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REVISIONS/REPORTS

Discrimination against Lesbians in the Work Force

Martin P. Levine and Robin Leonard

The lesbian and gay movement has long maintained that there is widespread discrimination against lesbians and gay men in the work force.¹ Gay men and lesbians have repeatedly claimed that they were fired, not hired, or not promoted because of their sexual orientation. To redress this wrong, they have turned to employers, legislative bodies, and the courts, demanding laws and personnel policies that bar such discrimination.²

This article is a revised version of a paper presented at the seventy-seventh annual meeting of the American Sociological Association in San Francisco. We are grateful to Dr. Barry D. Adam, Dr. Linda Joseph, L. R., and the two anonymous reviewers for their invaluable comments and suggestions.

1. See Sidney Abbott and Barbara Love, "Is Women's Liberation a Lesbian Plot?" in *Women in Sexist Society: Studies in Power and Powerlessness*, ed. Vivian Gornick and Barbara K. Moran (New York: Mentor Books, 1972), pp. 601–21; Carl Wittman, "A Gay Manifesto," in *Out of the Closets: Voices of Gay Liberation*, ed. Karla Jay and Allen Young (New York: Douglas/Links, 1972), pp. 330–45; Dennis Altman, *Homosexual: Oppression and Liberation* (New York: Avon Books, 1971), pp. 45–49; Toby Marotta, *The Politics of Homosexuality* (Boston: Houghton Mifflin Co., 1981).

2. For a review of the pertinent court cases, see Donald C. Knutson, "Job Security for Gays: Legal Aspects," in *Positively Gay*, ed. Betty Berzon and Robert Leighton (Millbrae, Calif.: Celestial Arts, 1979), pp. 171–87; Judith M. Hedgpeth, "Employment Discrimination Law and the Rights of Gay People," *Journal of Homosexuality* 5, nos. 1/2 (Fall–Winter 1979–80): 67–68; E. Carrington Bogan et al., *The Rights of Gay People*, rev. ed. (New York: Bantam Books, 1983), chaps. 2, 3.

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While this action has met with some success, conservatives and religious fundamentalists have often stymied lesbian and gay men's efforts.³ The opposition justifies employment discrimination on the basis of biblical teaching and stereotypical misconceptions, arguing that lesbians and gay men are sinners, sufferers of mental illness, and child molesters.⁴ In a number of American cities—Miami, Florida; St. Paul, Minnesota; and Eugene, Oregon—citizens convinced by these arguments have voted to overturn local ordinances that banned, among other things, discrimination against gay men and lesbians in the labor force.

Opponents with a more sophisticated approach argue that the evidence supporting lesbian and gay claims of discrimination is not conclusive, consisting mainly of "personal statements by individuals concerning specific cases."⁵ Charging that these random instances do not constitute hard evidence or prove widespread discrimination, they conclude that the problem is insignificant and that lesbians and gay men do not require any protection.

While lesbian and gay activists vehemently reject this conclusion, it is true that they lack hard and systematically collected evidence of employment discrimination. Although this problem has been in the national spotlight for over a decade, it has been the subject of only minimal empirical inquiry, and, with one exception, the little data collected have not been assembled and made readily available to those in the gay and lesbian movement.⁶ Moreover, researchers who conducted many of the existing studies based their findings on combined samples of lesbians and gay men, making it difficult to determine whether the problem appears differently in the two populations.⁷

This report focuses on employment discrimination against lesbians since no one has yet synthesized what is known about their situation. After a review of the existing literature, we will present new empirical evidence documenting the lesbian and gay movement's claim of job discrimination and will then try to gauge the extent of the problem.

3. For a list of corporations with antidiscrimination policies, see National Gay Task Force, *The NGTF Corporate Survey* (New York: National Gay Task Force, n.d.). For a list of places with antidiscrimination ordinances, see National Gay Task Force, *Gay Rights Protection in the U.S. and Canada* (New York: National Gay Task Force, n.d.). For a review of the favorable court decisions, see Hedgpeth.

4. For an account of the religious/conservative counterattack, see Dennis Altman, *The Homosexualization of America, the Americanization of the Homosexual* (New York: St. Martin's Press, 1982), chap. 4.

