past two decades there has been a steady proliferation of safeguards to thwart discrimination against LGBT workers in both the public and private sectors. A large number of state legislatures and municipal authorities have passed statutes that prohibit LGBT discrimination. Executive Order 13087 signed by former President Bill Clinton banned sexual orientation discrimination by non-military federal departments as well as federal contractors, while Executive Order 13672 signed by President Barack Obama extended the scope of this protection to include gender identity, both of which provisions have afforded legal protection against discrimination to countless LGBT workers. The 2010 repeal of a longstanding US military policy, popularly known as ‘Don’t Ask, Don’t Tell’, which prohibited lesbian, gay and bisexual service members from disclosing their sexuality at work, expanded federal protections further. In the private sector, many large corporations have adopted sexual orientation and gender identity non-discrimination policies in an effort to recruit and develop their human resources based on talent in order to compete more productively in the global marketplace.

Discussion activity 9.3

In the above section, contextual details relating to Russia and India were discussed with a view towards understanding what may be some challenges for sexual minority employees in these countries. The other two countries in the BRIC group, Brazil and China, also have room for progress on the sexual minority equality front. Conduct an online search as to the existing LGBT rights in these two countries, considering both similarities and differences. What are the challenges associated with progress on the equality and diversity areas in these countries? Discuss how the work lives of sexual minorities can be improved in Brazil and China.
Power relations and inequality: issues of silence and voice for sexual minorities in the workplace

As mentioned earlier in the chapter, existing research demonstrates the disempowerment and subjugation of sexual minorities at work through a process of silencing (Ward and Winstanley, 2003). This is partly because sexual minorities often suffer from an invisible stigma (Ragins, 2008). Compared to other minority strands such as race and gender, they are a lot less visible in an immediate sense. (Refer to Chapters 4 and 5 to review gender and race and ethnicity concerns in the workplace.) For instance, while sexist and racist attitudes can be questioned by pointing out the low numbers of women and racial minorities in top management echelons, it is less obvious how to point to a disadvantageous numerical imbalance in the case of LGBT employees. The invisible nature of the social stigma in effect sustains the very conditions of possibility that uphold heterosexuality, leaving the status quo unchallenged. This contributes to the erasure of the presence of sexual minority employees. As well, workplaces, populated mainly as they are with heterosexual majorities, seek to stabilise norms and expectations of behaviour according to heterosexual values, diminishing LGBT workers’ capacity to self-express fully at work. Overall, the atmosphere of silence and silencing leads to an inequality regime (Acker, 2006), where one group of employees (the sexual majority) with privileged status receive all the benefits of their empowered position, and set in place a system and process designed to operate according to their needs, creating a lower order of power, privilege and claim for recognition for a disadvantaged Other group (sexual minorities). Challenging this unequal order is difficult, as sexual minorities have less discursive power, as they function in a heteronormative organisational system.

Extant research also indicates that sexual minority employees have found that silence itself may be a way of challenging the status quo by refusing to partake in the functioning of heterosexist hierarchies (Ward and Winstanley, 2003). A sexual minority who choose silence may be negating the destructive language of organisational homophobia by reducing its available repertoire in the organisational discourse. Furthermore, deployment of voice and silence may depend on whether sexual minority employees, who may wish to challenge an organisational homophobia, are tempered radicals (i.e. individuals who are deeply committed to an organisation while simultaneously seeking change that is anathema to organisational values). Previous research on LGBT priests, exemplars of tempered radicals, shows they use both silence and voice interdependently, as ‘when you are saying one thing, you are not saying another’ (Creed, 2003: 1503). Here, the aim is to minimise damage to an organisation to which one is committed, while achieving success in a particular reformation of the organisational order. Similar tempered radicalism relates to workplace experiences of school teachers, Boy or Girl Scouts organisations and the military, indicating the complexity of silence as part of the lived experienced of a wide variety of sexual minority employees.
Positioned against the idea of silence serving as a strategy to defy heteronormativity, Bell et al. (2011) emphasise the importance of voice, which they define as the sum of all active efforts to transform an unfavourable organisational dynamic rather than passive disengagement with the problem and eventually exiting the organisation. Thus, according to Bell et al. (2011: 140), diversity management practitioners and organisational employment relations strategy must pay special attention to facilitating voice through putting in place and supporting enabling mechanisms of individual and collective action, for instance, intra- and extra-organisational LGBT networks, sexual orientation champions, organisational sexual orientation initiatives and LGBT-focused organisational training opportunities.

