UCLA Other Recent Work

Title

Workplace Experiences of Transgender Employees

Permalink

https://escholarship.org/uc/item/6pp0c01k

Authors

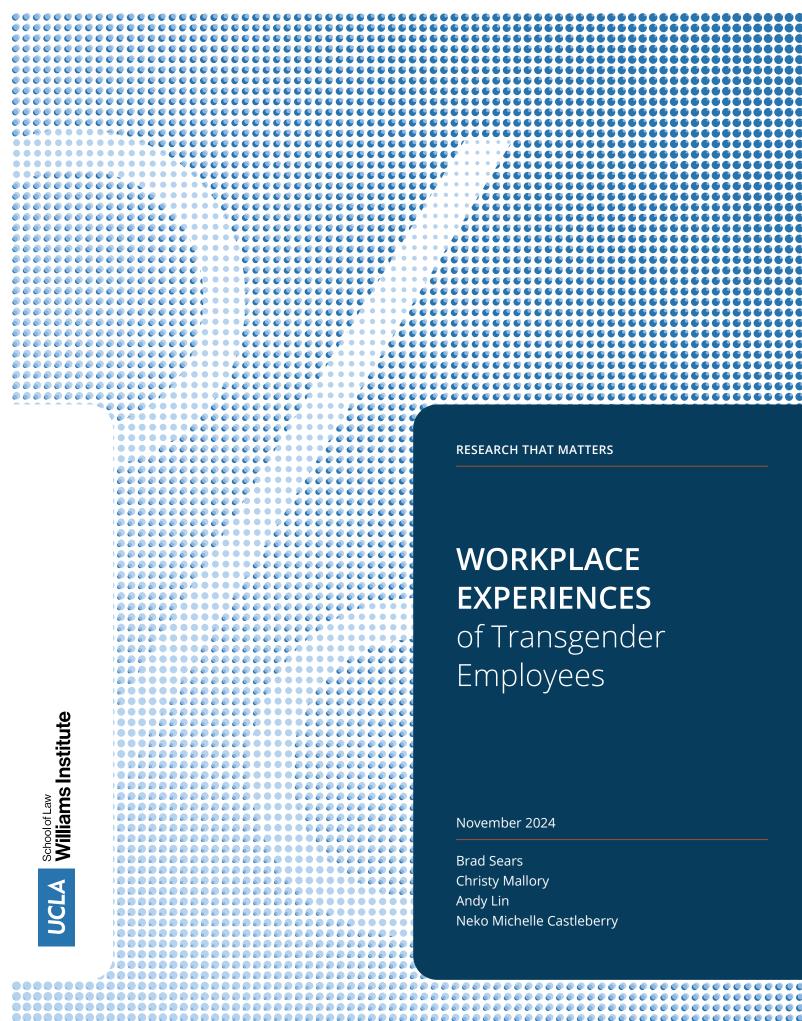
Sears, Brad Mallory, Christy Lin, Andy <u>et al.</u>

Publication Date

2024-11-19

Data Availability

The data associated with this publication are not available for this reason: Licensing restrictions



....

00

CONTENTS

EXECUTIVE SUMMARY	2
INTRODUCTION	6
PRIOR RESEARCH ON WORKPLACE DISCRIMINATION AND HARASSMENT AGAINST TRANSGENDER EMPLOYEES	6
CURRENT STUDY	8
RESULTS	9
DEMOGRAPHICS	9
LIFETIME EXPERIENCES OF DISCRIMINATION AND HARASSMENT	11
RECENT EXPERIENCES OF DISCRIMINATION AND HARASSMENT	
EXPERIENCES AT CURRENT JOB	20
AVOIDING DISCRIMINATION AND HARASSMENT	
IMPACT OF DISCRIMINATION AND HARASSMENT ON EMPLOYEE RETENTION	24
CONCLUSION	
AUTHORS	
APPENDIX	28
METHODS	
TABLES	31

EXECUTIVE SUMMARY

This report examines experiences of employment discrimination and harassment against transgender adults using a survey of 1,902 LGBTQ adults in the workforce, including 86 transgender adults, conducted in the summer of 2023. We compare the experiences of transgender employees with those of cisgender LGBQ employees and nonbinary employees.

The majority of transgender adults in the workforce were under age 35 (71%), and half (50%) were people of color. Sixty percent of transgender people in the workforce were making less than \$50,000 a year.

Our analysis indicates that employment discrimination against transgender employees is persistent and widespread. Most transgender employees (82%) reported experiencing discrimination or harassment at work (including being fired, not hired, not promoted, or verbally, physically, or sexually harassed) because of their sexual orientation or gender identity at some point in their lives. Transgender employees were more likely to report these experiences than cisgender LGBQ employees (47%) and nonbinary employees (59%).

Many transgender employees reported recent experiences of discrimination and harassment. Within the past five years, over half (53%) of transgender employees reported that they had been fired, not hired, not promoted, or otherwise discriminated against in the workplace because of their sexual orientation or gender identity. Similarly, over half (56%) reported either verbal, physical, or sexual harassment at work.

Transgender people attempt to mitigate the discrimination and harassment they experience in the workplace by staying in the closet, covering, downplaying their gender identity, or looking for another job. About one-third of transgender employees (36%) reported that they are not open about being transgender to their current supervisor. Most transgender employees (71%) reported engaging in covering behaviors at their current jobs to avoid harassment or discrimination. Approximately four in ten have changed where, when, or how frequently they used the bathroom (39%) and their voice or mannerisms (46%) at work. Over one-third reported changing how they dressed (36%) or their physical appearance (37%).

Transgender employees were twice as likely as cisgender LGBQ employees to report that they have left a job (67% vs. 31%) because of how they were treated based on their LGBTQ status. Thirty percent of transgender employees reported that they have considered leaving their current jobs due to the workplace environment for LGBTQ people. Of those, most (79%) had already taken steps towards finding another job.

In most measures of adverse workplace experiences, transgender employees are significantly more likely to report such experiences than cisgender LGBQ employees. They also are more likely to report such experiences than nonbinary employees along many measures. While the report's key findings are summarized below, the full report includes quotes from respondents to provide more detail about their experiences of discrimination and harassment in the workplace.

KEY FINDINGS

Demographics

- An estimated 71% of transgender adults in the workforce were under the age of 35. By comparison, 51% of cisgender LGBQ adults and 87% of nonbinary adults in the workforce were under the age of 35.
- Half (50%) of transgender adults in the workforce were people of color.
- Almost half (48%) of transgender adults in the workforce identified as bisexual, 23% identified as gay, and 9% identified as lesbian.
- Six in ten (60%) transgender workers were making less than \$50,000 a year.

Lifetime Experiences of Discrimination and Harassment

- Most transgender employees (82%) reported experiencing discrimination or harassment at work, including being fired, not hired, not promoted, or verbally, sexually, or physically harassed because of their sexual orientation or gender identity at some point in their lives. Transgender employees were more likely to report these experiences than cisgender LGBQ employees (45%) and nonbinary employees (59%).
 - Discrimination: Seventy percent of transgender employees reported experiencing at least one form of employment discrimination (being fired, not hired, or being denied a promotion or other workplace opportunities) because of their sexual orientation or gender identity at some point in their lives.
 - About half of transgender employees reported being fired (54%) and/or not hired (53%) because of their sexual orientation or gender identity. They were about twice as likely to report these specific experiences as cisgender LGBQ (20% and 21%, respectively) and nonbinary employees (23% and 28%, respectively).
 - Almost half (47%) of transgender employees reported not being promoted or being denied other workplace opportunities because of their sexual orientation or gender identity. Some of these experiences included having their shifts changed, hours reduced, and being isolated from other employees.
 - Harassment: About two-thirds of transgender employees (68%) reported experiencing at least one form of harassment (verbal, physical, or sexual harassment) at work at some point in their lives because of their sexual orientation or gender identity. Transgender employees were more likely to report workplace harassment than cisgender LGBQ employees (35%).
 - Two-thirds of transgender employees (65%) reported experiencing verbal harassment because of their sexual orientation or gender identity, more than cisgender LGBQ employees (28%) and nonbinary employees (40%). Many transgender respondents cited examples of being persistently misgendered, deadnamed, asked invasive questions about their body or transition, or harassed for not conforming to traditional binary genders or gender stereotypes.

- One-third (34%) of transgender employees reported experiencing physical harassment at work because of their sexual orientation or gender identity, compared to 15% of cisgender LGBQ and 21% of nonbinary employees.
- Transgender employees (42%) were twice as likely as cisgender LGBQ employees (20%) to report being sexually harassed at some point in their work lives.
- Transgender employees were twice as likely as cisgender LGBQ employees to report that they had been treated unfairly at work because of their sexual orientation or gender identity at some point in their lives (65% vs. 33%). Similarly, more transgender employees (85%) had heard negative comments about LGBTQ people in the workplace than cisgender LGBQ employees (71%).

Recent Experiences of Discrimination and Harassment

- Forty-seven percent of transgender employees reported workplace discrimination or harassment in the past year compared to 15% of cisgender LGBQ employees and 29% of nonbinary employees.
 - Discrimination: Over half of transgender employees (53%) reported experiencing at least one form of employment discrimination (including being fired, not hired, or being denied a promotion or other workplace opportunities) based on their sexual orientation or gender identity within the past five years and about one in three (31%) reported these experiences in the past year.
 - Transgender employees were two to four times as likely as cisgender LGBQ employees to report being fired (12% vs. 5%), not being hired (20% vs. 5%) or not being promoted or being denied other workplace opportunities (15% vs. 5%) based on their sexual orientation or gender identity in the past year. They were also more likely than nonbinary employees to report being fired (12% vs. 4%) or not hired (20% vs. 10%) in the past year.
 - Harassment: Over half of transgender employees (56%) reported experiencing at least one form of harassment (including verbal, physical, or sexual harassment) in the workplace based on their sexual orientation or gender identity within the past five years and one in three (34%) reported these experiences in the past year.
 - In the past year, transgender employees were over three times as likely as cisgender LGBQ employees to report verbal harassment (31% vs. 7%), physical harassment (13% vs. 4%), and sexual harassment (17% vs. 5%). Transgender employees were also more likely than nonbinary employees to report physical harassment in the past year (13% vs. 5%).