5. National Gay Task Force, *Employment Discrimination in New York City* (New York: National Gay Task Force, n.d.), p. 1.

6. The one work reviewing the literature for gay men is Martin P. Levine, "Employment Discrimination against Gay Men," *International Review of Modern Sociology* 9, nos. 5–7 (July–December 1979): 151–63.

7. For reports mixing the two groups, see National Gay Task Force, "Employment Discrimination in New York City"; American Psychological Association, *Removing the Stigma:*

Literature Review

Evidence of employment discrimination to date largely comes from data collected in studies of the psychological and sociological status of lesbians and from personal accounts. There are three main sources for the anecdotal evidence: courtroom testimony by the small number of lesbians who have sued former employers for reinstatement, alleging wrongful termination on account of sexual preference; personal accounts presented before legislative bodies and human rights commissions—often during debates on gay rights bills; and general reports on lesbian life that show that lesbians fear job discrimination and describe how they cope with it.⁸ In typically brief discussions of the problem, authors of such reports support their assertions that employment discrimination is common by recounting individual instances of discrimination. According to the authors, most lesbian workers try to avoid discrimination by living a dual life: on the job, they “pass for heterosexual, complete with imaginary boyfriends; during evenings and weekends with homosexual friends, they let their hair down.”⁹ But this tactic has its costs for these women, for pretending to be heterosexual generates tremendous anxiety over possible sanctions as well as severe strain from pretending to be what they are not.¹⁰

Although this anecdotal evidence illustrates instances of and responses to employment discrimination against lesbians, isolated personal

Final Report of the Board of Social and Ethical Responsibility for Psychology's Task Force on the State of Lesbian and Gay Male Psychologists (Washington, D.C.: American Psychological Association, 1979); The Norman Human Rights Commission, *Community Attitudes on Homosexuality and about Homosexuals* (Norman, Okla.: Norman Human Rights Commission, 1978); State of Oregon, Department of Human Resources, *Final Report of the Task Force on Sexual Preference* (Portland: State of Oregon, Department of Human Resources, 1978); Jeffrey Escoffier, “Stigmas, Work Environment, and Economic Discrimination against Homosexuals,” *Homosexual Counseling Journal* 2, no. 1 (January 1975): 8–17; Joan Huber, chair, “Report of the American Sociological Association’s Task Group on Homosexuality,” *American Sociologist* 17, no. 3 (August 1982): 164–88.

8. For a review of court cases, see Hedgpeth; Bogan et al., chap. 2. For personal accounts presented to official committees, see Norman Human Rights Commission; and State of Oregon, Department of Human Resources. For general reports, see Del Martin and Phyllis Lyon, *Lesbian/Woman* (New York: Bantam Books, 1972), pp. 207–29; Sidney Abbott and Barbara Love, *Sappho Was a Right-on Woman* (New York: Stein & Day, 1973), pp. 46–51; Dolores Klaich, *Woman + Woman: Attitudes towards Lesbianism* (New York: William Morrow & Co., 1975), p. 225; Sasha Gregory Lewis, *Sunday's Woman: A Report on Lesbian Life Today* (Boston: Beacon Press, 1979), pp. 87–90; Donna M. Tanner, *The Lesbian Couple* (Lexington, Mass.: Lexington Books, 1978), pp. 76–77.

9. Martin and Lyon, p. 207. See also William Simon and John H. Gagnon, “The Lesbians: A Preliminary Overview,” in *Sexual Deviance*, ed. John H. Gagnon and William Simon (New York: Harper & Row, 1967), pp. 269–72.

10. Barbara Ponse, *Identities in the Lesbian World: The Social Construction of Self* (Westport, Conn.: Greenwood Press, 1978), chap. 3.

accounts cannot substantiate any assertion that such discrimination is widespread. What is needed to support this claim are systematic data collected from a broader spectrum of the lesbian population.¹¹

Five empirical studies of lesbian behavior, which typically ask one or two questions about job discrimination, provide only a small amount of data concerning the extent of this problem.¹² For example, only three out of the 528 questionnaire items in Alan Bell and Martin Weinberg's study—and only one out of fifty-three in Virginia Brooks's research—pertain to employment discrimination.¹³ Moreover, researchers apparently added these questions as an afterthought, for none examined employment discrimination in depth: Bell and Weinberg were concerned with social and psychological adjustment of lesbians; Brooks with how stress influenced lesbian behavior; Janet Chafetz and her associates with the social and sexual dimensions of lesbian life; and Marcel Saghir and Eli Robins with lesbian etiology, psychopathology, developmental background, sexual behavior, and sociological concomitants. Only Beth Schneider's study concentrated on labor-force status, but her major concern was with coming out at work.

