

Economic Rights, Economic Myths, and Economic Realities

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SUMMARY. Although the myth is that gay and lesbian people, especially gay men, are affluent and are faring well in the workplace, research shows that they in fact experience wage discrimination and lack many other fundamental rights related to employment. This article reviews the literature addressing gay, lesbian, bisexual, and transgendered people as workers, showing the ways in which their economic rights are still compromised in the United States today. The social work profession must understand these realities and seek ways to address them. [Article copies available for a fee from The Haworth Document Delivery Service: 1-800-342-9678. E-mail address: <getinfo@haworthpressinc.com> Website: <<http://www.HaworthPress.com>> © 2001 by The Haworth Press, Inc. All rights reserved.]

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1. Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.

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3. Everyone who works has the right to just and favorable remuneration ensuring for himself and his [sic] family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

United Nations *Universal Declaration of Human Rights*, 1948
Article 23

The right to work and the right to equal treatment in the workplace are fundamental. Opinion polls for some time have shown that average United States citizens overwhelmingly support equal treatment of gays and lesbians in the workplace (Human Rights Campaign, 1999b). However, the realities of gay, lesbian, bisexual, and transgendered people as workers are poorly understood. Prevalent myth assumes that gays and lesbians, especially gay men, are affluent and that economic and personal problems related to work are not important issues for them in the United States today (Badgett, 1999). In addition, most Americans do not know that gay and lesbian people's rights to equal treatment at work are not currently protected on a national level (Human Rights Campaign, 1999c).

This article will review evidence which suggests that the economic rights of gay, lesbian, bisexual, and transgendered¹ people as workers are not presently secure. This situation has many implications for social workers. The National Association of Social Workers (NASW) currently estimates that approximately 10% of its membership identify as gay, lesbian, or bisexual. It also, of course, has implications for clients and their families. In fact, I have argued elsewhere that, from an ecological perspective (Van Soest & Bryant, 1995), "homophobia and heterosexism in the workplace do violence to the gay, lesbian and bisexual people directly affected as well as to their families and communities" (Anastas, 1998, p. 84). Finally, as Badgett (1997) explains, ". . . even in a modern market economy, work is a virtuous activity and is an important part of our economic foundation" (p. 383). Thus, attending to the roles of gay, lesbian, bisexual, and transgendered people as producers rather than consumers helps to promote a positive image of us as a group (Badgett, 1997).²

ECONOMIC MYTHS

Badgett (1999) has written the most comprehensive analysis to date of the belief, common in both the heterosexual and the gay and lesbian communities, that gay and lesbian individuals and/or gay and lesbian households are more affluent on average than heterosexual ones. However, the statistics used to support this belief come from marketing surveys and are not at all representative of gay and lesbian individuals or households in general. In addition, the marketing survey data depict gay, lesbian, and bisexual people as consumers rather than as producers, as earners in the labor force and productive members of society (Badgett, 1997). This myth of affluence is also destructive because the spurious data on affluence are often cited by those who oppose gay civil rights initiatives on the grounds that gay, lesbian, and bisexual people obviously do not need protections (Badgett, 1997, 1999). The small amount of representative data that does exist suggests that working gay, lesbian, and bisexual people are no better off and in some ways are disadvantaged economically in relation to comparable heterosexual people (Badgett, 1995; Klawitter & Flatt, 1998).

Because people in representative surveys are not routinely asked about sexual orientation, there are only a few sources of reliable data to compare the economic well-being of gay and lesbian people to others. The few representative surveys available that examine gay, lesbian, and/or bisexual earnings in comparison to that of heterosexuals show consistently that gay, lesbian, and bisexual people are no different from heterosexual ones. Gay, lesbian, and bisexual individuals and households are found at all levels of the earnings spectrum, from the very poor to the very rich. In fact, data from three surveys suggests that gay men earn less than comparable heterosexual men (Badgett, 1999). Also, when it comes to households, those composed of two women have lower incomes than others because of the fact that women are still disadvantaged in earnings as compared to men. The households of lesbian and bisexual women do not benefit from the higher average earnings of men (Badgett, 1995, 1999; Klawitter & Flatt, 1998). Thus the representative data that exist suggest not an advantage but a systematic disadvantage in the workplace.³

Part of the logic of this myth of gay affluence is based in the heterosexist assumption that gay and lesbian people do not involve themselves in child rearing and thus have more disposable income

than comparable heterosexual people do (Badgett, 1999). Badgett discussed one poll showing that 31% of lesbians, 37% of heterosexual women, 23% of gay men, and 33% of heterosexual men had children under 18 living at home with them. In another, 67% of lesbians and 72% of heterosexual women were parents, and 32% of lesbians and 36% of heterosexual women had children under 18 living at home. While these percentages are indeed lower among gays and lesbians than among heterosexuals, child rearing is far more common among gay and lesbian people than is usually supposed.

