

LGBT Inclusion Programs with a Specific Focus on Ally Programs

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Many members of the lesbian, gay, bisexual and transgender (herein after, “LGBT”) community are, unfortunately, feeling isolated and not realizing their full potential in the workplace. In a study by the Center for Work-Life Policy (now the Center for Talent Innovation) sponsored by Cisco and Google, among others, a survey of 3,000 LGBT employees revealed that 48% were not “out” at work (The Power of Out, Sylvia Ann Hewlett and Karen Sumberg, Center for Work-Life Policy June, 2011 <http://outonthestreet.org/wp-content/uploads/2012/11/the-power-of-out.pdf>). Moreover, 58% had reported hearing derogatory jokes at work. Ally Programs have proven to be successful in many workplaces (Allies ‘Come Out’ – LGBT Allies are Changing the Face of Workplace Diversity and Inclusion Jennifer Brown Consulting August, 2012 <http://jenniferbrownconsulting.com/site/wp-content/uploads/2012/08/Allies-Project-Whitepaper-August-20121.pdf>). While the Human Rights Campaign’s most recent survey on best LGBT equality practices had the legal industry topping the list, a serious issue of the so-called “hidden brain drain” persists (<http://www.hrc.org/resources/entry/best-places-to-work-2014>). In law firms, while the reported data for percentage of LGBT attorneys has doubled over the last decade, associates are far more likely than partners to identify themselves as LGBT indicating that there may be more LGBT partners than the reported data suggests (<http://www.nalp.org/jan14research>). While more and more clients are requesting increased LGBT diversity on their outside counsel staffs, research suggests that ally programs are not at all common in law firms.

This document will: (1) define key LGBT terminology; (2) discuss ways in which LGBT employees are excluded; (3) identify programs that have helped integrate LGBT employees into the workplace better with a specific focus on ally programs; (4) provide a short analysis on why LGBT programs help increase a business’ bottom line; and (5) provide examples of companies who have implemented successful LGBT ally programs.

Terminology

As background, the following is terminology to help navigate this document and develop any LGBT programs. The words “lesbian” and “gay” refer to a woman or man respectively who is attracted to the same sex. The word “bisexual” refers to a woman or a man who is attracted to both sexes. The term “transgender” is a person who does not identify with his or her biological sex and may or may not have altered their physical bodies through surgery and/or hormone therapy.

LGBT Exclusion

Some examples of how members of the LGBT community feel excluded are when: 1) major benefits are reserved for only heterosexual couples; 2) significant others are excluded from work events that include spouses; 3) coworkers assume that they are heterosexual when asking them about girlfriends/boyfriends; 4) coworkers make, or do not speak up against, a homophobic joke;

and 5) coworkers do not use a transgender person's chosen name or pronoun. These forms of exclusion can cause degradation of workplace culture.

Programs Aimed at Addressing LGBT Exclusion

Law firms and corporations have tackled the issue of making the workplace more LGBT friendly in three different ways: 1) training programs; 2) affinity groups; and 3) ally programs. LGBT training programs can be either stand-alone programs or can be rolled up into any diversity training that a law firm already has in place. Similarly, LGBT affinity groups can either form on their own or through a firm's already established diversity committee.

Ally Programs, which have been adopted fairly regularly in the financial industry, are a way to promote LGBT equality and acceptance in the workplace. These programs enlist heterosexual members of an organization to publicly display their support for the LGBT community often through use of a mug, sticker or magnet displayed in their offices. Allies advocate for LGBT rights and try to provide a safe environment for their LGBT colleagues. Often, the companies that are the most successful in their ally program efforts recruit top executives to be allies.

Ally (or Safe Space) Programs differ from company to company, but the Human Rights Campaign lists six basic steps to develop any sort of Ally Program in the workplace. The steps include: (1) creating a mission statement; (2) developing a common language with clearly defined terminology related to LGBT issues; (3) developing a logo that clearly identifies allies; (4) expanding and solidifying a group of allies through training programs and ally contracts; (5) keeping members informed through resource guides; and (6) following up to ensure goals are accomplished. For more information, visit the HRC's website here:

<http://www.hrc.org/resources/entry/establishing-an-allies-safe-zone-program>.

Three more resources to aid in the development of an Ally Program are: (1) the Human Rights Campaign's publication: "An Ally's Guide to Issues Facing the LGBT Community" which is a good source of information for employees who wish to know more about benefits that are often not afforded to the families of their LGBT colleagues, access to identification documents for transgender people, federal antidiscrimination policies, marriage laws, and more

(<http://www.hrc.org/issues/allies>); (2) The LGBT Bar Association Directory which compiles a list of all self-reported LGBT partners in the United States (<http://www.lgbtbar.org/>); and (3) GLAAD's profile of Lucent Technologies Safe Space Program (<http://www.equal.org/safe-space-program/>).

LGBT Programs Increase Bottom Line Figures

Addressing LGBT issues at work will improve bottom line figures. A more inclusive environment helps the overall bottom line in law firms by addressing a shift in attitude from clients on diversity matters. Many clients are now specifically asking for more LGBT attorneys on their matters in addition to racial and gender diversity. Firms may want to let this be known to their attorneys to indicate that not only will LGBT attorneys be accepted by the law firm and clients, but an identification of their sexual identity may help promote the firm's interests and

their careers. In addition to accommodation of client requests, it is in a law firm's interest to recruit and retain LGBT attorneys for the more comprehensive legal work product that comes from different vantage points diverse attorneys bring to the table. Moreover, being a part of an LGBT association can be a networking tool that provides benefits on par with, for example, church groups or alumni associations. Finally, LGBT employees who are comfortable in their environment become much more productive employees. For a more comprehensive discussion of LGBT diversity increasing the bottom line, see "LGBT ally groups can improve an office" January 13, 2014, Chicago Tribune article by Rex Huppke http://articles.chicagotribune.com/2014-01-13/business/ct-biz-0113-work-advice-huppke-20140113_1_lgbt-employees-ally-groups.

Companies That Have Rolled Out Successful Ally Programs:

Goldman Sachs Ally Program and Training – Goldman Sachs was one of the first corporations to institute an ally program. In 2008, as part of LGBT Pride Month activities, Goldman Sachs launched a 'top down/bottom up' approach. It enlisted top leaders to be visible and formal allies. In addition, it created a training course called 'Out in the Open: Sexual Orientation in the Workplace' which teaches employees about appropriate behavior in a diverse workplace. (<http://www.forbes.com/sites/karenhigginbottom/2013/12/23/how-straight-ally-programs-are-transforming-the-workplace/>)

Alcatel-Lucent Safe Space Program – This program provides a sticker with a logo universally known to mean acceptance of LGBT people and support for equality in the workplace to all employees who wish to display it in their offices. This provides an indicator to employees about who is an ally for them in the quest for equality. (<http://www.equal.org/safe-space-program/>)

Alcoa Inc., Eagle Program (Employees at Alcoa for Lesbian, Gay, Bisexual and Transgender Equality) –In an effort to recruit LGBT employees, Alcoa created this ally program. It is the fastest growing employee resource group at Alcoa and 80% of its 400 members are heterosexual. Allies are required to read and sign a pledge on the company's intranet and 'out' themselves as an LGBT ally. (Allies 'Come Out' – LGBT Allies are Changing the Face of Workplace Diversity and Inclusion Jennifer Brown Consulting August, 2012 http://jenniferbrownconsulting.com/site/wp-content/uploads/2012/08/Allies-Project-Whitepaper_August-20121.pdf)