This webinar is designed for informational purposes only, and does not constitute legal advice. Any action or inaction by the viewer based on the information provided is done without guarantee of its accuracy or suitability for a particular purpose.
RESPECT

“We should all make more of an effort to discuss with one another, in a truthful and mature and responsible way, the divides that still exist – the discrimination that’s still out there, the prejudices that still hold us back.”

President Obama
July 29, 2010
Agenda

1) Welcome and Introductions
2) Notes of Appreciation
3) Terminology
4) From the Research Lab to the Workplace
5) Summary & Discussion
WITH APPRECIATION

Dean LiFang Shih
Associate Dean Scott Dolan
Associate Dean Michael Johnson
Instructional Faculty in Human Resources and Leadership
Student Chapter Officers
Savannah White
EEOC & SEX DISCRIMINATION

PER EEOC: EEOC ENFORCES TITLE VII’S PROHIBITION OF SEX DISCRIMINATION, WHICH PROHIBITS EMPLOYMENT DISCRIMINATION BASED ON GENDER IDENTITY AND SEXUAL ORIENTATION
EEOC ENFORCEMENT

EEOC PROTECTIONS OF GENDER IDENTITY AND SEXUAL ORIENTATION APPLY REGARDLESS OF ANY CONTRARY LOCAL OR STATE LEGISLATION
EEOC ENFORCEMENT

SEX DISCRIMINATION PROVISIONS IN TITLE VII PROTECT LGBT APPLICANTS AND EMPLOYEES AGAINST EMPLOYMENT BIAS
EXAMPLES

WILLIAMS INSTITUTE ON SEXUAL ORIENTATION:

15% TO 43% OF GAY AND TRANSGENDER EMPLOYEES HAVE EXPERIENCED A FORM OF DISCRIMINATION AT WORK;
10% TO 28% RECEIVED A NEGATIVE PERFORMANCE EVALUATION OR WERE PASSED OVER FOR A PROMOTION BECAUSE THEY ARE GAY OR TRANSGENDER;
7% TO 41% OF GAY AND TRANSGENDER EMPLOYEES ARE VERBALLY OR PHYSICALLY ABUSED OR HAD THEIR WORKPLACE VANDALIZED
ADDITIONAL FINDINGS

INCIDENCE OF WORKPLACE DISCRIMINATION AND HARASSMENT HIGHER FOR LGBT EMPLOYEES THAN THEIR HETEROSEXUAL COLLEAGUES

IN ONE STUDY: 37% OF LESBIAN AND GAY EMPLOYEES EXPERIENCED WORKPLACE HARASSMENT IN THE LAST FIVE YEARS; 12% LOST A JOB BECAUSE OF THEIR SEXUAL ORIENTATION

IN ANOTHER STUDY: 90% OF RESPONDENTS WHO IDENTIFY AS TRANSGENDER REPORTED EXPERIENCING HARASSMENT AND DISCRIMINATION AT WORK IN HIRING, PROMOTION OR JOB RETENTION
COGNITIVE VS. AFFECTIVE RESPONSES

STEREOTYPING HAS ITS PROBLEMS

EVERYONE IS UNIQUE.

NO ONE SINGLE PERSON IS A REPRESENTATIVE OF A CERTAIN GROUP.

STEREOTYPES AND PREJUDICES ARE DAMAGING TO AN ORGANIZATION.

TERMINOLOGY IS IMPORTANT!
ALLY

This term describes an individual with social or economic privilege who engages in practices that challenge and transform ideas, values, and behaviors that afford others less privilege.
The interconnected nature of social categorizations such as race, class, and gender as they apply to a given individual or group, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.
ANDROGYNOUS

A term used as both a self-description and a means to describe those whose outward appearance, mannerisms, expressions, and/or identifications combine masculine and feminine traits in a way that produces an ambiguity.
A social system in which all people are classified into either one of two categories: male or female. This system is premised on the idea that intersex and transgender people do not exist or that they need to be fixed in order to fit into a binary system. In the United States, the binary gender system is maintained in ordinary ways such as male/female bathrooms, male/female dormitory room assignments, and identification forms.
BISEXUAL

A term used as both a self-description and a means to describe those who classify themselves as possessing significant sexual/romantic attraction to individuals who are attracted to men and women.
Someone who lives and identifies as the same sex that they were assigned at birth is called a “cissexual.” Most of the population is cis and they receive certain rights and privileges that trans people do not. There is a wide range of cis identities, some traditional and some not traditional.
“Female-to-Male”. This is an acronym for the term “female-to-male” and is used to describe transgender individuals who were assigned the sex of female at birth, but express masculine gender identities through aesthetic, surgical, social, and/or behavioral changes.