The picture that emerges from this research is bleak, for even this small amount of data shows that lesbians anticipate and encounter significant employment discrimination. Chafetz and her associates found that most lesbians feared losing their jobs (two-thirds of their sample agreed that their jobs would be in jeopardy if it became known that they were lesbians), while those who did not feel this threat were either self-employed or working in "a small number of occupations, such as the arts or hairstyling, in which homosexuality is tolerated." Brooks reported similar findings; nearly two-thirds of her respondents "could not state with any certainty that they would not lose their jobs if their sociosexual orientation were known." Likewise, about three-quarters of Schneider's sample felt that disclosure of their sexual preference would cost them their jobs or income.¹⁴

The studies that uncovered actual instances of discrimination demonstrated that such fears were not groundless. In Saghir and Robins's work, 12 percent of the respondents were asked to resign, were fired, or

11. National Gay Task Force, "Employment Discrimination in New York City," p. 1.

12. See Alan P. Bell and Martin S. Weinberg, *Homosexualities: A Study of Diversity among Men and Women* (New York: Simon & Schuster, 1978); Virginia Brooks, *Minority Stress and Lesbian Women* (Lexington, Mass.: Lexington Books, 1981); Marcel T. Saghir and Eli Robins, *Male and Female Homosexuality: A Comprehensive Investigation* (Baltimore: Williams & Wilkins, 1973); Janet S. Chafetz et al., "A Study of Homosexual Women," *Social Work* 19, no. 6 (November 1974): 714–23; Beth E. Schneider, "Coming Out at Work: Detriments and Consequences of Lesbians' Openness at Their Workplaces" (paper delivered at the annual meeting of the Society for the Study of Social Problems, Toronto, August 1981).

13. Bell and Weinberg, pp. 41, 296, 361, 362; Brooks, pp. 63, 206, 210.

14. Chafetz et al., p. 718; Brooks, p. 63; data in Schneider, table 4.

were given warnings after detection of their sexual preference. Bell and Weinberg discovered that 6 percent of their sample lost or almost lost a job and that 1 percent were denied better work assignments due to sexual orientation. In addition, 10 percent of Schneider's lesbian respondents reported "losing a job when their sexual identity became known."¹⁵

Two of the studies showed that a significant percentage of lesbians believed that their sexual orientation had hurt their careers by making them vulnerable to discrimination. Saghir and Robins found that 12 percent of their sample felt that their lesbianism restricted their choice of work or their career advancement, and almost one-fifth of Bell and Weinberg's respondents felt that their lesbianism had a negative impact on their careers.¹⁶

Researchers also collected some data on coping strategies among lesbian workers. Bell and Weinberg found that most of their sample hid their sexual identity on the job, with two-thirds concealing it from employers and nearly half concealing it from co-workers. Almost one-third of Schneider's respondents did the same, hiding their lesbianism from all people in their workplaces, while only 16 percent of those she studied were totally open. Schneider's closeted women were extremely uncomfortable with this behavior: 84 percent felt that their only choice was to be closeted; 62 percent felt ill at ease about being secretive; and 42 percent found the anxiety about being discovered paralyzing. Moreover, a little more than one-third of the closeted women put significant energy into maintaining a heterosexual facade.¹⁷

The studies reported two additional coping tactics without giving any empirical data on their extent: self-employment and "job tracking," that is, working in fields that accept lesbianism.¹⁸ Bell and Weinberg found that a number of women ran their own businesses, typically ones catering to lesbians and gay men, and Chafetz and her associates discovered that the lesbians who did not expect job discrimination were in occupations tolerant of their sexual orientation. Unfortunately, they did not identify what these fields are.¹⁹

New Empirical Evidence

In 1980 and 1981 we conducted a study in metropolitan New York City designed to explore in depth the factors affecting employment discrimination against lesbians, since previous studies had only reported