Experiences at Current Job

 Respondents were asked specifically about their experiences at their current job. About six in ten (59%) transgender employees felt that their current workplace environment was somewhat or very supportive, while one in five (21%) felt their workplace environment was somewhat or very unsupportive. Similarly, about two-thirds (62%) of transgender employees felt somewhat or very satisfied with their current job, and 17% were somewhat or very dissatisfied with their current job. Approximately four in ten (42%) transgender employees reported one or more adverse workplace experiences related to their sexual orientation or gender identity at their current jobs. They were more than twice as likely as cisgender LGBQ and nonbinary employees to report verbal (28% vs. 10% vs. 11%) and physical harassment (8% vs. 2% vs. 1%) in their current job, and twice as likely as cisgender LGBQ employees to report sexual harassment (12% vs. 6%).

Out at Work

- One-third (36%) of transgender employees reported that they are not open about being LGBTQ to their current supervisor, and approximately one in eight (13%) reported that they are not out to any of their co-workers.
- Only four in ten (39%) transgender employees reported that they were out to all their coworkers.

Covering

- Most transgender employees (71%) reported engaging in covering behaviors at their current jobs to avoid harassment or discrimination related to their sexual orientation or gender identity.
- Over one-third reported changing how they dressed (36%) or their physical appearance (37%) at work.
- Approximately four in ten have changed where, when, or how often they used the bathroom (39%), their voice or mannerisms (46%), or have not talked about their outside social activities (39%) to avoid discrimination and harassment at work.
- Approximately one-third of transgender employees have also avoided work events or work-related travel (33%) and work-related social events (35%) to avoid discrimination and harassment.
- Many transgender employees also avoid talking about their families at work to avoid discrimination and harassment. Over one-third (35%) of transgender employees have avoided talking about their family at work, 34% have not brought family to work events, and 30% have not displayed photos of their partner or family at work to avoid discrimination and harassment.

Retention

- Transgender employees were twice as likely as cisgender LGBQ employees to report that they had left a job (67% vs. 31%) or looked for another job (69% vs. 32%) because of how they were treated based on their LGBTQ status.
- Due to the workplace environment at their current job, 29% of transgender employees have considered leaving. Of those, most (79%) had taken steps towards finding another job. By comparison, only 13% of cisgender LGBQ employees reported they are considering leaving their current job.

INTRODUCTION

Williams Institute research has estimated that there are approximately 1.3 million LGBTQ adults who identify as transgender in the United States.¹ Institute research indicates that, as a population, transgender adults are young—49% are between the ages of 18 and 29—urban and racially and ethnically diverse.² More than 40% of transgender adults have a high school degree or less (44%), nearly half (48%) live with household incomes below 200% of the federal poverty level, and 19% are unstably housed.³

In terms of employment, most transgender adults (83%) are in the workforce, including 50% who are employed full-time, 19% who are employed part-time but want a full-time job, 8% who are employed part-time and do not want a full-time job, and 17% who are unemployed but looking for work.⁴ One in ten (10%) transgender adults have served in the military.⁵

PRIOR RESEARCH ON WORKPLACE DISCRIMINATION AND HARASSMENT AGAINST TRANSGENDER EMPLOYEES

Research has consistently documented that transgender people face high rates of workplace discrimination and harassment, often engage in covering behaviors at work, are more likely to be unemployed than the general population, and are concentrated in low-paying jobs.

A prior Williams Institute study on workplace experiences of LGBTQ people found that nearly half (49%) of transgender employees reported experiencing discrimination (being fired or not hired) because of their LGBTQ status at some point in their lives.⁶ A similar percentage (46%) reported at least one form of harassment (verbal, physical, or sexual harassment) based on their LGBTQ status at some point in their lives.⁷ Transgender employees were more likely than cisgender LGBQ employees to experience several forms of workplace discrimination and harassment.⁸ Transgender employees were also more likely than cisgender LGBQ employees to report engaging in covering behaviors or hide or minimize their gender identity at work, including changing their physical appearance (36% vs. 23%), changing the way they dress (35% vs. 23%), and changing where, when, or how frequently they used the bathroom (28% vs. 15%).⁹

⁵ Id.

¹ JODY L. HERMAN, ANDREW R. FLORES & KATHRYN K. O'NEILL, WILLIAMS INST., HOW MANY YOUTH AND ADULTS IDENTIFY AS TRANSGENDER IN THE UNITED STATES? 1 (2022), https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Pop-Update-Jun-2022.pdf.

² ILAN H. MEYER, BIANCA D.M WILSON, KATHRYN K. O'NEILL, WILLIAMS INST., LGBTQ PEOPLE IN THE U.S.: SELECT FINDINGS FROM THE GENERATIONS AND TRANSPOP STUDIES 9 (2021), https://williamsinstitute.law.ucla.edu/wp-content/uploads/Generations-TransPop-Toplines-Jun-2021.pdf.

^з Id.

⁴ Id.

⁶ BRAD SEARS ET AL., WILLIAMS INST., LGBT PEOPLE'S EXPERIENCES OF WORKPLACE DISCRIMINATION AND HARASSMENT 12 (2021), https://williamsinstitute.law.ucla.edu/wp-content/uploads/Workplace-Discrimination-Sep-2021.pdf.

⁷ Id.

⁸ Id.

Other research has documented similarly high rates of adverse workplace experiences among transgender employees. For example, a 2022 study by the Center for American Progress found that 32% of transgender people had been fired or not hired, 51% had experienced verbal harassment, and 41% had experienced sexual harassment in the workplace within the past year.¹⁰ Overall, 70% of transgender respondents reported experiencing adverse workplace experiences based on their gender identity within the past year.¹¹ Many transgender respondents said that recent experiences of discrimination negatively impacted their mental and physical well-being.¹² Similarly, a 2016 study based on data from the National Transgender Discrimination Survey conducted in 2010 found that 19% of transgender men and 37% of transgender women had lost a job, 17% of transgender men and 26% of transgender women had been removed from contact with customers or clients because of their gender identity.¹³ In addition, the 2022 U.S. Transgender Survey, a follow-up study to the National Transgender Discrimination Survey, found that 11% of transgender respondents had lost a job because of their gender identity at some point in their lives.¹⁴ Similar findings have been documented in earlier research.¹⁵

State-specific surveys have also documented high rates of discrimination and harassment against transgender employees. For example, a 2010 survey of LGBTQ people in Colorado found that 50% of transgender respondents had experienced discrimination based on their gender identity at some point in their careers.¹⁶ A 2010 needs assessment of transgender people in Virginia found that 22% had experienced employment discrimination.¹⁷ In addition, a 2009 survey of transgender employees in New York found that 59% had experienced workplace discrimination.¹⁸

Additionally, studies have found that transgender employees often engage in covering behaviors to minimize their gender identity in the workplace and mitigate discrimination. For example, the 2022 Center for American Progress study found that the majority of transgender respondents reported taking steps to avoid discrimination in the workplace.¹⁹ Consistent with this finding, the 2015 U.S. Transgender Survey found that 77% of respondents had taken steps to avoid mistreatment in the

¹⁰ Caroline Medina & Lindsay Mahowald, *Discrimination and Barriers to Well-Being: The State of the LGBTQ+ Community in 2022,* CTR. FOR AM. PROG (Jan. 12, 2023).

¹¹ Id.

¹² Id.

¹³ Sklyar Davidson & Jamie Halsall, *Gender Inequality: Nonbinary Transgender People in the Workplace*, 2 COGENT SOCIAL SCIENCES 1236511 (2016).

¹⁴ SANDY E. JAMES ET AL., A REPORT OF THE 2022 U.S. TRANSGENDER SURVEY 21 (2024), https://transequality.org/sites/default/ files/2024-02/2022%20USTS%20Early%20Insights%20Report_FINAL.pdf.

¹⁵ See, e.g., Brad Sears & Christy Mallory, Williams Inst., Documented Evidence of Employment Discrimination & Its Effects on LGBT People (2011), https://williamsinstitute.law.ucla.edu/publications/employ-discrim-effect-lgbt-people/.

¹⁶ Shanna K. Kattari et al., *Policing Gender Through Housing and Employment Discrimination: Comparison of Discrimination Experiences of Transgender and Cisgender LGBQ Individuals*, 7 J. SOCIETY FOR SOCIAL WORK & RES. 427 (2016).

¹⁷ Judith Bradford et al., *Experiences of Transgender-Related Discrimination and Implications for Health: Results from the Virginia Transgender Health Initiative Study*, 103 Am. J. PUBLIC HEALTH 1820 (2013).

¹⁸ Make the Road New York, *Transgender Need Not Apply*, maketheroadny.org (Mar. 14, 2010).

¹⁹ Caroline Medina & Lindsay Mahowald, *Discrimination and Barriers to Well-Being: The State of the LGBTQ+ Community in 2022*, Ctr. for Am. Prog (Jan. 12, 2023)

workplace, including 53% who hid their gender identity, 47% who did not ask employers to use their preferred pronouns, and 26% who delayed their gender transition.²⁰

Other studies have documented high rates of unemployment and lower wages among transgender employees. For example, a 2024 analysis of federal administrative data, including tax records, found a significant wage gap for transgender employees compared to cisgender employees using several different approaches.²¹ Consistent with this finding, a 2020 analysis of data from the Behavioral Risk Factor Surveillance System, a survey jointly administered by the U.S. Centers for Disease Control and Prevention and state health departments, found that transgender people have significantly lower employment rates and household incomes, and significantly higher poverty rates, compared to cisgender people.²² Additionally, the 2022 U.S. Transgender Survey found that 18% of transgender respondents were unemployed (compared to about 3.7% in 2022 among the general population) and 34% were experiencing poverty.²³

CURRENT STUDY

The current study examines experiences of employment discrimination and harassment against transgender adults using a survey of 1,902 LGBTQ adults in the workforce, including 86 transgender adults, conducted in the summer of 2023. We compare the experiences of transgender employees with those of cisgender LGBQ employees and nonbinary employees. The study updates and expands upon a series of reports published by the Williams Institute in 2021 focused on employment discrimination against LGBTQ people. The current study is part of a larger series of reports that examine employment experiences of LGBTQ employees, LGBTQ employees of color, nonbinary employees, and other subpopulations of LGBTQ people.