Voice and silence challenges facing sexual minority employees

An important caveat to the above-mentioned literature is that processes of voice and silence may be contingent, where the underlying mechanisms work differently based on sectoral and organisational size contexts. A small business is likely to have a relatively more informal human resources function, which is potentially insufficient to advance a clearly articulated diversity policy. A multinational enterprise, on the other hand, is likely to have a well-developed and strategically focused human resource function, usually with a clear diversity and equality strategy. Whereas in small businesses voice may take the form of individual efforts by sexual minorities to underline their presence at work and convince owner-managers to commit to the rights of sexual minority employees, in large organisations there are opportunities for collective action. For instance, Colgan and Mc Kearney (2012) find that despite a decline in unionisation, in large organisations sexual minorities increasingly create alliances and employee networks that help to advance LGBT equality at work. Additionally, as large private organisations have significant reputational concerns in a highly competitive business arena, they wish to project a strong corporate social responsibility ethos to various stakeholders in the marketplace. Corporate social responsibility can be powerful enough to make businesses conscious of human rights requirements, superseding the business vs social justice arguments to give initiatives for LGBT rights and equality at work an enhanced position of influence, strengthening voice opportunities and greatly widening the range of available mechanisms (Colgan, 2011). On the other hand, public sector organisations, which may be expected to perform better on sexual minority equality and diversity at work, are not necessarily as advanced as desired. In many public sector settings, the UK public equality duty may serve as a deceptively comforting mechanism of voice, while in practice fundamental challenges exist and remain unaddressed. In particular, despite its pioneering status in equalities issues, the public sector has started to lag behind the private sector as a result of the new public management (NPM) discourse in the UK (Colgan et al., 2009). NPM's predominantly
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business case arguments for LGBT inclusion have a stifling impact on the variety of voice mechanisms available to LGBT employees. Furthermore, in the public sector there is a gap between hard knowledge of legislation on equality and diversity, and soft knowledge of day-to-day equality practice (Senyucel and Phillpott, 2011), which may reduce actual feasible voice opportunities.

A proviso in this analysis is that regardless of public vs private sector status or size-related HR capacity variations, an important differentiator in terms of voice and silence mechanisms is the gendered nature of the industry setting in which the organisation is located. For instance, employers in the construction industry, a sector of employment dominated numerically and culturally by men and masculinities, are shown to be less responsive to claims of sexual orientation discrimination in the workplace (Wright, 2013), with the industry failing to follow emerging market norms of inclusion toward sexual minorities. In explaining this deficit, Rumens (2013) problematises the dominance of men in the construction industry as well as the scholarly literature on construction, and explains that advances can only follow through the disruption of ubiquitous essentialist practices of sex and gender categories in construction. In the police service, another traditionally male-dominated work domain, despite recent advances, sexual minorities still face the necessity to manage their identities at work through the use of sophisticated strategies (Rumens and Broomfield, 2012), which may have considerable psychological costs negatively impacting on their work lives. On the other hand, sexual minorities who wish to fashion a particular identity, for instance, a butch lesbian persona, may draw strategic benefits from prevailing masculinist practices in a male-dominated industry. For example, lesbian firefighters may be more easily accepted into the watch as compared with heterosexual women, perhaps due to male firefighters’ perception of lesbians’ stronger compliance with the masculine work culture (Wright, 2008). However, this still falls short of full acceptance, and sexual minorities may simply face a different type of discrimination, such as unwanted jokes or colleagues’ lack of interest in private lives in the context of workplace social relations, as opposed to sexual harassment directed at heterosexual women.