THE RIGHT TO WORK

There is no federal guarantee of basic civil rights for gay and lesbian people, and only 10 states (Human Rights Campaign, 1999b, 1999c) and some localities have ordinances protecting the right to public and/or private employment for gay and lesbian people.⁴ Because of this lack of protection and the criminalization of certain sexual activities in many states,⁵ it is unreasonable to assume that a question about sexual orientation could be simply asked and would be honestly answered in any general survey of workers (Klawitter & Flatt, 1998). Therefore, there have only been a few studies to date of gay and lesbian earnings that utilize representative samples (Badgett, 1995; Klawitter & Flatt, 1998).

Gay and lesbian people participate in the labor market at perhaps even higher rates than heterosexual people do (Elliott, 1993; Fassinger, 1995; Morgan & Brown, 1991). However, no systematic national data exist on the percentages of gay or lesbian people in the workforce. Badgett's (1999) summary of findings compares people working full time to each other and does not address the question of the percentage of labor force participation between the groups. However, Klawitter and Flatt (1998) analyzed 1990 Census data describing the incomes of women (and men) in same-gender households. While not a representative sample of all lesbians, their data show that part of the reason for higher individual incomes among women in same-gender households compared to that of women who are currently married reflects more weeks and hours worked per year (Klawitter & Flatt, 1998).

Employer practices in relation to sexual orientation vary widely. Some employers have stated in surveys that they would not hire,

would fire, or would not promote a gay or lesbian employee (Badgett, 1996; Woods, 1993). Others state that they make employment decisions strictly on performance and ability, not addressing or not inquiring about sexual orientation, embracing what Woods (1993) has termed the “asexual imperative” of the corporate workplace. Such practices resemble the “don’t ask, don’t tell” policy current in the United States military. Others state that they take action based on sexual orientation “when sexual orientation interferes with job performance, disrupts other employees or adversely affects the company” (Elliott, 1993, p. 217). As Woods (1993) notes, the argument that sexual orientation is disruptive in the workplace “. . . is a brutal, circular form of prejudice: A gay man’s sexuality is disruptive because others despise him for it” (p. 214). Finally, because some employers state that they will do what the law requires them to do, public policy on this issue has a powerful impact.

Because discrimination based on sexual orientation has been well-documented, 10 states have acted to protect the rights of gays and lesbians at work (9 of them extending these basic rights to other areas such as housing and credit as well). Another 7 states have executive orders banning such discrimination in *public* employment, and two others have state civil service rules prohibiting discrimination based on sexual orientation. This leaves 31 of 50 states with no state-level workplace protection at all. Some localities (cities and towns) have enacted civil rights ordinances of their own addressing sexual orientation. In addition, an increasing number of employers have recognized the value of their gay and lesbian employees by developing and implementing their own policies of non-discrimination based on sexual orientation (Zuckerman & Simons, 1996). Advocacy organizations such as the Human Rights Campaign and others maintain up-to-date lists of such organizations, both corporate and non-profit. The limited data available suggest that these state- and local-level ordinances do not have a measurable effect on the earnings of people in same-gender households (Klawitter & Flatt, 1998), perhaps because there has not been effective enforcement of them. However, interestingly, *all* men and women in these areas—those in mixed-gender households and those in same-gender households—have higher incomes than those who live in areas without such antidiscrimination policies.

Because the importance of workplace protection is recognized even in a society in which attitudes toward same-gender sexuality and same-

gender relationships are commonly very negative (Wolff, 1998), Congress has been considering specific national legislation to protect the rights of gay and lesbian people in the workplace: The Economic Nondiscrimination Act (ENDA). This act would extend the fair employment practices now guaranteed based on race, religion, sex, national origin, age, and disability to sexual orientation (gay, lesbian, bisexual, and/or heterosexual). In others words employment decisions such as hiring, firing, promotion, or compensation could not be based on sexual orientation. It is in fact a more limited guarantee in some areas (not allowing for “disparate impact” provisions and exempting most employees of religious organizations and all employees of the United States military) (Human Rights Campaign, 1999c). Thus, although it falls short of the kind of guarantee of work rights recommended by the United Nations, enacting ENDA would move the nation much further toward that goal.