²⁰ Sandy James et al., Nat'l Ctr. For Transgender Equality, The Report of the 2015 U.S. Transgender Survey (2016).

²¹ Christopher S. Carpenter, Lucas Goodman, Maxine J. Lee, Transgender Earnings Gap in the United States: Evidence from Administrative Data, Working Paper 32691, Nat'l Bureau of Ec. Res. (2024).

²² Christopher S. Carpenter, Samuel T. Eppink & Gilbert Gonzales, *Transgender Status, Gender Identity, and Socioeconomic Outcomes in the United States*, 73 ILR L. Rev. 573 (2020).

²³ SANDY E. JAMES ET AL., A REPORT OF THE 2022 U.S. TRANSGENDER SURVEY, *supra* note 19 at 21; U.S. Bureau of Labor Stats., *Unemployment Rate Returned to Its Prepandemic Level in 2022*, bls.gov (June 2023).

RESULTS

DEMOGRAPHICS

Eighty-six (86) transgender adults in the workforce responded to our survey of LGBTQ employees conducted in July 2023. Transgender adults were young: 71% were under the age of 35, and 84% were under the age of 45. By comparison, 51% of cisgender LGBQ adults and 87% of nonbinary adults in the workforce were under the age of 35.

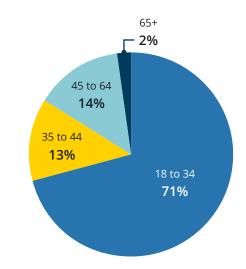
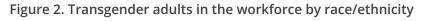
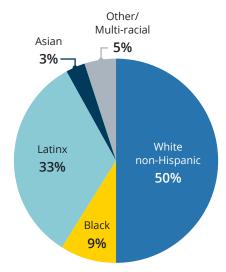


Figure 1. Transgender adults in the workforce by age cohort

Half of transgender respondents (50%) identified as people of color, including 9% who identified as Black and 33% who identified as Latinx.²⁴





²⁴ Latinx respondents include respondents of all races who indicated that they are Hispanic. The other race/ethnicity categories do not include anyone who identifies as Hispanic.

In terms of sexual orientation, almost half of transgender adults identified as bisexual (48%), 23% identified as gay, and approximately one in ten identified as lesbian (9%) or responded, "something else" (11%) or straight (7%) to describe their sexual orientation.

About half of transgender adults were single (47%), and almost half were living with a partner (53%), including 29% living with a spouse. Transgender adults were twice as likely to be married than nonbinary respondents (14%).

About six in 10 transgender adults did not have a bachelor's degree (61%), and 60% were making less than \$50,000 a year, with 27% making less than \$25,000 a year. Only 14% were making \$100,000 or more a year. Almost all transgender adults were currently working (92%), with two-thirds (66%) working in the private sector. Nine percent (9%) were working for the government or military, and 12% were self-employed or working for their families.

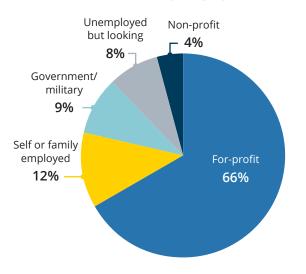


Figure 3. Transgender adults in the workforce by employment sector

In terms of geography, the distribution of transgender respondents reflected that of the general population of the United States, except that they are less likely to live in the South (32% vs. 39%) and more likely to live in the Northeast (31% vs. 17%).²⁵

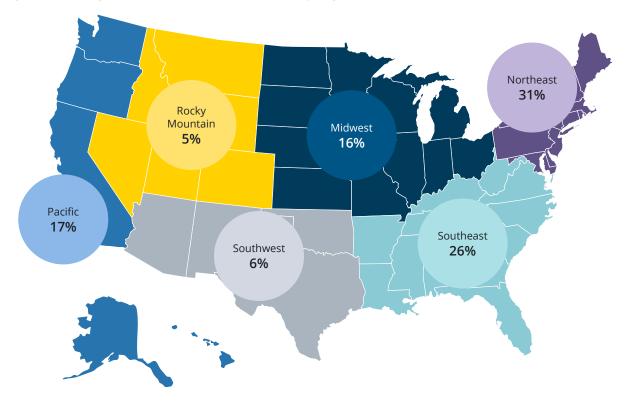


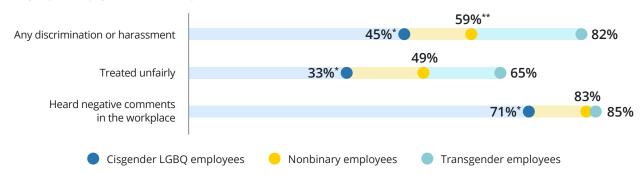
Figure 4. Transgender adults in the workforce by region

LIFETIME EXPERIENCES OF DISCRIMINATION AND HARASSMENT

Employment discrimination against transgender employees is persistent and widespread. At some point in their lives, over eight in ten transgender employees (82%) reported experiencing discrimination or harassment at work, including being fired, not hired, not promoted, or verbally, physically, or sexually harassed because of their sexual orientation or gender identity. Transgender employees were more likely to report these experiences than cisgender LGBQ employees (45%) and nonbinary employees (59%).

²⁵ For regional distribution of the general population, see U.S. Census Bureau, *United States Population Growth by Region*, https://www.census.gov/popclock/data_tables.php?component=growth (2023 data) (last visited July 25, 2024).

Figure 5. Lifetime adverse workplace experiences based on LGBTQ status among LGBTQ employees by gender identity

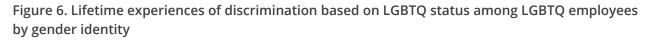


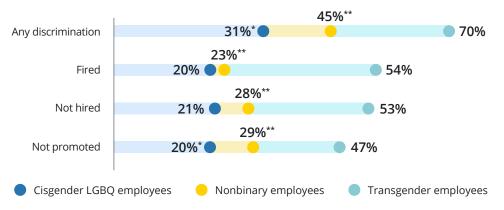
Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees

Transgender employees were twice as likely as cisgender LGBQ employees (65% vs. 33%) to report that they had been treated unfairly at work because of their sexual orientation or gender identity at some point in their lives. Similarly, more transgender employees had heard negative comments about LGBTQ people in the workplace than cisgender LGBQ employees (85% vs. 71%).

Discrimination

Seventy percent of transgender employees reported experiencing at least one form of employment discrimination (being fired, not hired, or denied a promotion or other workplace opportunities) because of their sexual orientation or gender identity at some point in their lives. Transgender employees were more likely to report such experiences than cisgender LGBQ employees (31%) and nonbinary employees (45%).





Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees

More specifically, approximately half of transgender employees reported being fired (54%) or not hired (53%) because of their LGBTQ status. They were over twice as likely to repost these experiences as cisgender LGBQ employees (20% and 21%, respectively) and nonbinary employees (23% and 28%, respectively).

Respondents to the survey were asked to provide details about their experiences of discrimination or harassment. Reports of discrimination by transgender employees include:

I worked in a kitchen and was just coming out ... and was told that there were no trans people allowed in the kitchen.

- White transgender sexual minority employee from New York

I got fired in front of everyone.

- Black transgender sexual minority employee from Texas

One of my ex-bosses fired me because I was "lazy," but really, he fired me for being a trans male who is gay. They would always say, "You were born the gender you were born as; you can't change. There is no such thing as transgender."

- White transgender sexual minority employee from Utah

Approximately half of transgender employees reported not being promoted or having been denied other opportunities at work (47%) because of their LGBTQ status, compared to 20% of cisgender LGBQ employees and 29% of nonbinary employees. Examples of this type of discrimination include:

[My] boss found out I did not have a husband or boyfriend and withdrew my offer for a promotion ... saying I didn't fit the company values ... that I was an abomination and did not align with family values and God's vision.

- Latinx transgender bisexual employee from South Carolina

I was denied a promotion while I endured literally everyone else being promoted, as well as new employees hired long after me. I was more than qualified for the position and had even successfully trained several of my co-workers for the job.

- Transgender gay employee of color from California

A supervisor in the military who openly assumed my gender meant I was less capable of my job. And said so openly.

- White transgender bisexual employee from California

Some transgender employees also mentioned discrimination in terms of having their hours or shifts at work changed, in some cases to harass them, prevent them from doing important projects, or isolate them from their co-workers:

I was given many daytime shifts despite explicitly preferring night shifts. These assignments only began after one of my supervisors found out I was trans and only happened when that supervisor made the scheduling.

- White transgender lesbian employee from Georgia

I [got] pushed out of working at a location due to another co-worker saying *I* was an "*It*," and [they] didn't respect me as a transgender person.

- White transgender straight employee from Illinois

My schedule was reduced to two days a week for four-hour shifts each day from more than full-time hours previously. I had to pick up shifts from others to make up the difference. — Transgender gay employee of color from California

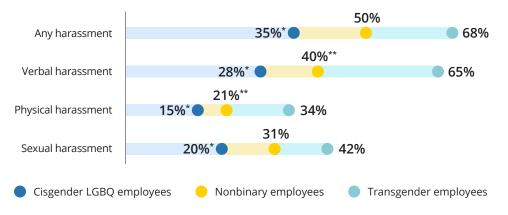
They [restrict me from] working on important projects because of my sexual orientation or gender identity.

- White transgender bisexual employee from Maryland

Harassment

More than two-thirds (68%) of transgender employees reported experiencing at least one form of harassment (verbal, physical, or sexual harassment) at work at some point in their lives because of their sexual orientation or gender identity. Transgender employees were more likely to report workplace harassment than cisgender LGBQ employees (35%).

Figure 7. Lifetime experiences of harassment based on LGBTQ status among LGBTQ employees by gender identity



Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees

Verbal Harassment

About two-thirds (65%) of transgender employees reported experiencing verbal harassment at work because of their sexual orientation or gender identity, more than the 28% of cisgender LGBQ employees and 40% of nonbinary employees who reported verbal harassment. Reports of verbal harassment include:

I've had many slurs thrown at me and people talking behind my back and people asking personal questions about my body. I've been stared at ... people I know have been shamed for knowing me.