“Male-to-Female”. This is an acronym for the term “male-to-female” and is used to describe transgender individuals who were assigned the sex of male at birth, but express feminine gender identities through aesthetic, surgical, social, and/or behavioral changes.
GENDERQUEER

This term describes a gender identity that is embraced by people whose genders are unconventional or non-normative.
HETERONORMATIVE

This concept describes actions, institutions, ideologies, and systems that assume heterosexuality is the normal sexual orientation. As such heteronormative ideas and behaviors deem other sexual identities and practices as less normal, valuable and/or healthy; certain sex is deemed good (reproductive, monogamous, married, male female sex) and other sex is deemed bad (gay, lesbian, transgender, polysexuality, pansexuality, etc.).
Originally a derogatory slur, this term has been reclaimed since the 1980s, primarily among middle-class European Americans in activist, artistic, and scholarly communities, as an umbrella word to encompass all people who diverge from hetero- and homonormative genders and sexualities.
Transgender or trans* is an umbrella term for people whose gender identity is different from the sex they were assigned at birth.
THE TERM “TRANSGENDER” ENCOMPASSES MANY IDENTITIES, BEHAVIORS AND APPEARANCES THAT CROSS GENDER LINES:

TRANSEXUALS CROSS DRESSERS DRAG QUEENS AND KINGS GENDERQUEERS
The bipartisan EEOC—the federal agency in charge of enforcing employment discrimination laws—declared unanimously that anti-trans bias was sex discrimination under Title VII.

TRANSGENDER INDIVIDUALS ARE PROTECTED FROM DISCRIMINATION IN THE WORKPLACE UNDER TITLE VII OF THE 1964 CIVIL RIGHTS ACT, THE PARALLEL FEDERAL LAW THAT PROHIBITS SEX DISCRIMINATION IN EMPLOYMENT.
LUSARDI V. DEPT. OF THE ARMY  2015

EEOC HELD THAT:

1. DENYING AN EMPLOYEE EQUAL ACCESS TO A COMMON RESTROOM CORRESPONDING TO THE EMPLOYEE’S GENDER IDENTITY IS SEX DISCRIMINATION;
2. AN EMPLOYER CANNOT CONDITION THIS RIGHT ON THE EMPLOYEE UNDERGOING OR PROVIDING PROOF OF SURGERY OR ANY OTHER MEDICAL PROCEDURE;
3. AN EMPLOYER CANNOT AVOID THE REQUIREMENT TO PROVIDE EQUAL ACCESS TO A COMMON RESTROOM BY RESTRICTING A TRANSGENDER EMPLOYEE TO A SINGLE USER RESTROOM INSTEAD
EXAMPLES OF LGBT DISCRIMINATION

- NOT HIRING AN APPLICANT SOLELY DUE TO TRANS STATUS
- TERMINATING AN EMPLOYEE BECAUSE OF A GENDER TRANSITION
- MAKING HARASSING AND/OR DISCRIMINATING COMMENTS REGARDING LGBT STATUS
RETAIATION PROHIBITED

RETAIATION AGAINST AN APPLICANT OR EMPLOYEE FOR FILING A CHARGE OF DISCRIMINATION, PARTICIPATING IN AN INVESTIGATION, OR OPPOSING DISCRIMINATORY PRACTICES IS PROHIBITED.
THIRD PARTY HARASSMENT

THE INDIVIDUAL TO WHOM THE HARASSING CONDUCT IS AIMED IS NOT THE ONLY PERSON WHO CAN COMPLAIN ABOUT THE HARASSMENT.

THIRD PARTIES MAY COMPLAIN WHEN THE HARASSMENT DIRECTED AT OTHERS ADVERSELY AFFECTS THEIR WORK ENVIRONMENT.
IMPACT

RESPONSES INCLUDE:

ANGER
ANXIETY
GUILT
SUICIDAL THOUGHTS
CHANGE IN CAREER GOALS
FEAR OF CRIME
DEPRESSION
GASTROINTESTINAL PROBLEMS
HEADACHES
SLEEP DISTURBANCES
HR NEEDED

96% OF FORTUNE 500 COMPANIES HAVE LGBT WORKPLACE PROTECTION

POLICIES, PROCEDURES AND TRAINING BOOST BUSINESSES, RETENTION RATES AND ATTRACT TALENT

SEXUAL ORIENTATION MANAGEMENT PROGRAMS
PERSONAL BELIEFS VS. WORKPLACE CONDUCT

STEREOTYPES PREJUDICE BEHAVIOR
RESOURCES

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
eeo.gov


http://lgbtccneworleans.org/useful-vocabulary/
ADDITIONAL RESOURCES

CONTACT:
Dr. Michele Paludi
Senior Faculty Program Director
School of Business and Technology
Excelsior College
518 464 8729
mpaludi@excelsior.edu