



FOR IMMEDIATE RELEASE
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**Majority of Americans Agree that Transgender Employees
Should be Judged by Job Performance, not Gender Identity**

*New Workplace Report also Shows that Majority of Americans Support
Marriage-Like Benefits for Same Sex Couples in the Workplace*

SAN FRANCISCO, CA and ROCHESTER, NY – September 2, 2008 – According to a recent national survey, seven out of ten heterosexual adults (71%) agree that how an employee performs at their job should be the standard for judging an employee, not whether or not they are transgender. The new survey also showed that nearly eight out of ten (79%) heterosexual adults strongly or somewhat agree that how an employee does his or her job should be the standard for judging an employee, not their sexual orientation.

The survey also revealed that a majority of heterosexual adults are supportive of marriage-like workplace benefits for same sex couples virtually across-the-board. For example:

- Three out of four (75%) heterosexuals feel that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive leave when they lose a spouse/partner or close family member.
- More than two-thirds (68%) of heterosexuals feel that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive leave rights for family and medical emergencies as outlined in FMLA.
- And, almost two-thirds (64%) of heterosexuals feel that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive untaxed health benefits under federal law.

These are some of the key findings from the 7th annual national Out & Equal Workplace Survey, whose outcomes are captured for the first time in a comprehensive Workplace Culture Report, highlighting the trends towards full acceptance in today's workplaces towards LGBT employees, their partners, spouses and families.

The 2008 Out & Equal Workplace Survey was conducted online by Harris Interactive® in conjunction with Out & Equal and Witeck-Combs Communications, among 2,637 U.S. adults, of whom 343 self-identified as, lesbian, gay, bisexual or transgender (LGBT)¹. Beginning in 2002, this survey is an annual barometer of attitudes surrounding LGBT issues in the workplace and is the longest-running survey of its kind.

David Krane, Vice President for Public Affairs and Policy Research, Harris Interactive, said, “Opinion trends can offer critical benchmarks for policy decision-makers. An in-depth report like this gives us a higher degree of confidence testing American attitudes on sensitive questions such as workplace discrimination. We are very proud to partner with Out & Equal and Witeck-Combs Communications to conduct these key opinion studies.”

“It’s encouraging that heterosexuals appear more and more committed to ending these forms of employment discrimination and to extending equal benefits to all employees,” said Out & Equal Executive Director Selisse Berry. “Despite these recent strides, however, there remain far too few companies and jurisdictions that provide meaningful protections to all employees, regardless of sexual orientation or gender identity. There is still much progress to be made in today’s workplace and in society itself.”

Berry added, “It is clear that the next frontier when it comes to diversity in the workplace will be protecting gender identity and expression. Recent media visibility has helped to bring this issue into the light and helped put a human face to this complex and sensitive topic. For the first time in U.S. history, Congress held a hearing on the discrimination that transgender people face in today’s workplace.” She noted that today more than 300 companies prohibit discrimination on the basis of gender identity and/or expression as well as 90 U.S. cities and counties.

In addition, support for equal access to benefits in the workplace is almost as strong and also appears unchanged from recent years. Almost two-third (64%) of heterosexuals strongly or somewhat agree that regardless of their sexual orientation, all employees are entitled to equal benefits on the job, such as health insurance for their partners or spouses. Also, nine out of ten (90%) heterosexual adults said they would feel indifferent or feel positively upon learning that a co-worker was gay or lesbian, compared to one of ten (11%) who said that they would feel negatively.

Although attitudes and conditions are improving, LGBT respondents still report experiencing discrimination and many still feel the need to conceal their sexual orientation:

- About two of three (65%) of gays and lesbians faced some sort of discrimination in the workplace.
- Nearly half (47%) of gays and lesbian adults heard anti-gay comments on the job.

¹ The sample of 343 includes an oversample of LGBT adults.

- More than one-third (36%) of gays and lesbians say they remain closeted at work.
- One out of five (20%) gays and lesbians report being harassed on the job by co-workers.

The survey also suggests that public education is needed on the lack of protections that exist today in the workplace for LGBT employees. Despite high numbers of support for LGBT rights, six out of ten or 61 percent of heterosexuals are still unaware that under federal law it is legal for an employer to fire someone because they are lesbian, gay, bisexual or transgender. Also, nearly three out of ten (29%) of gays and lesbians are unaware that under federal law it is legal for an employer to fire someone because they are lesbian, gay, bisexual or transgender.

The release of this new workplace study comes just one week before the start of the nation's largest conference dedicated to addressing equality in the workplace for LGBT employees. The 18th annual Out & Equal Workplace Summit will be held September 10-13 at the Austin Convention Center in Austin, TX. More than 2,500 attendees will gather to share best practices on how to achieve workplace equality for LGBT employees. LGBT employees and straight allies, along with human resources and diversity professionals, representing some of the nation's most prominent companies—a majority from the Fortune 500—are set to participate in this year's summit.