My boss, supervisor, and co-workers all ask me far too [many] personal questions about how I do things as a trans person. How I get dressed (binding and packing), how I date, how my sexuality changed when I transitioned, etc.

- White transgender sexual minority employee from Massachusetts

One of my co-workers verbally harassed me, and when I walked away, he continued to call me names to my boss.

- Latinx transgender sexual minority employee from Oregon

[I was treated like I] was less than human because I am a transgender man (born female), and people would rather talk to me like I was an ugly woman or lesbian than perceive me as a man.

- White transgender sexual minority employee from South Carolina

Some transgender respondents described incidents of being misgendered by management, coworkers, and customers:

A worker who was higher up than me jokingly said my dead name aloud [and] got mad when I didn't respond and repeated it louder where others could hear. — Black transgender bisexual employee from Ohio

The only time I ever felt discriminated against was when a man called me sir instead of Ms. — Latinx transgender bisexual employee from Florida

One of my managers constantly used my dead/birth name in front of other co-workers and customers in a positive way. E.g., "I LOVE that name! It's so beautiful, and I have no idea why you want to change it! It's not a feminine name, so why are you changing it?" — White transgender bisexual man from Pennsylvania

Transgender respondents also described verbal harassment focused on other ways that they did not conform to binary gender or traditional gender norms:

At my former job, they didn't like that I dressed as a man, and they made bad gestures at me. — White transgender sexual minority employee from California

I don't present as female in public yet; however, I've had snide comments about the length of my hair and the choice of "colorful" clothes I wear to work.

- White transgender sexual minority employee from North Carolina

I was accused of being too "butch" in a hair salon that had mostly a young woman clientele. [I] was told I didn't fit in with the atmosphere and ambiance of the store. Too butch, too old. — White transgender bisexual employee from Maryland I expressed myself in a feminine manner when I worked at a retailer several years ago and was yelled at, threatened, and berated because of my gender identity. People refused to see me as a woman.

- White transgender bisexual employee from New Jersey.

In some cases, reports of verbal harassment came from customers or clients:

There are customers who will openly refer to me by the wrong pronouns, make targeted comments about the gender they assume I am, and, when confronted, declare that I am wrong.

- Latinx transgender sexual minority employee from Texas

Several times in my early days of transitioning (FTM), customers would call me "ma'am, miss, that lady," etc. Either to my face or in reference to me to my co-worker. — White transgender bisexual employee from Pennsylvania

I was a cashier, and I got harassed by a middle-aged woman for being "too gay," and she wouldn't let me touch her money because she didn't want the "gay touch." — Latinx transgender bisexual employee from New York

When I started wearing a pronoun pin to work (as my company was trying to make them commonplace), nearly every third customer would purposefully use the wrong pronouns/ gender identifiers for me. E.g. [When I was] wearing a He/Him pronoun button, a customer comes up to order and says ... while I am making her order ... "Wow, look at her go! She's the queen of the blender!" Etc., etc.

- White transgender bisexual employee from Pennsylvania

Some respondents indicated that the verbal harassment they received was based on religion. Examples of religiously motivated verbal harassment include:

I was laughed at and constantly misgendered by management. They told me that I have a mental illness due to the fact that I am transgender ... They were Christian and said that God intended for me to be a male because that's what I was born as.

- Latinx transgender bisexual employee from Texas

[I experienced] consistent verbal harassment and hate speech on LGBT topics, people, and relationships. I have always lived in a highly religious state/county and worked with very religious middle-aged people who spoke openly and constantly about being Christian or Catholic, including bringing their religion up during discussions and hate speech about the LGBT community.

White transgender sexual minority employee from Florida

 [I] worked with people who are very religious and would attempt to get me to get to church to "help" and denied using the term partner or girlfriend for my partner.
— White transgender sexual minority employee from Georgia

I remember I worked with this religious girl who I believe was Christian. And she told me that I would go to hell just because of being gay. She said God doesn't love gay people. — Latinx transgender employee from Florida

Physical Harassment

About one-third (34%) of transgender employees reported experiencing physical harassment at work because of their sexual orientation or gender identity. Transgender employees were more likely to report physical harassment at work than cisgender LGBQ (15%) and nonbinary (21%) employees. Reports of physical harassment against transgender respondents included:

One day, I was beaten by a colleague at work because I was transgender. — White transgender bisexual employee from New York

Once, a man ... threw water at me over the cash register and completely soaked it and told me to "stop being a f*g."

- Latinx transgender bisexual employee from New York

Once [I] had a superior try to physically overpower me sexually because he felt entitled to because of my status as a transgender person. I pushed him away, just like I had sidestepped his advances, and was able to get out before he became violent. — White transgender bisexual employee from Texas

I was fired because everybody was uncomfortable with me being a transgender person. Everyone made fun of me every single day and laughed at me and made so many jokes about me and would also hit me as I walked by and stole my uniforms ... When I got fired, it was so difficult to find a new job, and I knew I got fired just because [I am] transgender. — Latinx transgender bisexual employee from California

Sexual Harassment

Forty-two percent of transgender employees reported experiencing sexual harassment at work because of their sexual orientation or gender identity. Transgender employees were twice as likely to report sexual harassment as cisgender LGBQ employees (20%). Reports of sexual harassment against transgender respondents included:

I have been [subjected to] sexual advances ... and have been physically touched. — Black transgender straight employee from New York I was harassed when I was younger by a boss who stole my phone number and contacted me constantly, trying to get with me ... and moved my desk closer to his. — White transgender sexual minority employee from Georgia

[My worst experience] was getting sexually assaulted by upper management by groping my crotch to check what my gender identity was.

- White transgender bisexual employee from Kentucky

My boss was trying to fondle me and explained that my promotion was up for grabs if I didn't "play" along.

- White transgender sexual minority employee from California

I was raped by my homophobic boss on the job site when I first started working. I was really young then. It was awful.

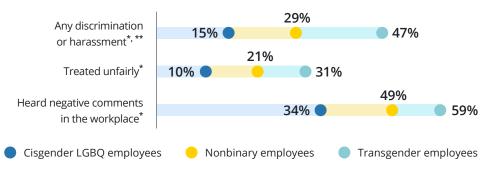
- White transgender bisexual employee from Missouri

RECENT EXPERIENCES OF DISCRIMINATION AND HARASSMENT

LGBTQ employees continue to experience discrimination even after the U.S. Supreme Court held in *Bostock vs. Clayton County* that discrimination based on sexual orientation and gender identity are forms of sex discrimination prohibited by Title VII.²⁶ This decision extended federal non-discrimination protections to LGBTQ employees nationwide as of June 2020.

A clear pattern emerges when examining recent experiences of discrimination and harassment, with transgender employees two to three times more likely to report adverse workplace experiences than cisgender LGBQ employees and more likely to report such experiences than nonbinary employees. For example, 47% of transgender employees reported workplace discrimination or harassment in the past year compared to 15% of cisgender LGBQ employees and 29% of nonbinary employees.

Figure 8. Past year adverse workplace experiences of workplace based on LGBTQ status among LGBTQ employees by gender identity

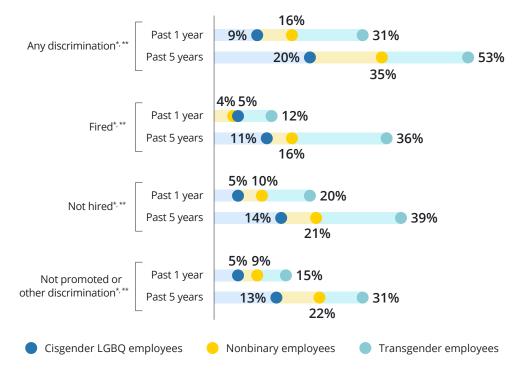


²⁶ 140 S. Ct. 1731 (2020).

Over half (53%) of transgender employees reported being fired, not hired, or being denied a promotion or other workplace opportunities in the past five years, and almost one-third (31%) reported such experiences in the past year. By comparison, 9% of cisgender LGBQ employees and 16% of nonbinary employees had such experiences in the past year.

In terms of the specific forms of discrimination experienced in the past year, transgender employees were more than twice as likely as cisgender LGBQ employees to report being fired (12% vs. 5%), four times as likely to report not being hired (20% vs. 5%), and three times as likely to report not being promoted or being denied other workplace opportunities (15% vs. 5%) based on their sexual orientation or gender identity. They were also three times as likely as nonbinary employees to report being fired (12% vs. 4%) and twice as likely to report being not hired (20% vs. 10%) in the past year.

Figure 9. Recent experiences of workplace discrimination based on LGBTQ status among LGBTQ employees by gender identity

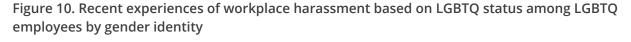


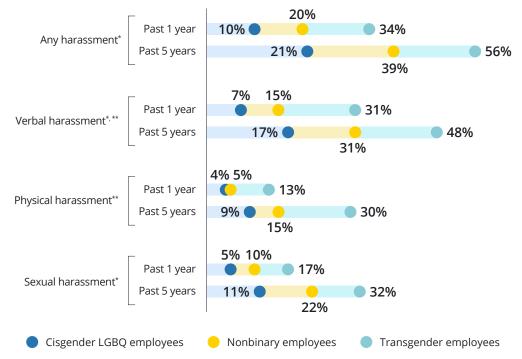
Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees

Recent Harassment

Over half (56%) of transgender employees reported verbal, physical, or sexual harassment in the workplace based on their sexual orientation or gender identity in the past five years, and one-third (34%) reported these experiences in the past year. By comparison, 21% of cisgender LGBQ employees had such experiences in the past five years and 10% in the past year.

In terms of the specific forms of harassment experienced in the past year, transgender employees were three times to four times as likely as cisgender LGBQ employees to report verbal harassment (31% vs. 7%), physical harassment (13% vs. 4%), and sexual harassment (17% vs. 5%). Transgender employees were also more likely than nonbinary employees to report physical harassment in the past year (13% vs. 5%).





