



LGBT workplace advocates gather in SF

By Yael Chanoff

October 30, 2014



Out and Equal Executive Director Selisse Berry speaks at last year's summit. Photo: Rick Gerharter

Next week, 3,000 people will flock to the Moscone Center for the 16th annual Out and Equal Summit on Workplace Equality.

"We're celebrating the advancement of the LGBT movement," said Selisse Berry, founder and executive director of Out and Equal Workplace Advocates, which hosts the conference. "We're also reminding people that there are states where you can still be fired for being LGBT."

In 32 states, employees can be fired based solely on their gender identity. In 29 of those states sexual orientation isn't protected either.

Out and Equal advocates to change this, while working inside companies, including some of the world's most powerful corporations, to improve protections and the work environment for

LGBT employees.

The summit – November 3-6 – will be four days loaded with information on workplace equality, along with entertainment from the likes of Martha Wash and Thea Austin, and keynote speeches by Lee Daniels, Olympia Dukakis, and Billie Jean King.

Corporate non-discrimination policies have improved dramatically since Out and Equal was founded. In 1996, 5 percent of companies on the Fortune 500 list had policies that prohibited discrimination based on sexual orientation, according to Out and Equal communications director Joel Engardio.

Today, that number is 90 percent.

Sixty percent of Fortune 500 companies extend these protections to gender identity.

Workplace equality efforts advance as more states legalize marriage equality. Last June, the Supreme Court struck down a key provision of the Defense of Marriage Act, and 32 states now grant federal marriage benefits to same-sex couples. The new victories are coming fast – "It could be 35, depending on when you go to press," Engardio said.

Some Out and Equal summit panels will address this new reality, including "The Post-DOMA Era" and "The Cost of Inconsistency." At the latter, Out and Equal will reveal the results of a study that surveyed corporations about how much money they're losing dealing with varying marriage equality laws in different states.

"Right now we have a patchwork of states that allow same-sex marriage, and some don't allow it. If you're a company doing business in all 50 states, you have an economic burden," said Engardio.

"It's time to finish the job on LGBT equality, because it's a huge cost to business," he added.

Before Rolling Stone declared that the U.S. has reached the "marriage equality tipping point" last week, Time magazine devoted its May 29 issue to what it called "the transgender tipping point." Their coverage included an interview with Laverne Cox, the first out transgender Emmy nominee.

Janet Mock, another pioneer for transgender visibility in the entertainment industry, gave a keynote speech at last year's Out and Equal summit. She laid out key elements to transgender inclusivity in the workplace: inclusion of gender identity in non-discrimination and non-harassment policies; trans-inclusive health care coverage; access to the restroom; LGBT affinity groups that discuss both sexual orientation and gender identity; and consultants "attuned to the unique challenges of the transition process, from name and medical coverage changes to confidentiality and record-keeping."

That consultant, Mock reminded the audience, can be hired through Out and Equal.

The organization also provides diversity training and educational resources to companies.

Out and Equal works mainly inside companies and partners extensively with multi-national corporations, sometimes leading to controversy. In 2010, for example, Target donated large sums to funds that benefited anti-gay politicians, including former Virginia Attorney General Ken Cuccinelli, who notoriously tried to reinstate anti-sodomy laws in that state. But Out and Equal continued to partner with Target, and the company is a primary sponsor of the summit.

Berry said that when managing relationships with companies like these, she likes to "focus on the positive, and reward people for doing the right thing."

"There are times when I don't agree with many of the policies the company has made. But I really focus on what they're doing for LGBT employees," Berry said. "I feel it's a litmus test to see that they are committed to broader equality issues."

Out and Equal is "a bipartisan organization," Berry said, but does advocate for some government policies, including "a totally inclusive ENDA that doesn't have loopholes or religious exemptions."

ENDA, or the Employee Non-Discrimination Act, would protect LGBT employees from discrimination and baseless termination. But Congress can't seem to pass this basic protection – the bill has been repeatedly stalled since it was first introduced in 1994. The Senate passed an inclusive ENDA last year, but the House likely won't vote on it before this Congress ends in January.

But the fight for ENDA and other LGBT workplace protections is far from over. In fact, the work may be just beginning to heat up.

Engardio's prediction: "Now that marriage looks like it's on its way toward being resolved, the new push will be toward workplace equality."

<http://www.ebar.com/news/article.php?sec=news&article=70126>