"The Out & Equal Workplace Summit brings together employees and managers from all types of companies and organizations with a common goal – to understand how to make their workplace free from discrimination," affirms Out & Equal board President Tara Bunch. "Discrimination has no place in a civil society founded on the ideal that all women and men are created equal."

For more information about the summit or to register, please visit www.outandequal.org.

To request a copy of the Out & Equal Workplace Culture Report please contact rnorton@outandequal.org or flameck@witeckcombs.com.

About the Out & Equal Workplace Summit

The 2008 Out & Equal Workplace Summit is scheduled for September 10-13 at the Austin Convention Center in Austin, TX. The Summit will bring together more than 2,500 human resources professionals, LGBT workplace advocates, straight allies and other committed individuals from around the country to receive the latest updates on LGBT issues in the workplace. Keynote speakers include: national syndicated columnist and co-founder/editor of HuffingtonPost.com, Arianna Huffington; former U.S. ambassador to Romania, Michael Guest; TV personality, author and fashion designer, Carson Kressley; TV host, political commentator and activist, Keith Boykin; Chairman and CEO of The Clorox Company, Donald Knauss; President of AT&T California, Ken McNeely; General Manager at Microsoft, Magen Wallent; and Vice President at Hewlett-Packard and Out & Equal board President, Tara Bunch.

In addition to the annual Workplace Summit, Out & Equal offers: Building Bridges Diversity Training specific to LGBT workplace issues; a growing network of regional affiliates that includes New York City, Dallas/Fort Worth, San Francisco, Chicago, Rocky Mountain, Arizona, Washington, DC, Southern

California, Philadelphia, Kansas City, Portland, and Seattle; provides support to LGBT employee resource groups; offers bi-monthly Town Call education series; a national newsletter; LGBT CareerLink-a joint project with the National Gay & Lesbian Chamber of Commerce-to connect LGBT-friendly employers with top talent; and an annual Executive Forum.

Out & Equal Workplace Advocates is a national nonprofit 501(c)(3) organization headquartered in San Francisco, California. Out & Equal™ Workplace Advocates champions safe and equitable workplaces for lesbian, gay, bisexual and transgender (LGBT) people. The organization advocates building and strengthening successful organizations that value all employees, customers and communities.

For more information, including how to register for the Summit, visit www.outandequal.org.

Methodology

Harris Interactive® conducted the study online within the United States between June 9-16, 2008, among 2,637 adults (ages 18 and over), of whom 2,220 indicated they are heterosexual and 343 self-identified as gay, lesbian, bisexual or transgender². Figures for age, sex, race, education, region and income were weighted where necessary to bring them into line with their actual proportions in the population. In addition, the results for the gay and lesbian sample were weighted separately based on profiles of the gay and lesbian population that Harris Interactive has compiled through many different online surveys. Propensity score weighting was also used to adjust for respondents' propensity to be online.

All sample surveys and polls, whether or not they use probability sampling, are subject to multiple sources of error which are most often not possible to quantify or estimate, including sampling error, coverage error, error associated with nonresponse, error associated with question wording and response options, and post-survey weighting and adjustments. Therefore, Harris Interactive avoids the words "margin of error" as they are misleading. All that can be calculated are different possible sampling errors with different probabilities for pure, unweighted, random samples with 100% response rates. These are only theoretical because no published polls come close to this ideal.

Respondents for this survey were selected from among those who have agreed to participate in Harris Interactive surveys. The data have been weighted to reflect the composition of the adult population. Because the sample is based on those who agreed to participate in the Harris Interactive panel, no estimates of theoretical sampling error can be calculated. These statements conform to the principles of disclosure of the National Council on Public Polls.

About Witeck-Combs Communications, Inc.

Witeck-Combs Communications, Inc. is the nation's premier marketing communications and consulting firm, specializing in developing and implementing effective strategies reaching the gay and lesbian consumer market. With 15 years experience in this unique market, Witeck-Combs Communications not only serves as a bridge between corporate America and lesbian, gay bisexual and transgender consumers (LGBT), but also provides counsel to countless non-profit organizations that aim to educate the public on lesbian and gay issues or to better reach their LGBT membership.

In April 2003, American Demographics magazine identified Bob Witeck and Wes Combs as two of 25 experts over the last 25 years who have made significant contributions to the fields of demographics, market research, media and trendspotting for their path breaking work on the gay and lesbian market, and in 2006 Bob Witeck and Wes Combs co-authored **Business Inside Out: Capturing Millions of Brand Loyal Gay Consumers** (Kaplan Publishing), considered the first-ever book on marketing insights, practical tips and strategies targeting the gay, lesbian, bisexual and transgender market. They have appeared in worldwide media outlets including Fortune, CNBC, CNN, Reuters, Associated Press, Ad Age, New York Times and Washington Post. For more information visit www.witeckcombs.com.

About Harris Interactive

² Includes an oversample of LGBT adults.