Discussion activity 9.4

Break into small groups and discuss five ways in which sexual minorities can be given voice at work. What are the different responsibilities of top management, supervisors, colleagues and equality and diversity officers in an organisation in facilitating voice mechanisms for sexual minority employees? What are the variety of possible business and social justice costs associated with the silencing of sexual minority employees at work? It may be useful to consider the example of James presented in Organisational insight 9.2.
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Organisational insight 9.2

Firefighting

The fire service is an industry with a long-held reputation for projecting a conservative staffing outlook. Existing academic scholarship has described members of the fire services crews as well as their management ranks as a group largely comprised of heterosexual, able-bodied men. Aside from a gender under-representation, which may be considered the visible part of the iceberg, there is the largely silent homophobia that potentially pervades all layers of the forces. While gender imbalance is now acknowledged and some remedial action is being taken by fire services, when it comes to sexual minorities, there is much room for improvement.

For over a decade, James served as a highly successful operational staff member of a large fire and rescue service in the UK. Since he joined the service more than ten years ago, until his promotion last month, James was engaged in a carefully constructed identity management strategy of covering (see Woods and Lucas, 1993). However, once he reached a senior management level, James finally put his guard down, and discreetly started to inform his colleagues that he is gay. Although colleagues have responded positively, most of them declined to speak to James about his sexuality at length. James has thus felt unable, despite now wanting to do so, to share his private life at work, while his straight colleagues openly ask one another about their partners and children. More worryingly, his boss Alan, who had long served as a mentor for him and had always shown support for his career advancement, has lately distanced himself from James. In fact, Alan now shows a marked indifference to James’s existence in the organisation, sometimes seemingly avoiding interpersonal contact intentionally. Although Alan has made no disparaging remarks to James about his sexuality, at meetings he pointedly looks at other colleagues and always averts his eyes from James. Feeling stressed and discriminated against, James is now seriously considering changing jobs and quitting his beloved occupation.

Summary and recommendations

This chapter has first considered the economic, psychological and poststructuralist theoretical approaches to understanding the workplace experiences of sexual minorities. Based on the economic approach, it is clear that sexual minorities even in legislatively ‘gay-friendly’ contexts suffer from pay and promotional penalties. One intervention to help remedy existing disparities may be to carry out intra-organisational, sectoral (for
instance, private vs public) and industrial audits to ensure that systematic under-earning and managerial under-representation of sexual minority employees are reported and addressed. Company pay policies must be developed with specific attention paid to sexual minority employees’ remuneration and non-monetary benefits, especially in legal contexts where same-sex partnerships have no legal standing. Countering hiring discrimination is challenging given that it is rarely acknowledged openly in recruitment and selection processes, but helpful here is the presence of a strategically aligned human resource function that has input into the people resourcing function of the organisation. Regarding the psychological and emotional welfare of sexual minority employees, it is important to support sexual minority employees who may have job dissatisfaction, stress and anxiety, and other well-being challenges as a result of sexual prejudice in the workplace. LGBT organisational networks and support groups may help to provide such support as well as leveraging wider organisational change in how employers engage with sexual minorities at work. Poststructuralist accounts of sexual minorities in the workplace favour strategies that disrupt and destabilise workplace heteronormativity. This is likely to require creating queer-conscious organisational policies challenging the uncontested and socially naturalised place of heterosexuality as the standard bearer of organisational relations. That is, organisational policies should be developed, not with the unarticulated assumption that organisational members are heterosexual and have heterosexist needs and expectations, but instead organisational members (heterosexuals as well as LGBT people) have a variety of equally valid sexualities, and policies at all levels must reflect this diversity of sexualities.

Contextual details covered earlier in the chapter point to a wide variation in legal and socio-cultural support for sexual minorities. There is little indication of a linear positive transformation for sexual minorities over time, as recent reversals in the fortunes of LGBT people in Russia and India illustrate vividly. One recommendation is for multinational companies as well as international human rights NGOs to lobby for more protective and supportive legislation. Global companies make large-scale investments in infrastructure and mobilise job opportunities for substantial numbers of citizens. Although difficult and potentially unpopular among some global organisations, many can exercise power to leverage the advantageous consequences of their presence in a given country to support progressive agenda shifts for sexual minorities.