Equal Pay for Equal Work

The most basic issue regarding equal pay for equal work is, of course, wage discrimination. As already noted, the representative data available suggest that such discrimination does in fact occur (Badgett, 1995, 1996, 1999; Klawitter & Flatt, 1998). This conclusion is only drawn after data comparing men and/or women to their heterosexual counterparts and after controlling for such factors as region of the country, the nature of the employment, hours worked, and the like. Although more research is needed in this area, any difference between groups that cannot be explained by these other factors known to affect earnings can be attributed to discrimination. Both Badgett (1995) and Klawitter and Flatt (1998) had two major findings on earnings. The first is that gay men⁶ earn less than comparable men who are not gay. This effect reduces gay mens’ earnings compared to those of heterosexual men by as much as 24% and seems to reflect differences within broad occupational categories. The second major finding is that lesbian couples have less income than other household types (married couples, unmarried heterosexual couples, and gay male couples). Thus gender discrimination in earnings is a major factor affecting lesbians. There is some evidence of occupational “crowding” among lesbian women (Badgett, 1995); that is, individual lesbian women tend to be in lower-paid occupations than their heterosexual counterparts but

appear to be compensated like their heterosexual counterparts within each broad occupational category.

How same-gender *couples* are treated under the law and in the workplace is another source of inequity in compensation (Appleby & Anastas, 1998; Elbin, 1990; Human Rights Campaign, 1999a; McNaught, 1993; Poverny & Finch, 1988; Seck, Finch, Mor-Barak, & Poverny, 1993; Spielman & Winfeld, 1996). Fringe benefits, such as health insurance, life insurance, and pension plan participation, commonly represent as much as 40% of a worker's total compensation package (HRC, 1999a; Spielman & Winfeld, 1996). However, these benefits are a privilege, not a right, of employment. Men and women with same-gender partners (including partners with children) usually cannot share their employee benefits with them as married couples do, representing a tangible reduction in the value of their earnings to them. The larger question of the legal recognition of same-gender couples is addressed more fully elsewhere (Appleby & Anastas, 1998; Eskridge, 1996; Sullivan, 1995; Tully, 1994). However, the lack of legal recognition for same-gender couples is a major factor contributing to disadvantage in compensation for men and women in same-gender couples. Even existing state civil rights laws and the proposed federal measure to address sexual orientation discrimination in the workplace (ENDA) do not address this issue (Human Rights Campaign, 1999a).

Despite the obstacles, many employers have in recent years begun to offer such benefits, as many as one in ten organizations in one survey (Human Rights Campaign, 1999a). They have done so in order to compete for the best-qualified employees at a time of relatively low unemployment (Spielman & Winfeld, 1996). Despite fears to the contrary, studies of the organizations that have instituted such benefits in recent years have shown that there is no significant increase in costs to employers; that only about 1% of employees take advantage of the benefits because there are so many two-earner households among same-gender couples; that expenses related to AIDS have not been significant (a premature birth and the treatment of cancer, for example, can be much more expensive); and that there are well-accepted definitions of a domestic partnership that can be used to define who is and is not eligible to participate (Human Rights Campaign, 1999a; Spielman & Winfeld, 1996). A major focus of the development of anti-discriminatory policies in the workplace, therefore, must be on overcoming the heterosexist bias that defines "couples" in a way that prevents gay

and lesbian workers with partners from enjoying the same access to employment-related benefits as their heterosexual counterparts.

FREE CHOICE OF EMPLOYMENT

If some employers would not knowingly hire a gay or lesbian person, free choice of employment has not been achieved. However, overtly discriminatory practices such as these are only the tip of the iceberg. While not enough is yet known about how being lesbian, gay, bisexual, or transgendered affects occupational choices and employment decisions (Ellis, 1996), it is well known that some occupations and vocations are more hostile to gay and lesbian people than others. These include teaching, especially teaching young children (Fassinger, 1993; Kitzinger, 1991; Olson, 1987); medicine, especially pediatrics (Fassinger, 1993; Fiskar, 1992; Parker, 1994); the military, where the well-known “don’t ask, don’t tell” policy makes service impossible for those who openly declare their gay or lesbian orientation; and the clergy, although it should be noted that religious organizations and denominations vary greatly in their attitudes and practices related to gay and lesbian clerics and congregation members (Anderson & Smith, 1993; Chung, 1995; McSpadden, 1993). The systematic exclusion of gay, lesbian, and bisexual people from such service professions as medicine, teaching, and the clergy affects how open people in these occupations are likely to be about their sexual orientation on the job. It is also likely to affect the ability of those gay, lesbian, and bisexual people who would prefer to receive services from a provider like themselves to find one. Finally, how gay, lesbian, bisexual, and transgendered students fare in the secondary schools and institutions of higher education that help prepare them for their careers is discussed elsewhere (see, for example, Grossman, 1997; Harris, 1997; Morgan & Brown, 1991; Pope, 1996).