15. Saghir and Robins, p. 311; data in Bell and Weinberg, p. 362; Schneider, table 1.

16. Saghir and Robins, p. 311; data in Bell and Weinberg, p. 361.

17. Data in Bell and Weinberg, p. 296; data in Schneider, p. 4.

18. For a discussion of "job tracking," see Escoffier (n. 7 above), pp. 12–13.

19. Bell and Weinberg, pp. 246–47; Chafetz et al., p. 718.

on the discrimination itself. In addition to measuring standard socio-demographics, we examined each worker's job type, work environment, work history, experience with perceived and actual discrimination, and openness about sexual orientation. As far as we know, our study is the first to focus solely on these factors.

The questionnaire contained thirty closed- and open-ended questions, and we recruited the field sample from a range of different gathering places (bars, women's bookstores, a dance), organizations (political groups, professional associations), and social networks. There were 203 women in the sample, and they were primarily white collar, middle class, and highly educated.

The data analyzed support the findings of previous empirical research and indicate that employment discrimination is a serious problem. The lesbians we studied both anticipate and encounter job discrimination.

Anticipated Discrimination

Three-fifths of the women in our study expected discrimination if their sexual orientation were discovered. Most of the remainder worked in fields known to accept gay people or in settings in which their supervisors or a majority of their co-workers were lesbians or gay men.

Three-quarters of the women who feared discrimination anticipated problems with their immediate supervisors; about two-thirds expected to be fired and 13 percent predicted harassment. The prior experience of others in their offices often led to these fears: "I would not come out to my supervisor because there was a woman who did and she went through hell! My supervisor mocked her and abused her and eventually fired her. I know I would be too"; "I know I would be fired. There is a lot of gay-baiting in my office, as well as anti-gay remarks and jokes. One gay man was already fired." Some felt that their supervisors would take punitive actions because of occupational license requirements or the sensitive nature of their work:²⁰ "My job would most definitely be in jeopardy. I am licensed under the New York State Health code which carries a section under the title of Moral Turpitude, which includes homosexuality as a grounds for dismissal"; "I'm a teacher. In education I would fear not only supervisory but also parental opposition. I can't come out."

Those who feared discrimination also expressed concern about the possible reactions of co-workers. Nine-tenths of these women predicted that their co-workers would harass them with taunts, ostracism, and even violence.

20. For a discussion of occupational licenses, see Bogan et al. (n. 2 above), chap. 3.

Actual Discrimination

Fears of discrimination and harassment were completely warranted. Nearly one-quarter of the women reported actual instances of formal or informal job discrimination. "Formal" discrimination involves the use of institutionalized procedures to restrict officially conferred work rewards, such as promotions, salary increases, or increased job responsibilities. Hiring or firing tactics posed the biggest problem; of the women reporting actual discrimination, 29 percent were not hired for a job, were fired, or were forced to resign: "I used to be a physical education teacher. I was asked to leave because I trained youth"; "My previous employer saw me on the street one weekend evening holding hands with my lover. Two weeks later I was fired. Before seeing my supervisor on the street my work was excellent. After the incident, it was incompetent." The second most common problem was restricted job mobility. Nearly one-tenth of the women who reported discrimination were not promoted or were demoted. The women also experienced problems with pay and work assignments. Four percent of the women were denied raises or restricted in duties: "Most people know I am a lesbian and are basically hostile to the realization. I don't discuss it because I can lose my job if I became vocal. As it is already, I have been removed from some job responsibilities."

"Informal" employment discrimination consists of noninstitutionalized policies that permit harassment and other unofficial actions taken by supervisors or co-workers: "I was harassed at my last job because I had my name on a sign for starting a lesbian support group. My boss said this was bad for the program's image." Verbal harassment was the most common informal discriminatory act. Three-quarters of the women who experienced discrimination reported that they were exposed to gossip, taunts, and ridicule. The second most common type of informal discrimination was nonverbal harassment; a little more than one-third of the women endured hard stares, ostracism, and damages to personal belongings. Finally, about one-tenth faced physical harassment, including violence.