It is also important to consider context at a lower level of analysis, when it comes to public vs private sector employment, industry, and organisational culture and size. For instance, in the UK despite a public sector equality duty, explained above, many sexual minorities have still to experience inclusivity within public organisations. In some cases, private sector organisations have surpassed their public counterparts, and thus it is important to not make sector-based assumptions as to which sector is better or more ‘gay-friendly’ over the other. In terms of industries, this chapter points to traditional, male-dominated industries as being particularly homophobic employment spaces, where sexual minorities often face complex challenges. One recommendation to challenge such industry-wide problems is to coordinate industry-wide action plans.
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to confront and eradicate homophobia by publicity campaigns, trade conferences and symposia, and industry-defined employment practices that push for a greater equality and inclusion agenda. The recent ‘kick homophobia out of football’ campaign in the UK, which challenged both homophobic fans and, importantly, homophobic club management and field team members, is a good example of industry-coordinated action. This chapter has also indicated that in small-sized organisations with informal HR systems, issues of minority sexuality may be overlooked or insufficiently addressed. Although small businesses may not individually have resources to hire equality and diversity officers and spend time and money on intra-organisational diversity policies, small and medium enterprise (SME) associations and government programmes that are in place to support SME firms can invest in creating a set of sexual minority inclusive policies, guidance and training programmes to ensure that such firms are well-served and capable of serving all their employees well. Finally, various interventions at the level of individuals and organisations can also potentially change the current status quo of unequal workplace relations. This chapter explains that unequal power relations and organisational silencing of sexual minorities are widespread and now normalised features of organisational life. Recommended actions to take in order to give sexual minority employees more voice can be greater recognition of issues of organisational sexuality in union discussions, plans and programmes, organisational champions for sexual minority issues, top management sexual minority employees who can serve as mentors to those on lower rungs of the organisational ladder, sexual minority/majority workplace alliances and sexual minority networks. Admittedly, the plethora of interventions and recommendations may have a cost dimension, but failure to take action on all fronts and at all levels can have even greater costs for individual employees and organisations alike.

Discussion questions

1. Imagine that you are the CEO of a global finance company. Based on this chapter and your reading around the topic, explain the main equality and diversity issues that influence sexual minority employees in your company. Create a plan of strategic support for your employees with a view towards achieving full equality. Think about what specific individual-based actions can be taken to help sexual minorities with their career advancement and mentoring needs.

2. Conduct a small informal qualitative study with five interviewees who identify as heterosexual. You could select them from different employment sectors and/or industries. Ask them what their views of sexual

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minority employees are, whether they work alongside any sexual minorities currently and what suggestions they would provide in combating sexual inequalities at work. If they have issues with working alongside sexual minority colleagues, ask them to explain the reasons for their beliefs and attitudes. Based on their suggestions and reasons, discuss organisational policy and practice recommendations that will strengthen support for sexual minority employees.

**CASE STUDY**

**Religious freedom vs sexual minority employees**

Hallow Hill School is a faith-based school in Sydney, Australia. Since the founding of the school by a group of devout evangelical missionaries, its policies have been developed to uphold a strict scriptural interpretation of the Bible. The mission and values statements of the school have been put together based on the teachings and doctrinal leanings of evangelical Christianity. In over two decades of operation, Hallow Hill has become a virtual magnet for families who wish to send their children to be schooled according to conservative principles of their religion, and the school recognises that they have a strong sense of duty to impart the sensibilities and tacit knowledge and understandings that the parents wish their daughters and sons to be given. Accordingly, it is the express expectation of the school management that all members of staff respect and abide by the school code of ethics, which has its basis in Bible teachings, and which provides guidance on acceptable and non-acceptable behaviour on the part of the school employees. Additionally, members of staff cannot be associated with any activity, even outside the school premises, if such activity is against the school’s interpretation of Christian teaching and practice. While the school has been positive towards its diverse staff, it has shown a clear lack of tolerance of diversity when it comes to sexual minorities. Through a variety of means of communication, Hallow Hill continually propagates the message that it will not employ sexual minorities under any circumstances, as it believes employing sexual minorities would be against the deeply held religious convictions and sentiments of the school personnel, parents and the students. (Continued)
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(Continued)

Jane Cassandra Levkinsky is a seasoned mathematics teacher, and has been serving as both a teacher and the Head of Science and Mathematics at Hallow Hill for the past year. Jane has achieved very strong results in the classroom environment, with many students obtaining high marks and showing increased commitment to their studies. Due to Jane’s consistent, innovative, positive and constructive approach, some pupils who had previously done very poorly in their maths studies blossomed and reached far superior results compared to their previous record, which has prompted a number of parents to contact the school to provide thank you messages lauding Jane’s accomplishments. Hallow Hill’s management has also been highly impressed with Jane. Their appreciation of her teaching excellence is further enhanced by their observation that Jane has been a first-rate strategic thinker who has revolutionised her team’s approach to teaching, and has both motivated her staff to aim for stronger student results and allowed herself to be an invaluable resource for pragmatic and useful ideas when one of her team members needed guidance.