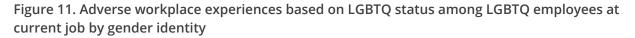
Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees

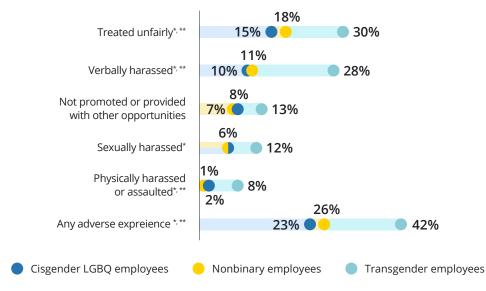
EXPERIENCES AT CURRENT JOB

Respondents were asked specifically about their experiences at their current job. About six in ten (59%) transgender employees felt that their current workplace environment was somewhat or very supportive of LGBTQ people, while one in five (21%) felt their workplace environment was somewhat or very unsupportive of LGBTQ people. While about two-thirds (62%) of transgender employees felt somewhat or very satisfied with their current job, 17% were somewhat or very dissatisfied with their current job.

Forty-two percent of transgender employees reported one or more adverse workplace experiences related to their sexual orientation or gender identity at their current jobs. More specifically, 30% reported unfair treatment, 28% reported verbal harassment, 13% felt they had not been promoted or denied other opportunities in the workplace, 12% reported sexual harassment, and 8% reported physical harassment.

Transgender employees were more likely to report adverse workplace experiences at their current job than cisgender LGBQ and nonbinary employees (23% and 26%, respectively), including being treated unfairly (15% and 18%), verbal harassment (10% and 11%), and physical harassment (2% and 1%). Transgender employees were also more likely to report sexual harassment at their current job than cisgender LGBQ employees (12% vs. 6%).





Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees

AVOIDING DISCRIMINATION AND HARASSMENT

[My] manager [also] constantly asked me why I was transitioning in front of others. None of this was with my permission, and I had explicitly told them I didn't want anyone else to know that I was transgender.

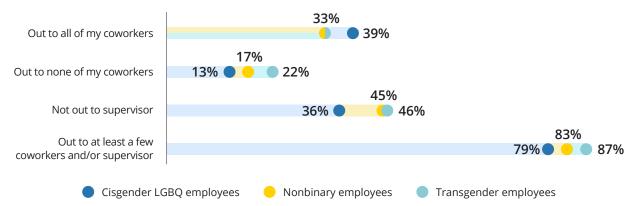
- White transgender bisexual employee from Pennsylvania

LGBTQ employees often take steps to avoid experiencing discrimination and harassment.²⁷ For example, LGBTQ employees may conceal their sexual orientation or gender identity at work, avoid talking about their personal lives with co-workers, or change their appearance to conform to gender norms. Engaging in these behaviors, sometimes referred to as "covering," can be a source of stress for LGBTQ people and negatively affect their health and well-being.²⁸

²⁷ See Christy Mallory & Brad Sears, *LGBTQ Discrimination, Subnational Public Policy, and Law in the United States, in* Oxford Res. Encyc. Pol. (2020), doi:10.1093/acrefore/9780190228637.013.1200.

²⁸ Ilan H. Meyer, *Prejudice, Social Stress, and Mental Health in Lesbian, Gay, and Bisexual Populations: Conceptual Issues and Research Evidence*, 129 PSYCH. BULL. 674 (2003), doi:10.1037/0033-2909.129.5.674; Kenji Yoshino, *Covering*, 111 Yale L.J. 769 (2001), https://digitalcommons.law.yale.edu/ylj/vol111/iss4/1.

More than one-third (36%) of transgender employees reported that they are not open about being LGBTQ to their current supervisor, and 13% reported that they are not out to any of their co-workers. Only four in ten (39%) transgender employees reported that they were out to all their co-workers. Transgender employees did not differ significantly from cisgender LGBQ or nonbinary employees in terms of being out at work.





Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees

Not being out, in full or in part, is a way that many LGBTQ people protect themselves from discrimination and harassment. Williams Institute research has found that LGBTQ people who are out to at least some people in the workplace are twice as likely to have experienced discrimination or harassment because of their sexual orientation or gender identity than those who are not out to anyone at work (54% vs. 21%).²⁹

LGBTQ people and others with marginalized identities often adjust their behavior and conduct in order to avoid bringing attention to a stigmatized trait. This process has been called "covering" by New York University law professor Kenji Yoshino.³⁰ LGBTQ people who are open about their sexual orientation and gender identity may still engage in covering behaviors to minimize their LGBTQ identity.³¹

Many transgender employees reported engaging in covering behaviors at their current jobs to avoid harassment or discrimination related to their sexual orientation or gender identity. About seventy percent of transgender employees (71%) reported that they had taken steps to change how they present themselves at work, including over one-third who reported changing how they dressed (36%), their physical appearance (37%), or their voice or mannerisms (46%) at work. One in four (39%) transgender employees have changed where, when, or how often they used the bathroom.

²⁹ Brad Sears et al., Williams Inst., LGBTQ People's Experiences of Workplace Discrimination and Harassment (2024), https:// williamsinstitute.law.ucla.edu/publications/lgbt-workplace-discrimination/

³⁰ Kenji Yoshino, *Covering*, 111 YALE L. J. 837(2001). Covering is not necessarily the same as concealing LGBTQ status. ³¹ *Id.* at 838.

Transgender employees were twice as likely as cisgender LGBQ employees to change their dress (36% vs. 17%), physical appearance (37% vs. 17%), and voice or mannerisms (46% vs. 20%) at work to avoid discrimination and harassment. Transgender employees (39%) were almost four times as likely as cisgender LGBQ employees (10%) and twice as likely as nonbinary employees (20%) to change their bathroom use at work to avoid discrimination and harassment.

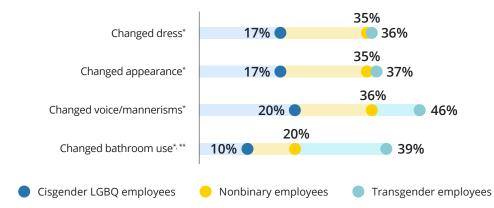
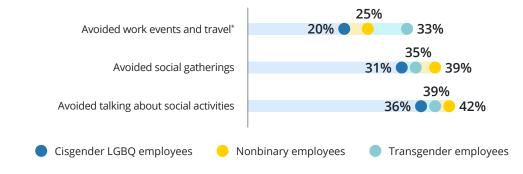


Figure 13. Covering behaviors at work related to appearance and bathroom use among LGBTQ employees by gender identity

Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees

Many transgender employees also reported that they avoided work events or travel (33%) and workrelated social events (35%) in order to avoid discrimination and harassment. Over 39% reported that they avoided talking about their social activities outside of work with co-workers in order to avoid discrimination and harassment.

Figure 14. Covering behaviors at work related to travel and social activities and sharing non-work activities with co-workers among LGBTQ employees by gender identity



Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees (none)

Transgender employees also reported that they downplayed their families at work to avoid discrimination and harassment. About one-third of transgender employees have avoided talking about their family at work (35%), have not brought family to work events (30%), or have not displayed photos of their partner or family at work (34%) to avoid discrimination and harassment.

Avoided talking about family Hid family photos Not brought family to work-related events* Cisgender LGBQ employees Nonbinary employees Transgender employees

Figure 15. Covering behaviors at work related to family among LGBTQ employees by gender identity

Note: *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees (none)

IMPACT OF DISCRIMINATION AND HARASSMENT ON EMPLOYEE RETENTION

Discrimination and harassment, or fear of those experiences, negatively affect the well-being of employees, which, in turn, can negatively impact employers.³² Decades of research have linked unsupportive workplace environments for LGBTQ people to poorer health, decreased job satisfaction, and reduced job commitment, among other negative outcomes.³³

Some transgender employees didn't provide specific details of the discrimination or harassment they experienced but instead shared how it made them feel. For some, these experiences made them think about quitting or feel stuck in a job they did not want:

I feel I have been mistreated all around because I didn't get the position or promotion I wanted and felt like an outcast on the job. Comments and remarks were made ... I felt like I didn't belong in that company.

- White transgender sexual minority employee from Pennsylvania

It was horrible. I felt betrayed.

- Transgender bisexual employee of color from Nevada

It was the worst thing ever. It was terrible. It was painful. I still go to therapy, and it won't go away.

- White transgender lesbian employee from Alabama

It's too difficult to speak about. I would rather just keep pushing and keep to myself. — Black transgender sexual minority employee from Texas

³² See, e.g., M.V. LEE BADGETT ET AL., WILLIAMS INST., THE BUSINESS IMPACT OF LGBT-SUPPORTIVE WORKPLACE POLICIES (2013), https:// williamsinstitute.law.ucla.edu/wp-content/uploads/Impact-LGBT-Support-Workplace-May-2013.pdf. These employee outcomes can have economic consequences for employers.

My mistreatment became so obvious and bad that a fellow co-worker of mine even quit. At this point I was the only remaining LGBTQIA employee. I was not going to quit. I really needed the job desperately.

- Transgender gay employee of color from California

Two-thirds (67%) of transgender employees reported that they had left a job at some point in their lives because of how their employer treated them based on their sexual orientation or gender identity. Sixty-nine percent said that they have looked for other jobs because of how they were personally treated by their employer based on their LGBTQ status, and 59% had done so because the workplace environment, in general, was not supportive of LGBTQ people.

Transgender employees were more likely than cisgender LGBQ employees to express that they had left a job (67% vs. 31%) or looked for another job (69% vs. 32%) because of how they were treated based on their sexual orientation or gender identity at some point in their lives. Transgender employees were also more likely than cisgender LGBQ employees to report that they had looked for another job due to the general workplace environment for LGBTQ people (59% vs. 36%).

For many transgender employees, adverse experiences have caused them to consider looking for another job quite recently—even while in their current jobs. In the past year, about one in four (24%) reported leaving a job due to how they were treated based on their LGBTQ status, 29% had considered leaving a job due to how they were personally treated, and 26% had considered leaving because of the general workplace environment for LGBTQ people. Due to the workplace environment at their current job, 29% of transgender employees had considered leaving. Of those, most (79%) had taken steps towards finding another job. By comparison, only 13% of cisgender LGBQ employees reported having considered leaving their current job.

CONCLUSION

Transgender employees face high rates of discrimination and harassment in the workplace—over eight in ten have had these experiences at some point in their lives. Their lifetime experiences of discrimination and harassment are particularly high when considering that the majority are under the age of 35. In part because of their age, this group of employees earn less and are less likely to have a college degree. All of these factors make transgender people a particularly vulnerable and marginalized group in the workplace.