JUST AND FAVORABLE CONDITIONS OF WORK

Surveys of self-identified gay and lesbian people conducted since 1980 suggest that many gay and lesbian people report experiencing incidents of discrimination at work. Gay or lesbian people may not get

a job or may be fired from a job simply because of their sexual orientation (Badgett, 1996, 1997; Elliott, 1993; Friskopp & Silverstein, 1995; Krieger & Sidney, 1997; Poverny & Finch, 1988; Terry, 1992; Woods, 1993).⁷ Self-report surveys suggest that between 13% and 62% of gay and lesbian people have encountered discrimination in employment or promotion because of their sexual orientation (Woods, 1993; Badgett, 1996). Many gay, lesbian, and bisexual workers worry about a “lavender ceiling” that prevents them from achieving their full potential (Friskopp & Silverstein, 1995).

Anti-gay prejudice in the workplace can often be both subtle and pervasive (Friskopp & Silverstein, 1995; Powers, 1996), resulting in powerful forms of marginalization. As Woods (1993) has described it:

In prejudicial compensation practices, the forced invisibility of gay employees, the social validation of heterosexual mating rituals, the anti-gay commentary and imagery that circulate through company channels, even the masculine nature of the bureaucratic organization itself, a certain kind of heterosexuality is routinely displayed and rewarded . . . [resulting in] more subtle, unseen ways in which lesbians and gay men are stigmatized, excluded, and denied the support given to their heterosexual peers.

(pp. 9-10)

Many messages about sexual orientation are displayed in the workplace (Powers, 1996). Engagements and marriages are celebrated; photographs of spouses and children are often displayed in offices; and even the décor in common spaces may depict heterosexual images. Many casual conversations in the workplace address themselves to private and social life, like dating and what one did the past weekend. A partnered gay or lesbian worker must decide whether to attend work-related social events that include spouses with or without the partner. Anti-gay jokes may be part of office or e-mail banter. Thus when surveys ask not just about hiring, firing, or compensation problems but also about whether a gay or lesbian sexual orientation ever creates stressful situations at work, a great many gay, lesbian, and bisexual people report this often occurs. The assumption of heterosexuality often creates many interpersonal stresses and strains in the workplace that heterosexual people do not face (Chung, 1995; Powers, 1996).

“Coming Out,” or Identity Management on the Job

Schneider (1984/1998) describes lesbians as having a form of outsiders’ “double vision” in relation to their participation in and relationship to work: “an acute awareness of the strength and force of an oppressive ideology of heterosexuality and its structural manifestations, coupled with an active accommodation and creation of a livable working environment” (p. 387). In other words, gay and lesbian people do not just accept the strains of the workplace; they endeavor to cope with them. One major strategy for coping with workplace discrimination is identity management, that is, making choices about if, when, and to whom to disclose a gay, lesbian, or bisexual identity in the workplace.

The strategies chosen by gay and lesbian workers vary, and both disclosure and nondisclosure appear to be adaptive for different people in different situations (Hetherington et al., 1989). Many gay, lesbian, or bisexual people who are open about their sexual orientation in their private lives are not “out” on the job, believing many aspects of private life to be irrelevant in the work setting (Woods, 1993). However, the strains associated with active or passive concealment are often considerable (Powers, 1996).

Coming out is not a one-time or one-context event; the decision about what to say about oneself must continually be made and remade as co-workers, clients or customers, and supervisors change over time (Griffin & Zuckas, 1993; Hall, 1986; Kitzinger, 1991). Thus lesbian, gay, and bisexual workers are often in some intermediate state of uncertainty about exactly what people at work know or assume about their sexual orientation (Griffin & Zuckas, 1993; Gonsiorek, 1993; Kitzinger, 1991). This uncertainty in turn can lead to confusion about how to interpret events and interactions at work: Is homophobia or heterosexism a factor or not?