All of this changed one day last month, when Adam, another teacher in Hallow Hill, checked out Jane’s new Facebook page. Upon his visit, Adam thought that Jane had some pictures where she was hugging another woman in a way which was suggestive of a high degree of intimacy. Coupled with these pictures, a few oblique comments made by Jane and her friends on the Facebook page gave the impression to Adam that Jane is a lesbian, and the woman in the pictures is her partner. Adam immediately notified the Hallow Hill management and they held a ‘crisis meeting’ with Jane. At this meeting, Rev. David Jackson, the principal, bluntly asked Jane if she was a lesbian. Jane avoided answering the question a few times, and at long last told the attendees as well as the principal that her private life was her business, and she would not like to disclose whether or not she is a lesbian.

The unfortunate treatment of Jane worsened over the weeks that followed. The previously supportive management team, which had repeatedly indicated their satisfaction with Jane’s work, started questioning Jane’s decisions at every turn, micromanaging Jane’s work day to the minute, publicly suggesting that Jane’s budget had inaccuracies which might have harmed the school, and finding fundamental faults with some of the innovative teaching methods and techniques Jane introduced, arguing that these were not fit for purpose and seemed insufficiently evidence-based to be used in the Hallow Hill classroom contexts.

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Finally, Jane felt that her work was no longer appreciated by the Hallow Hill staff and management, and that she was not welcome in the classrooms or corridors, which for her meant that she could not function as a teacher and a team leader. Jane provided the principal with her resignation letter, in which she came out as a lesbian and explained that the events depicted above amounted to constructive dismissal, for which she would seek legal remedies in Australian courts. Principal Jenkins responded that her resignation was accepted, as she could not serve as a lesbian staff member, which would be in violation of the school’s faith-based teaching ethos which rejected sexual diversity. The principal explained that all of this arose out of communication issues, and as a change in policy in the aftermath of this case, the school would henceforth ask all job candidates if they are a sexual minority or not, and those who affirmed sexual minority status or those who declined to answer the question would be denied jobs. Finally, the principal also vigorously denied that Jane was made to leave her job under duress, as a result of a campaign to push her out.

Attitudes toward sexual minorities in Australia are amongst the most positive around the world. For instance, the Pew Research Center’s global survey on homosexuality finds that 79 per cent of Australian respondents believe that society should accept homosexuality. Additionally, according to federal legislation ratified recently in Australia, the Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Bill 2013, there is now a nationwide employment non-discrimination law designed to protect sexual minorities in the workplace. However, this law provides an exemption clause for faith-based schools that wish to exclude sexual minorities from serving as staff, although the constitutionality of this aspect of the law is yet to be fully contested in courts at the highest level. Despite great positive strides made in support of sexual minorities in the Australian workplaces, there is still contestation as to the expansiveness of protection. The question whether sexual minority employees should be protected in all areas of work is still not fully or satisfactorily answered, as per Jane’s experiences.

Questions
Discuss the issue of competing minority rights, in this case, religious vs sexual minorities. Do you see an inherent conflict? Are there possibilities for reconciling these rights contradictions, and if so, what are the conditions for cooperation and mutual understanding?
(Continued)

1. What rights should be prioritised in deciding equality and diversity policies at the national level? Explain what issues are at stake in favouring one set of rights over another.

2. What role should a faith-based school take in delving into the private lives of its staff? Is private legal activity off-limits or fair ground for access or questioning for employers to start an enquiry?

3. To what extent can an institution, which is allowed to legally discriminate, claim to support, espouse or pursue equality and diversity goals? What is at stake in allowing legal discrimination on any basis, nationally, industry-wide or in terms of individual employees?

Further reading


References


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