[Harris Interactive](#) is a global leader in custom market research. With a long and rich history in multimodal research, powered by our science and technology, we assist clients in achieving business results. Harris Interactive serves clients globally through our North American, European and Asian offices and a network of independent market research firms.

Press Contacts:

Redge Norton
Out & Equal Workplace Advocates
415-694-6507
rnorton@outandequal.org

Bob Witeck
Witeck-Combs Communications
202-887-0500 ext. 19
bwiteck@witeckcombs.com

Tracey McNerney
Harris Interactive
585-214-7756
press@harrisinteractive.net

**TABLE 1
JUDGING TRANSGENDER EMPLOYEES**

“Transgender is a broad term that applies to people who live all or much of their lives expressing a different gender from their sex at birth. In other words, transgender people simply feel like their assigned sex at birth fails to reflect their true gender. Or said another way, a person that is born female feels that they really should have been born a male and wishes to live openly as a man (or vice versa). How strongly do you agree or disagree with the following statement? – How an employee performs at their job should be the standard for judging an employee, not whether or not they are transgender.”

Base: Heterosexual adults

	Heterosexuals
	%
AGREE (NET)	71
Strongly agree	56
Somewhat agree	15
Neither agree nor disagree	12
DISAGREE (NET)	9
Somewhat disagree	2
Strongly disagree	6
Not applicable	3
Decline to answer	6

Note: Responses may not add up to 100% due to rounding

**TABLE 2
EMPLOYMENT AND SEXUAL ORIENTATION**

“How strongly do you agree or disagree with the following statement? – How an employee does his or her job should be the standard for judging an employee, not their sexual orientation.”

Base: Heterosexual adults

	Heterosexuals
	%
AGREE (NET)	79
Strongly agree	68
Somewhat agree	11
Neither agree nor disagree	8
DISAGREE (NET)	4
Somewhat disagree	2
Strongly disagree	2
Not applicable	5
Decline to answer	3

Note: Responses may not add up to 100% due to rounding

**TABLE 3
EMPLOYMENT AND SEXUAL ORIENTATION**

“How strongly do you agree or disagree with the following statement? – Regardless of their sexual orientation, all employees are entitled to equal benefits on the job, such as health insurance for their partners or spouses.”

Base: Heterosexual adults

	Heterosexuals
	%
AGREE (NET)	64
Strongly agree	51
Somewhat agree	13
Neither agree nor disagree	12
DISAGREE (NET)	15
Somewhat disagree	5
Strongly disagree	10
Not applicable	6
Decline to answer	3

Note: Responses may not add up to 100% due to rounding

**TABLE 4
SEXUAL ORIENTATION AND BENEFITS**

“For the following employer benefits, who do you think should receive each?.”

Base: Heterosexual adults

	Spouses of married heterosexual employees only	Committed partners of gay and lesbian employees only	Both spouses and partners	Neither spouses nor partners
	%	%	%	%
Untaxed health insurance benefits	27	2	64	7
Leave for employees who experience the loss of a spouse/partner or close family member	20	2	75	4
Leave rights for family and medical emergencies as outlined in the Family and Medical Leave Act	26	2	68	4

Note: Responses may not add up to 100% due to rounding

**TABLE 5
COWORKER REACTIONS**

“If someone with whom I had been working with told me that he or she is gay or lesbian, my reaction would be....”

Base: Heterosexual adults

	Heterosexuals
	%
Positive	38
Neutral	52
Negative	11

Note: Responses may not add up to 100% due to rounding

**TABLE 6
DISCRIMINATION IN THE WORKPLACE**

“Have you every faced any of these forms of discrimination in the workplace because of your sexual orientation or gender identity?”

Base: Gay and Lesbian adults

	Gay and Lesbian
	%
Faced Discrimination (NET)	65
Closeted (can't talk freely with others, take dates to functions)	36
Harassed on the job by co-workers	20
Anti-gay comments	47
Denied a promotion or job advance	16
Fired or dismissed unfairly	13
Partner not considered as such (for social functions, insurance)	36
Pressured to quit job because of harassment or hostility	5
Other form of discrimination	24
Never faced any form of discrimination in the workplace because of my sexual orientation or gender identity	30
Decline to answer	5

Note: Responses may not add up to 100% due to rounding

**TABLE 7
EMPLOYMENT AND SEXUAL ORIENTATION**

“Federal law – specifically the Civil Rights Act of 1964 – was adopted to prohibit employment discrimination based on race, color, religion, sex and national origin. The law does not include any protections for people on the basis of sexual orientation (gays and lesbians) and also does not protect transgender individuals. Therefore, under federal law, it is legal for an employer to fire someone because they are gay, lesbian, bisexual or transgender. Did you know that under federal law it is legal for an employer to fire someone because they are gay, lesbian, bisexual or transgender?”

Base: All adults

	Heterosexuals	Gay and Lesbian
	%	%
Yes	26	68
No	61	29
Not sure	13	4

Note: Responses may not add up to 100% due to rounding

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