Context is extremely important. One study (Ellis & Riggle, 1995) showed that gay and lesbian workers who lived in a city with civil rights protection were more likely to report that their employers had anti-discrimination policies that included sexual orientation. These workers were also more likely to be open about their sexual orientation and to have higher levels of life satisfaction when more open on the job. By contrast, those who lived in a city without civil rights protection had higher levels of life satisfaction when they were *less*

open on the job. Another study of gay and lesbian schoolteachers found that “coming out fitted the lifestyle only of those (predominantly men) who took on the role of crusaders for gay liberation” (Dankmeijer, 1993, p. 95). Thus gay, lesbian, and bisexual people struggle to cope rationally and appropriately with heterosexism and homophobia in the workplace by selecting the identity management strategies that will allow them to function most productively and comfortably at work.

ADDITIONAL CHALLENGES

Race and Ethnicity

Unfortunately, as already observed, very little is systematically known about how gay, lesbian, and bisexual people of color fare in the workplace. It is known, however, that race, ethnicity, gender, and sexual orientation interact in the workplace in complex gender- and culture-specific ways (Appleby & Anastas, 1998; deMonteflores, 1986; Friskopp & Silverstein, 1995; Martinez, 1998; Rosabal, 1996). Gay, lesbian, and bisexual people of a non-dominant race or ethnicity may experience discrimination in the workplace on several levels (Martinez, 1998; Rosabal, 1996). In Friskopp and Silverstein’s (1995) study of graduates of the Harvard Business School, they made special efforts to identify and interview respondents of color. In general, their respondents felt that race had more often been a problem for them than sexual orientation largely because many successfully concealed a gay, lesbian, or bisexual identity at work. Moreover, they reported that being gay or lesbian sometimes compromised their ability to draw support outside the workplace from their racial and ethnic communities, and being a person of color sometimes limited the support they felt from the gay and lesbian community. Creating social support networks on and off the job is an important coping strategy (Schneider, 1984/1998), underlining the importance of such a pervasive experience of marginalization.

Transgender Issues

As defined by the Human Rights Campaign (1999d),

“transgendered” is a broad term that encompasses cross-dressers, intersexed people, transsexuals, and people who live sub-

stantial portions of their lives as other than their birth gender. Generally speaking, a transgendered person manifests a sense of self, the physical characteristics and/or personal expression commonly associated with a sex other than the one he or she was assigned at birth. (p. 1)

There are even fewer protections for transgendered workers than for gay, lesbian, or bisexual ones: currently only 5 states and a handful of localities offer even limited safeguards, usually based on the diagnosis of gender identity disorder (GID) and its definition as a disability. Only one state (Minnesota) has defined its statute banning discrimination based on sexual orientation to include “self-image or identity” (Human Rights Campaign, 1999d, p. 6). Those workers who maintain the same job while in the process of transitioning in their gender presentation, which includes all pre-operative transsexuals, face a number of special challenges that have to be artfully negotiated (Human Rights Campaign, 1999d). Peer support from other workers can be essential in such a process. Generally speaking, employers have a right “to regulate employee appearance and behavior in the workplace for reasonable business purposes” and to “require conformity to accepted community standards of dress and behavior” (Human Rights Campaign, 1999d). These gender norms can make maintaining employment a challenge for transgendered people, including those transsexuals in transition. However, with proper education and support in the workplace, transitioning, transsexual, and other transgendered employees can continue to function effectively at work (Human Rights Campaign, 1999d, McNaught, 1993).

CONCLUSION

Sexual orientation does not affect a person’s ability to contribute to society . . . Gay people have an overall potential to contribute to society similar to that of heterosexual people, including in the workplace.

Brief of amicus curiae
American Psychological Association
in *Watkins v. United States Army*
(Gary B. Melton, 1989, 9. 936).

Discrimination against gay, lesbian, bisexual, and transgendered people in the workplace does not just diminish them; it diminishes what they can contribute to society as a whole. In advanced industrial economies, participation in the labor market is essential economically to individuals and their families. However, work is not just about making money. As Schneider (1984/1998) notes, “work and one’s relationship to it is considered a major source of economic and social status, personal validation, and life purpose . . . in this society” (p. 377). Thus the kinds of barriers to fair and equitable treatment in the workplace described here do not just affect economic well-being, both individual and collective, but they also likely contribute to the erosion of personal and social well-being as well.