Many transgender employees are not fully out at work, and most are actively engaged in "covering" behaviors, such as changing their bathroom use, voice, mannerisms, dress, or appearance, to hide or downplay their identity. Experiences of discrimination and harassment, as well as unsupportive workplace environments, are leading many transgender employees to consider leaving their current jobs.

The findings in this report suggest that policymakers and employers must pay specific attention to the workplace experiences of transgender employees separately from cisgender LGBQ employees. In most measures of adverse workplace experiences, transgender employees are significantly more likely to report such experiences than cisgender LGBQ employees. In many measures, they are also more likely to report such experiences than nonbinary employees.

Policymakers and employers should consider increasing outreach and recruitment efforts to hire transgender employees. Protective workplace policies should be adopted, enforced, and reinforced by supervisors and co-workers. Legal protections and workplace policies should specifically address the use of names and pronouns that employees request; transgender employees' access to bathrooms, lockers, changing rooms, and showers; verbal, physical, and sexual harassment against transgender employees (including invasive questioning and religious proselytizing in the workplace); and discrimination through schedule and shift changes.

The findings of this report indicate that many workplace environments still have far to go to be truly supportive of transgender employees. In the meantime, transgender employees continue to face very high levels of discrimination and harassment, are not bringing their full selves to work by either staying in the closet or downplaying their LGBTQ identity, and, as a result, are less likely to be fully invested in their current employer and job.

AUTHORS

Brad Sears, J.D., is the Roberta A. Conroy Distinguished Scholar of Law and Policy and Founding Executive Director at the Williams Institute. He is also the Associate Dean of Public Interest Law at UCLA Law.

Christy Mallory, J.D., is the Renberg Scholar of Law and Legal Director at the Williams Institute.

Andy Lin, Ph.D., is the supervisor of the Statistical Methods and Data Analytics group at the UCLA Office of Advanced Research Computing.

Neko Michelle Castleberry, Ph.D., is a Research Data Analyst at the Williams Institute.

ABOUT THE WILLIAMS INSTITUTE

The Williams Institute is dedicated to conducting rigorous, independent research on sexual orientation and gender identity law and public policy. A think tank at UCLA Law, the Williams Institute produces high-quality research with real-world relevance and disseminates it to judges, legislators, policymakers, media, and the public. These studies can be accessed at the Williams Institute website.

FOR MORE INFORMATION

The Williams Institute, UCLA School of Law (310) 267-4382 williamsinstitute@law.ucla.edu williamsinstitute.law.ucla.edu



APPENDIX

METHODS

The Employment Experiences Survey Wave II was an anonymous cross-sectional survey conducted between July 12 and July 21, 2023, with 1,902 LGBTQ adults ages 18 and up who were currently in the workforce. Participants were selected by Morning Consult from the Lucid and Pure Spectrum survey panels.³⁴ Using screening questions provided by the Williams Institute, panelists were screened on sex assigned at birth, gender identity, sexual orientation identity, workforce participation, and job type to recruit sexual and gender minority participants. In addition, we aimed to survey at least 100 LGBTQ people in each of the six regions identified in Figure 4 above (response numbers by region ranged from 107 in the Rocky Mountain region to 517 in the Southeast). Eligible panelists reviewed an information sheet before opting to participate in an online English language survey.

The Employment Experiences Survey Wave II was largely based on the Employment Experiences Survey Wave I.³⁵ This survey was developed primarily to gather data about experiences of harassment and discrimination among LGBTQ workers. Where possible, survey questions were modeled on prior questions used to assess employment discrimination and efforts to avoid discrimination. For example, some employment discrimination questions were informed by the Williams Major Lifetime Discrimination Scale.³⁶ Some questions about concealment and avoidance are from a survey developed by the Center for American Progress.³⁷ Questions about outness at work were informed by the 2008 General Social Survey and questions about job commitment were informed by the Human Rights Campaign's 2018 "A Workplace Divided" survey.³⁸ Two open-ended questions were also included in the survey to gather information about the participant's worst experience of unfair treatment, harassment, or discrimination at work because of their sexual orientation or gender

³⁴ Prior to selecting the Lucid and Pure Spectrum panels for this study, and others, Morning Consult examined European Society for Opinion and Marketing Research (ESOMAR) documents that contain a uniform set of roughly 30 questions for survey panel providers on topics such as sample sources and recruitment, respondent profiling data, respondent privacy and data security, data quality and validation, and survey incentives. Non-probability panels are formed by recruiting panelists through loyalty and rewards programs, publisher partnerships, advertisements on mobile, tablet and desktop websites, and outreach to online gaming communities; snowball sampling or river sampling are excluded. In addition, Morning Consult examines panels for quality based on average survey completion time and correlations between dozens of variable pairs known to have high correlations (e.g., party identification and political ideology, education and income, country headed in the right direction and leader approval, vote and political party, and consumer confidence variables). In general, only panels that meet Morning Consult's quality requirements are approved as sample providers.

³⁵ Sears et al., *supra* note 3.

³⁶ David R. Williams, Measuring Discrimination Resource (2016), https://scholar.harvard.edu/files/davidrwilliams/files/measuring_discrimination_resource_june_2016.pdf

³⁷ Sejal Singh & Laura E. Durso, L. E., Widespread Discrimination Continues to Shape LGBTQ People's Lives in Both Subtle and Significant Ways, Center for American Progress (May 2, 2017), https://www.americanprogress.org/issues/lgbtq-rights/ news/2017/05/02/429529/widespread-discrimination-continues-shape-lgbt-peoples-lives-subtle-significant-ways/.

³⁸ NORC at the University of Chicago, The General Social Survey: GSS Questionnaire 2008, https://gss.norc.org/getdocumentation/questionnaires (last visited July 25, 2024); Human Rights Campaign, A Workplace Divided: Understanding the Climate for LGBTQ Workers Nationwide (2018), https://www.hrc.org/resources/a-workplace-divided-understanding-the-climatefor-lgbtq-workers-nationwide.

identity, as well as experiences where the religious beliefs of others were believed to be a factor in how the respondent was treated.

In addition to questions included in the 2021 survey, the 2023 survey included questions about intersectional discrimination (discrimination based on multiple marginalized characteristics), co-workers' perceptions of respondents' perceived masculinity and femininity, and employer-level policies and practices that support LGBTQ people. The intersectional discrimination questions were informed by the Generations Study. The question about perceived masculinity and femininity was informed by the recommended measure for assessing gender conformity in the GenIUSS guide to Best Practices for Asking Questions to Identify Transgender and Other Gender Minority Respondents on Population-Based Surveys.³⁹

A total of 1,902 participants who self-identified as lesbian, gay, bisexual, transgender, or nonbinary (as determined by responses to questions about sex assigned at birth and current gender identity) were included in the analytic sample for this report. Participants who selected gender identity options that were the same as their sex assigned at birth were classified as cisgender. Participants who selected gender identity response options, including male, female, and transgender, which differed from their sex assigned at birth, were classified as transgender. Participants who selected the nonbinary gender identity response option were classified as nonbinary.

Cisgender participants who reported "something else" as their sexual orientation identity (n=98) were excluded from empirical analyses, given uncertainty about whether they were sexual minorities or not. Descriptive analyses were conducted using the survey package in R v4.3.2 statistical software and included design-based F-tests (Rao-Scott chi-square tests) of differences in proportions to assess whether outcomes vary across demographic groups at an alpha of 0.05.⁴⁰ Confidence intervals (95% CI) were included in Appendix tables to communicate the degree of uncertainty around an estimate due to sampling error.

All analyses were weighted using sampling weights developed by Morning Consult. To construct the sampling weights for the entire sample, Morning Consult used the 2018 Population Assessment of Tobacco and Health (PATH) Public Use File.⁴¹ The 2018 PATH survey was conducted with a large nationally representative sample of U.S. adults and included measures of sexual orientation identity and transgender status. The PATH data were a subset of LGBTQ respondents in the workforce (fulltime employed, part-time employed, self-employed, or looking for work). This subset was used to establish weighting targets for age (4 categories), sex assigned at birth (2 categories), race/ethnicity (5 categories), education (3 categories), and region (6 categories). Iterative proportional fitting (or "raking") was then used to create the weight variable. Weights were trimmed at 6 to avoid overweighting a small number of respondents, and they were normalized to sum to the sample size, which is common practice.

³⁹ GenIUSS Group, Best Practices for Asking Questions to Identify Transgender and Other Gender Minority Respondents on Population-Based Surveys (2014), https://williamsinstitute.law.ucla.edu/wp-content/uploads/Survey-Measures-Trans-GenIUSS-Sep-2014.pdf.

⁴⁰ J. N. K. Rao & A. J. Scott, *On Chi-Squared Tests for Multiway Contingency Tables with Cell Proportions Estimated from Survey Data*, 12 J. ANN. STAT. 12 46 (1984).

⁴¹ Nat'l Inst. of Health, U.S. Dep't of Health & Hum. Scvs., 2018 Population Assessment of Tobacco and Health (PATH) Study Wave 4 [United States] Public Use Files.

While selection probabilities for non-probability samples are unknown, in practice, probability panels face the same methodological challenges as non-probability panels⁴² that need to be addressed using statistical adjustment. While most non-probability panels are not representative per se, statistical adjustments can be used to create unbiased and representative samples independently of the initial recruitment process.

The quotes from the respondents in this report were collected through one open-ended question: "Tell us about your worst experience of unfair treatment, harassment, or discrimination at work." Responses were selected for inclusion in this report to illustrate certain points while avoiding duplication in the content of the quotes and representing the full diversity of the sample in terms of sexual orientation, gender identity, sex, race, ethnicity, occupation, and current state of residence. The responses were edited to correct for typos, spelling, grammar, missing words, and other issues not impacting their substance. Where words were otherwise changed (for verb tense, pronouns, clarity, to change information that could be used to identify the respondent, etc.), the changes are noted with brackets. Where words were cut (primarily to reduce the length of the quote or cut personally identifying information), the omission is marked with ellipses. Names of employers were removed and replaced with language describing the type of employment in brackets.