Coping Strategies

To shield themselves from possible discrimination, most women in our study stayed closeted; only 23 percent informed most or all work associates. Almost four-fifths (77 percent) were partially or totally closeted on the job: 29 percent told some friends, 21 percent told only close friends, and 27 percent told no one at all.

But this tactic has its costs. Most women were dissatisfied with passing; slightly less than two-thirds of those who were either completely closeted or out only to close friends were displeased with this situation

Table 1

Satisfaction with Degree of Closetedness at Work (%)				
	All or Most Know (N = 47)	Some Know (N = 59)	Close Friends Know (N = 42)	No One Knows (N = 55)
Pleased.....	85	51	40	31
Displeased.....	15	49	60	69
Total.....	100	100	100	100

(table 1). As the following comments make amply clear, the mental anguish associated with living a double life is the root of this dissatisfaction: "They do not know the real me and I am always looking over my shoulder"; "I hate lying and making up stories about boyfriends. It hurts"; "I live a dual life. There is pressure to act straight and pretend my lover is a man"; "I do not feel free to share certain aspects—most really—of my life away from the job with my co-workers. This results in my feeling detached and alienated from the people with whom I work"; "I hate hiding. I hate being the brunt of jokes—either directed at me or at 'queers' in general." Women who were either mostly or totally out indicated that they did not feel this psychological stress: "I feel as though I am an integrated part of a bigger reality—and I enjoy it"; "I don't have to worry about being found out or losing my job"; "I expend no energy by having to hide."

Some women who were not out reported being pleased with this decision because it spared them problems on the job. A little less than two-thirds (59 percent) of those who were satisfied with being out to no one or only to close friends liked being closeted because they thereby avoided job discrimination: "I am satisfied being closeted because at the present time, with job situations being very bad, financially this would be a secure thing to do."

Coping strategies other than staying closeted included self-employment and job tracking. Some lesbians stated that they set up their own businesses to sidestep discrimination. "It is very difficult to work where you cannot be yourself. Instead of accepting this compromise, I chose to adjust my career to my life-style. I now own two gay businesses." The owner of a feminist bookstore asserted, "I am the boss in this situation. If someone is not happy with my lesbianism, she doesn't have to work for me." Other women sought jobs in fields that tolerated lesbians, including jobs employing large numbers of gay men (the arts, beauty, fashion) or in firms either that are owned by lesbians, women, or gay men or that serve their communities.

We are still in the process of analyzing the dynamics of employment

discrimination. Preliminary study of our data indicates that individual attributes such as age, occupation, education, and income have minimal impact on anticipated and actual discrimination or coping strategies. What does seem to count is the work setting. Women who worked in New York City suburbs were far more likely to expect and encounter discrimination than those who worked in the city itself. In addition, lesbians working in public institutions were far more apt to anticipate discrimination than those in private settings, although the latter in fact experienced discrimination more frequently. Finally, lesbians employed in small enterprises were less likely to anticipate discrimination than those who worked for medium or large institutions.

Extent of Discrimination

While our data indicate that employment discrimination is a significant problem for lesbians, they do not tell us about its extent. We can, however, compute an approximate measure through a secondary analysis of the data from our study and the previous studies, since all posed similar questions to ascertain job discrimination and looked at similar samples.²¹ (All of the researchers used nonrepresentative field samples, and all of the samples, except for Schneider's, came from urban areas.)

In determining the overall extent of the discrimination, we defined anticipated discrimination as the expectation that disclosure of sexual identity would jeopardize one's job; actual discrimination as firing, nonhiring, nonpromotion, or harassment; and coping strategies as passing for heterosexual. We calculated the percentages of lesbians who anticipated or experienced discrimination or used coping strategies by dividing the number of respondents in all the studies who asked questions about these factors by the number who answered these questions affirmatively (tables 2, 3, and 4).

Thirty-one percent of the lesbians surveyed anticipated employment discrimination because of sexual orientation, and 13 percent had actually experienced it; 8 percent of the women had lost or had almost lost their jobs because they were lesbians. In order to avoid discrimination, 72 percent of the lesbian community remained at least partially hidden at work, with 28 percent completely closeted on the job.²² The only comparable estimates for gay men reveal that 29 percent of all gay male workers have had their careers negatively influenced by their sexual orientation,

21. Levine (n. 6 above) used this method for studying employment discrimination against gay men.

22. These figures fail to include the data presented in Bell and Weinberg, p. 296, because they asked about closetedness in a way that was not comparable to our research or Schneider's.