What do gay, lesbian, bisexual, and transgendered people want at work? An often-quoted passage sums it up:

1. An explicit employment policy that prohibits discrimination based upon sexual orientation;
2. Creation of a safe work environment that is free of heterosexist, homophobic, and AIDS-phobic behaviors;
3. Company-wide education about gay issues in the workplace and about AIDS;
4. An equitable benefit program that recognizes the domestic partners of gay, lesbian, and bisexual employees;
5. Support of a gay/lesbian/bisexual employee support group;
6. Freedom for all employees to participate fully in all aspects of corporate (organizational) life;
7. Public support of gay issues.

(McNaught, 1993, p. 66)

Since this was written, a few additional points can be added. There is a new awareness of the special challenges that transgendered people face on the job (Human Rights Campaign, 1999d). In terms of public support, some corporations have found that advertising in gay or lesbian markets has been good for business as well as affirming to employees. ENDA was first introduced in Congress in 1996, but at this writing it has yet to pass in either the Senate or the House despite support from many major United States corporations (Human Rights Campaign, 1999b). Finally, data to refute the myths about gay and lesbian affluence are only now emerging (Badgett, 1999), myths that have been used to challenge the need for basic human and civil rights

protections for gay, lesbian, and bisexual people. However, guaranteeing all gay, lesbian, bisexual, and transgendered people in the United States the right to work, to equal pay for equal work, and to just and favorable conditions of work remains, alas, a vision for the future.

There are many implications of this situation for the social work profession. We need to base our practice with gay, lesbian, bisexual, and transgendered people and their families on an understanding of their realities, not on myth. This means facing the realities of workplace discrimination as well as knowing about those legislative and employer-based initiatives that can make a positive difference. In particular, social workers who practice in Employee Assistance Programs (EAPs), unions, and other work-related settings are often in a position to assist in the achievement of equal treatment and favorable working conditions for gay, lesbian, bisexual, and transgendered employees at all levels. We need to participate in advocacy efforts at local, state, and national levels until basic protections are in place for all gay, lesbian, bisexual, and transgendered people. However, because so little is now known about the extent and nature of direct and indirect forms of workplace discrimination, we need to contribute to knowledge-building efforts in that area.

In fact, we know very little about ourselves. Despite an avowed ideology of egalitarianism and antidiscrimination, women in the social work profession do not get fair and equal treatment in employment (Gibelman & Schervish, 1993, 1995, 1997). How do gay, lesbian, bisexual, and transgendered students fare in our schools and departments of social work that prepare them for social work jobs? The one study published to date on the issue suggests that very few social work graduate and/or undergraduate programs place much emphasis on recruiting or retaining gay and lesbian faculty members or students. In addition, the self-reported amount of curriculum emphasis on sexual orientation lags far behind that on women or people of color (Mackleprang, Ray, & Hernandez-Peck, 1996). How do gay, lesbian, bisexual, and/or transgendered social workers fare on their jobs? No such large-scale study has ever been done. Well-designed research on the issue would tell us more about how homophobia and heterosexism can affect social workers' employment and earnings both directly and indirectly. It might also shed some light on how these forces affect employment and earnings in general, thus suggesting ways to benefit our clients and their families as well.

NOTES

1. Most of the existing research on the workplace addresses the situations of gay men and/or lesbians. This article will try to make clear which groups are being addressed, but it should be noted at the outset that very little is known about how bisexual and transgendered people fare at work.

2. This analysis, based as it is on the available published literature, is confined to the pursuit of income through employment. I know of no studies that address the effects of sexual orientation on self-employment and other forms of economic self-maintenance.

3. Because the numbers of gay, lesbian, and/or bisexual respondents in all of the samples analyzed was very small (1%-10%), it was not possible to examine differences in earnings within the gay and lesbian group for anything other than gender. Thus the joint effects of race and ethnicity along with sexual orientation have yet to be systematically studied.

4. According to the National Gay and Lesbian Task Force (NGLTF) Public Policy Institute (1998), these states are California (private employment only), Connecticut, the District of Columbia, Illinois (public employment only), Hawaii, Massachusetts, Minnesota, New Hampshire, New Jersey, Rhode Island, Vermont, and Wisconsin.

5. In 1998, there were 19 states with sodomy statutes, 5 of them targeting only same-gender activity (NGLTF, 1998).

6. Being gay was defined by self-reported sexual behavior in the Badgett (1995) study and in the Klawitter and Flatt (1998) study by the use of the Census category of "unmarried partner" in households where both of the partners were male or female.

7. Most of the studies cited here did not ask about or sample bisexual or transgendered people.

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