The study protocol was reviewed and approved by the Institutional Review Board at UCLA.

⁴² Courtney Kennedy et al., Evaluating Online Nonprobability Surveys, Pew Research Center (2016), https://www.pewresearch.org/ methods/2016/05/02/evaluating-online-nonprobability-surveys/.

TABLES

Table A1. Demographics

		TRANSGENDER (86)		CISGENDER LGBQ (1,653)		NONBINARY (163)	
	%	CI 95%	%	CI 95%	%	CI 95%	
SEXUAL ORIENTATION**							
Gay	23.4%	14.8, 34.9	24.4%	21.9, 27.2	0.0%	0, 0	
Lesbian	9.2%	4.9, 16.4	14.8%	13.1, 16.6	0.0%	0, 0	
Lesbian or gay	0.0%	0, 0	0.0%	0, 0	15.2%	10.3, 21.7	
Straight	6.9%	2.5, 17.6	0.0%	0, 0	0.5%	0.1, 3.3	
Bisexual	47.5%	36.1, 59.2	60.8%	58.0, 63.6	58.1%	50.0, 65.7	
Something else	11.0%	5.6, 20.3	0.0%	0, 0	21.5%	15.6, 28.8	
Not sure/questioning	2.1%	0.5, 8.9	0.0%	0, 0	4.4%	2.1, 9.1	
Don't know what question is asking	0.0%	0, 0	0.0%	0, 0	0.5%	0.1, 3.3	
AGE*, **							
18-34	70.9%	59.8, 82.0	50.5%	47.8, 53.3	86.6%	80.9, 92.3	
35-44	12.9%	6.1, 19.7	16.8%	15.0, 18.7	10.4%	5.5, 15.2	
45-64	14.4%	4.5, 24.3	27.3%	24.5, 30.1	3.0%	-0.3, 6.4	
65+	1.8%	-1.7, 5.3	5.4%	3.7, 7.0	0.0%	0, 0	
RACE/ETHNICITY							
White non-Hispanic	49.6%	38.1, 61.1	54.8%	52.0, 57.5	49.2%	41.2, 57.2	
People of color	50.4%	38.9, 61.9	45.2%	42.5, 48.0	50.8%	42.9, 58.8	
Black non-Hispanic	8.8%	3.6, 19.7	11.7%	10.1, 13.5	9.1%	5.4, 14.8	
Hispanic or Latinx	33.2%	22.7, 45.8	25.4%	22.8, 28.1	26.7%	19.5, 35.4	
Asian non-Hispanic	3.3%	1.0, 9.9	4.4%	3.4, 5.7	4.8%	2.3, 9.7	
All other races/ethnic groups, non-Hispanic	5.2%	1.9, 13.4	3.8%	2.9, 5.0	10.3%	6.3, 16.5	
REGION							
Pacific	17.1%	8.6, 25.6	15.6%	13.6, 17.7	19.0%	12.7, 25.3	
Rocky Mountain	4.6%	0.5, 8.7	5.6%	4.3, 6.9	3.7%	0.6, 6.8	
Southwest	6.0%	0.6, 11.5	12.1%	10.3, 13.9	15.2%	9.1, 21.2	
Midwest	16.1%	8.0, 24.2	19.7%	17.6, 21.8	19.1%	13.2, 25.0	
Northeast	30.5%	19.6, 41.4	20.6%	18.3, 22.9	22.0%	15.2, 28.9	
Southeast	25.7%	15.3, 36.1	26.3%	23.9, 28.7	21.0%	14.7, 27.3	
COHABITATING PARTNER**							
Married/Spouse	29.2%	19.1, 39.3	27.3%	24.9, 29.8	13.6%	8.3, 19.0	
Non-marital legally recognized partner	5.9%	1.1, 10.8	6.3%	4.9, 7.6	5.3%	1.6, 9.1	
Unmarried partner	17.7%	8.5, 26.8	19.4%	17.3, 21.4	28.1%	20.9, 35.4	
Single (no cohabitating partner)	47.2%	35.6, 58.8	47.0%	44.3, 49.8	52.9%	44.9, 60.9	

	TRANSGENDER (86)		CISGENDER LGBQ (1,653)		NONBINARY (163)			
	%	CI 95%	%	CI 95%	%	CI 95%		
GENDER IDENTITY OF PARTNER*, **								
Male	22.7%	9.8, 35.6	56.0%	52.3, 59.7	49.4%	37.6, 61.1		
Female	53.7%	38.5, 69.0	38.3%	34.7, 41.9	24.2%	14.1, 34.3		
Transgender	17.0%	5.6, 28.4	1.90%	1.0, 2.9	13.2%	5.3, 21.2		
Nonbinary	6.6%	0, 13.3	3.80%	2.5, 5.1	13.2%	5.7, 20.7		

Note: CI = Confidence Interval; *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees; **p-value less than 0.05 when comparing transgender employees to nonbinary employees

Table A2. Education, income, and current employment status

	TRANSGE (86)	TRANSGENDER (86)		CISGENDER LGBQ (1,653)		NRY
	%	CI 95%	%	CI 95%	%	CI 95%
EDUCATION						
Less than a bachelor's degree	60.7%	49.4, 72.0	55.0%	52.2, 57.7	61.9%	54.2, 69.7
Bachelor's degree	30.2%	19.7, 40.7	28.9%	26.4, 31.4	30.1%	22.9, 37.4
More than bachelor's degree	9.1%	2.1, 16.1	16.1%	14.0, 18.3	8.0%	3.6, 12.3
INDIVIDUAL INCOME						
None	0.0%	0, 0	0.8%	0.5, 1.2	4.0%	0.7, 7.2
\$1 to \$24,999K	26.9%	16.3, 37.5	15.9%	14.0, 17.7	30.2%	22.8, 37.6
\$25K-\$49,999K	32.7%	21.6, 43.8	31.2%	28.7, 33.7	39.8%	32.0, 47.6
\$50K-\$99,999	26.5%	16.6, 36.4	35.7%	33.1, 38.4	18.1%	12.0, 24.3
\$100K+	13.9%	6.7, 21.0	16.4%	14.2, 18.6	7.9%	3.5, 12.3
CURRENT EMPLOYMENT						
For-profit	66.3%	55.3, 77.4	67.0%	64.5, 69.5	64.7%	57.1, 72.3
Non-profit	4.4%	0, 8.7	7.6%	6.2, 8.9	9.2%	4.7, 13.7
Government/military	9.0%	3.0, 15.0	11.1%	9.5, 12.7	8.6%	4.1, 13.0
Self or family employed	12.4%	4.2, 20.6	11.9%	10.1, 13.7	14.6%	9.0, 20.2
Unemployed but looking	7.9%	1.1, 14.7	2.4%	1.5, 3.2	2.9%	0, 5.8

Note: CI= Confidence interval

	TRANSGE (86)	NDER	CISGENDE (1,653)	CISGENDER LGBQ (1,653)		RY
	%	CI 95%	%	CI 95%	%	CI 95%
Any discrimination or harassment	82.0%	72.6, 91.3	44.6%*	41.8, 47.3	59.4%**	51.6, 67.2
Treated unfairly	64.5%	53.4, 75.7	32.9%*	30.3, 35.6	49.3%	41.3, 57.3
Heard negative comments in the workplace	85.1%	76.8, 93.4	70.8%*	68.3, 73.3	83.2%	77.1, 89.3
DISCRIMINATION						
Any discrimination	70.2%	59.5, 80.8	31.2%*	28.6, 33.8	44.8%**	36.9, 52.8
Fired	54.5%	42.9, 66.1	19.5%*	17.3, 21.8	23.0%**	16.1, 29.9
Not hired	53.4%	41.9, 65.0	21.0%*	18.7, 23.3	27.9%**	20.8, 35.0
Not promoted	47.3%	35.7, 58.8	20.0%*	17.7, 22.3	28.6%**	21.3, 35.9
HARASSMENT						
Any harassment	68.3%	57.6, 79.1	34.8%*	32.2, 37.4	50.1%	42.1, 58.1
Verbal	64.7%	53.6, 75.7	27.7%*	25.2, 30.2	39.9%**	32.1, 47.8
Physical	33.6%	22.6, 44.6	15.2%*	13.2, 17.2	21.0%**	14.4, 27.5
Sexual	42.1%	30.6, 53.5	20.1%*	17.8, 22.3	30.9%	23.4, 38.3

Table A3. Lifetime experiences of unfair treatment, discrimination, harassment

Table A4. Recent experiences of unfair treatment, discrimination, harassment, in past year and
past five years

	TRANSGENDER (86)		CISGENDER LGBQ (1,653)		NONBINAF (163)	Υ			
	%	CI 95%	%	CI 95%	%	CI 95%			
Treated unfairly*									
Past 1 year	31.2%	20.7, 41.8	9.9%	8.2, 11.6	21.4%	14.9, 28.0			
1 to 5 years	16.2%	7.8, 24.7	9.7%	8.1, 11.2	17.4%	11.4, 23.4			
Over 5 years ago	17.1%	8.1, 26.1	13.4%	11.3, 15.4	10.5%	5.4, 15.6			
Heard negative comments in	the workpla	ace*							
Past 1 year	59.2%	47.9, 70.6	34.4%	31.8, 36.9	48.8%	40.8, 56.8			
1 to 5 years	23.1%	13.4, 32.9	20.5%	18.3, 22.7	26.5%	19.5, 33.4			
Over 5 years ago	2.8%	-0.5, 6.0	16.0%	13.8, 18.1	7.9%	3.2, 12.6			
Any discrimination or harass	ment*, **								
Past 1 year	46.8%	35.3, 58.3	14.6%	12.7, 16.5	29.2%	21.8, 36.5			
1 to 5 years	23.0%	13.0, 33.0	13.6%	11.8, 15.5	19.9%	13.7, 26.1			
Over 5 years ago	12.2%	5.0, 19.4	16.4%	14.2, 18.6	10.4%	5.2, 15.6			