Table 2

Extent of Anticipated Employment Discrimination among Lesbians

Studies	Lesbians Anticipating Discrimination (%)
Chafetz et al. (<i>N</i> = 51).....	67
Brooks (<i>N</i> = 675)	5
Schneider (<i>N</i> = 222).....	76
Levine and Leonard (<i>N</i> = 203)	60
All four studies (<i>N</i> = 1,151).....	31

SOURCES.—Janet S. Chafetz et al., "A Study of Homosexual Women," *Social Work* 19, no. 6 (November 1974): 714–23; Virginia Brooks, *Minority Stress and Lesbian Women* (Lexington, Mass.: Lexington Books, 1981); Beth E. Schneider, "Coming Out at Work: Detriments and Consequences of Lesbians' Openness at Their Workplaces" (paper delivered at the annual meeting of the Society for the Study of Social Problems, Toronto, August 1981).

Table 3

Extent of Actual Employment Discrimination among Lesbians

Studies	Lesbians Experiencing Discrimination (%)
Saghir and Robins (<i>N</i> = 57)	12
Bell and Weinberg (<i>N</i> = 287).....	7
Schneider (<i>N</i> = 222).....	10
Levine and Leonard (<i>N</i> = 203)	24
All four studies (<i>N</i> = 769).....	13

SOURCES.—Marcel T. Saghir and Eli Robins, *Male and Female Homosexuality: A Comprehensive Investigation* (Baltimore: Williams & Wilkins, 1973); Alan P. Bell and Martin S. Weinberg, *Homosexualities: A Study of Diversity among Men and Women* (New York: Simon & Schuster, 1978); Beth E. Schneider, "Coming Out at Work: Detriments and Consequences of Lesbians' Openness at Their Workplaces" (paper delivered at the annual meeting of the Society for the Study of Social Problems, Toronto, August 1981).

Table 4

Extent of Closetedness among Lesbians in the Workplace

Studies	Totally Open (%)	Totally Closeted (%)
Schneider (<i>N</i> = 222)	16	29
Levine and Leonard (<i>N</i> = 203)	23	27
Both studies (<i>N</i> = 425)	20	28

SOURCES.—Beth E. Schneider, "Coming Out at Work: Detriments and Consequences of Lesbians' Openness at Their Workplaces" (paper delivered at the annual meeting of the Society for the Study of Social Problems, Toronto, August 1981).

and 17 percent have lost or been denied employment because they were gay.²³

Although undoubtedly impressive, these figures offer only an imprecise gauge of the extent to which lesbians suffer discrimination in the work force and most likely represent a low estimate. First, all the data are based on self-report studies; yet lesbians often experience work-related discrimination without knowing about it. Employers may be worried about negative public reaction or may be too embarrassed to acknowledge that sexual orientation is the reason for dismissing, demoting, or taking other punitive actions against a lesbian. Thus they may hide the true motive for their discriminatory actions by asserting that, for example, a lesbian employee was incompetent or unqualified, or that their business had no openings for a lesbian job applicant. In addition, the figures may be low because most of the research took place in cities, where, a recent Gallup poll reports, residents are far more accepting of homosexuality than are nonurban dwellers.²⁴ Finally, three of the five studies took place in New York and San Francisco, cities well known for their tolerance of homosexuality.

Conclusion

Whatever the precise statistics may be, the data in this article clearly show that many lesbians anticipate and experience discrimination in the labor force and that the claims made by the lesbian and gay movement about this problem are accurate and valid.

Such discrimination on the grounds of sexual orientation runs counter to American public opinion; a 1982 Gallup poll found that 59 percent of the respondents felt that homosexual men and women should have equal rights regarding job opportunities.²⁵ It is time that this sentiment became public policy. The enactment of laws barring job discrimination against lesbians and gay men would be a step in this direction and is long overdue.

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23. Levine (n. 6 above), p. 160.

24. The Gallup Report, "Homosexuality," *The Gallup Report*, no. 205 (October 1982).

25. *Ibid.*, p. 14.