	TRANSGE (86)	TRANSGENDER (86)		CISGENDER LGBQ (1,653)		RY
	%	CI 95%	%	CI 95%	%	CI 95%
SPECIFIC ADVERSE EXPERIE	NCES					
Any discrimination*, **						
Past 1 year	31.0%	20.6, 41.4	9.2%	7.6, 10.7	16.5%	10.6, 22.3
1 to 5 years	22.2%	12.6, 31.9	10.8%	9.1, 12.5	18.9%	12.6, 25.2
Over 5 years ago	16.9%	7.7, 26.1	11.3%	9.3, 13.2	9.5%	4.7, 14.3
Fired*, **						
Past 1 year	11.6%	5.1, 18.1	4.6%	3.4, 5.8	3.7%	0.4, 6.9
1 to 5 years	24.2%	14.6, 33.8	6.6%	5.3, 7.9	12.0%	6.7, 17.4
Over 5 years ago	18.7%	9.1, 28.2	8.3%	6.6, 10.0	7.3%	3.2, 11.4
Not hired*, **						
Past 1 year	19.8%	11.2, 28.3	5.2%	3.9, 6.5	9.5%	4.9, 14.1
1 to 5 years	19.2%	10.3, 28.1	8.4%	6.8, 10.0	11.9%	6.7, 17.1
Over 5 years ago	14.4%	5.2, 23.7	7.4%	5.8, 9.0	6.6%	2.7, 10.4
Not promoted*, **						
Past 1 year	15.3%	7.1, 23.5	4.9%	3.7, 6.1	8.5%	4.1, 12.9
1 to 5 years	15.7%	8.0, 23.5	7.6%	6.1, 9.0	13.6%	8.0, 19.1
Over 5 years ago	16.3%	7.2, 25.3	7.6%	6.0, 9.2	6.5%	2.4, 10.6
Any harassment*						
Past 1 year	33.9%	23.0, 44.9	10.3%	8.6, 11.9	20.1%	13.6, 26.7
1 to 5 years	22.3%	12.5, 32.1	10.6%	9.0, 12.2	18.9%	12.8, 25.0
Over 5 years ago	12.1%	4.8, 19.4	13.9%	11.9, 16.0	11.1%	5.8, 16.4
Verbal harassment*, **						
Past 1 year	30.7%	20.1, 41.3	7.4%	6.0, 8.9	15.4%	9.6, 21.2
1 to 5 years	17.3%	8.6, 26.1	9.3%	7.8, 10.8	15.5%	9.8, 21.3
Over 5 years ago	16.6%	7.8, 25.5	11.0%	9.2, 12.8	9.0%	4.2, 13.8
Physical Harassment*, **						
Past 1 year	12.9%	4.7, 21.1	4.2%	3.1, 5.3	4.6%	1.1, 8.0
1 to 5 years	17.1%	8.4, 25.9	4.6%	3.6, 5.7	10.3%	5.3, 15.2
Over 5 years ago	3.6%	-0.1, 7.2	6.4%	5.0, 7.8	6.1%	2.3, 10.0
Sexual Harassment*						
Past 1 year	17.3%	8.0, 26.7	4.5%	3.4, 5.7	9.8%	4.9, 14.7
1 to 5 years	14.4%	6.8, 21.9	6.1%	4.9, 7.3	12.0%	6.9, 17.1
Over 5 years ago	10.4%	3.4, 17.3	9.5%	7.7, 11.2	9.1%	4.3, 13.9

Table A5. Experiences at current job

	TRANSGE (86)	NDER	CISGENDER LGBQ (1,653)		NONBINAR (163)	Y					
	%	CI 95%	%	CI 95%	%	CI 95%					
Any adverse experience at current job	42.0%	30.8, 53.2	23.1%*	20.8, 25.4	26.1%**	19.0, 33.1					
SPECIFIC ADVERSE EXPERIENCE AT CURRENT JOB											
Verbally harassed	27.8%	17.8, 37.8	10.0%*	8.3, 11.7	11.0%**	6.0, 16.0					
Physically harassed or assaulted	8.1%	2.0, 14.1	2.1%*	1.2, 2.9	1.4%**	-0.6, 3.4					
Sexually harassed	12.0%	4.6, 19.4	5.7%*	4.4, 6.9	5.9%	2.2, 9.5					
Not promoted or provided with other opportunities	13.3%	5.6, 20.9	7.8%	6.3, 9.4	7.5%	3.3, 11.6					
Treated unfairly at current job	29.7%	19.6, 39.9	14.9%*	12.9, 16.9	18.3%**	12.1, 24.5					
WORKPLACE ENVIRONMENT											
Very unsupportive	6.3%	0.5, 12.2	4.9%	3.7, 6.1	7.4%	2.8, 11.9					
Somewhat unsupportive	14.2%	6.8, 21.6	6.2%	5.0, 7.4	5.9%	2.2, 9.6					
Neither supportive nor unsupportive	20.0%	10.7, 29.4	23.2%	20.9, 25.6	22.8%	16.0, 29.7					
Somewhat supportive	19.9%	10.7, 29.1	26.1%	23.6, 28.5	28.5%	21.4, 35.6					
Very supportive	39.5%	28.1, 51.0	39.7%	37.0, 42.4	35.4%	27.8, 43.0					
Considered leaving	29.4%	19.3, 39.6	13.4%*	11.6, 15.3	19.8%	13.6, 26.1					
Steps toward finding another job	79.1%	64.3, 94.0	66.8%	60.0, 73.7	65.5%	48.6, 82.4					
JOB SATISFACTION											
Very dissatisfied	6.3%	1.2, 11.4	4.8%	3.5, 6.0	5.3%	1.8, 8.8					
Somewhat dissatisfied	11.1%	3.1, 19.0	8.9%	7.3, 10.4	11.6%	6.6, 16.6					
Neither satisfied nor dissatisfied	21.1%	11.8, 30.4	14.1%	12.2, 15.9	15.4%	9.6, 21.2					
Somewhat satisfied	35.8%	24.5, 47.0	33.5%	31.0, 36.1	32.6%	25.1, 40.0					
Very satisfied	25.8%	16.1, 35.5	38.8%	36.1, 41.5	35.1%	27.4, 42.8					

	TRANSGENDER (86)		CISGENDER LGBQ (1,653)		NONBINA (163)	RY
	%	CI 95%	%	CI 95%	%	CI 95%
Out to all coworkers	38.9%	27.7, 50.1	32.6%	30.0, 35.2	32.9%	25.3, 40.4
Out to none of their coworkers	12.9%	4.2, 21.7	21.8%	19.5, 24.0	17.0%	11.2, 22.9
Out to supervisor	63.9%	52.3, 75.5	54.0%	51.2, 56.7	55.2%	47.2, 63.2
Out to at least a few coworkers and/or supervisor	87.1%	75.4, 93.7	79.3%	76.9, 81.4	83.4%	76.8, 88.5

Table A6. Outness

CI = Confidence interval

Table A7. Covering

	TRANSGENDER (86)		CISGENDER LGBQ (1,653)		NONBINARY (163)	
	%	CI 95%	%	CI 95%	%	CI 95%
Any covering	70.7%	59.9, 81.4	67.0%*	54.5, 59.9	57.2%	59.5, 74.5
Changed dress	35.6%	25.7, 47.5	17.4%*	15.4, 19.4	34.8%	27.3, 42.4
Changed appearance	37.2%	26.2, 48.2	17.4%*	15.4, 19.4	35.0%	27.4, 42.5
Changed voice or mannerisms	45.7%	34.2, 57.1	20.1%*	17.9, 22.3	35.7%	28.0, 43.4
Changed bathroom use	39.0%	27.8, 50.2	10.4%*	8.7, 12.0	19.8%	13.3, 26.3
Avoided work events/travel	33.2%	22.5, 44.0	19.5%*	17.3, 21.8	25.4%	18.5, 32.4
Avoided social events	35.2%	24.4, 46.0	31.4%	28.8, 34.0	39.3%	31.5, 47.1
Not talked about family	35.2%	24.2, 46.2	28.3%	25.8, 30.8	29.2%	21.9, 36.5
Not talked about activities	39.0%	27.9, 50.2	35.6%	33.0, 38.3	42.2%	34.3, 50.0
Hid family photos	29.5%	18.8, 40.3	23.6%	21.2, 26.0	21.0%	14.4, 27.6
Not brought family to events	33.7%	23.0, 44.4	22.3%*	20.0, 24.7	23.6%	16.7, 30.4

Note: CI = Confidence Interval; *p-value less than 0.05 when comparing transgender employees to cisgender LGBQ employees;

**p-value less than 0.05 when comparing transgender employees to nonbinary employees

	TRANSGENDER (86)		CISGENDI (1,653)	CISGENDER LGBQ (1,653)		NRY				
	%	CI 95%	%	CI 95%	%	CI 95%				
Left a job/personal treatment*										
Ever (Lifetime)	67.2%	56.3, 78.1	30.7%	28.1, 33.2	49.8%	41.8, 57.8				
Past 1 year	23.6%	14.2, 33	4.8%	3.7, 5.9	17.1%	11.1, 23.1				
1 to 5 years	28.4%	17.8, 38.9	11.7%	10.1, 13.4	21.0%	14.6, 27.3				
Over 5 years ago	15.2%	6.6, 23.8	14.1%	12.1, 16.2	11.8%	6.4, 17.1				
Looked for a job/personal trea	itment*									
Ever (Lifetime)	69.1%	58.2, 80.0	32.3%	29.8, 34.9	57.8%	49.9, 65.7				
Past 1 year	29.1%	18.9, 39.3	6.8%	5.5, 8.1	27.6%	20.5, 34.7				
1 to 5 years	22.7%	13.2, 32.3	13.0%	11.2, 14.7	20.6%	14.2, 27.0				
Over 5 years ago	17.2%	8.1, 26.4	12.6%	10.6, 14.5	9.6%	4.7, 14.6				
Looked for a job/workplace er	vironment*	, **								
Ever (Lifetime)	58.6%	47.1, 70.2	36.5%	33.8, 39.1	59.9%	52.0, 67.8				
Past 1 year	25.6%	16.4, 34.8	9.6%	8.1, 11.2	29.4%	22.1, 36.7				
1 to 5 years	16.5%	7.8, 25.2	13.3%	11.6, 15.1	25.4%	18.5, 32.4				
Over 5 years ago	16.6%	7.7, 25.5	13.5%	11.5, 15.5	5.1%	1.7, 8.4				

Table A8. Retention