

RESEARCH THAT MATTERS

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# WORKPLACE DISCRIMINATION AND HARASSMENT

Against LGBT State  
& Local Government  
Employees

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## EXECUTIVE SUMMARY

Over 8 million employees in the U.S. identify as LGBT and over 600,000 of them work for state and local governments.<sup>1</sup> Employment discrimination and harassment against LGBT people has been documented in a variety of sources and found to negatively impact employees' health and well-being and to reduce job commitment and satisfaction. Prior research has found that patterns of discrimination and harassment against LGBT employees working in the public sector are similar to those experienced by private sector workers.

This report examines experiences of employment discrimination and harassment against LGBT people working for state and local governments using a survey of 935 LGBT adults conducted in May 2021. The survey assessed workplace experiences of LGBT adults who were employed as of March 2020—just before many workplaces were forced to shut down because of COVID-19. This report, focused on government employees' experiences, follows a prior report examining experiences of discrimination and harassment among LGBT employees more broadly.<sup>2</sup>

Our analysis indicates that employment discrimination against LGBT people working for state and local governments is persistent and widespread. Over one-quarter (28.2%) of LGBT employees reported that they experienced discrimination or harassment because of their sexual orientation or gender identity in a state or local government job (or both) at some point in their lives. More specifically, 15.8% of LGBT employees reported experiencing at least one form of employment discrimination (including being fired or not hired) because of their sexual orientation or gender identity in a state or local government job (or both). Over one-fifth (22.3%) reported experiencing at least one form of harassment (including verbal, physical, or sexual harassment) because of their sexual orientation or gender identity in a state or local government job (or both).

A clear majority—85.3%—of LGBT employees who have experienced mistreatment in the workplace and have worked only in state or local government employment report that an employer's or co-worker's religious beliefs motivated the unfair treatment against them.<sup>3</sup> By contrast, of LGBT employees who have experienced mistreatment in the workplace and worked only in the private sector, 52.6% say that religious beliefs motivated the unfair treatment against them.

Many LGBT employees, including public sector employees, also reported engaging in behaviors to avoid discrimination and harassment, including hiding their LGBT identity and changing their physical appearance, and many left their jobs or considered leaving their jobs because of unfair treatment.

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<sup>1</sup> KERITH J. CONRON & SHOSHANA K. GOLDBERG, WILLIAMS INST., LGBT PEOPLE IN THE US NOT PROTECTED BY STATE NON-DISCRIMINATION STATUTES 1 (2019), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Nondiscrim-Statutes-Mar-2019.pdf>.

<sup>2</sup> BRAD SEARS, CHRISTY MALLORY, ANDREW R. FLORES & KERITH J. CONRON, WILLIAMS INST., LGBT PEOPLE'S EXPERIENCES OF WORKPLACE DISCRIMINATION AND HARASSMENT (2021), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Workplace-Discrimination-Sep-2021.pdf>.

<sup>3</sup> Mistreatment includes discrimination, harassment, and being treated unfairly because of sexual orientation or gender identity.

While the key findings of the report are summarized below, the full report includes quotes from respondents providing more detail about their experiences of discrimination and harassment in state and local government jobs.

## KEY FINDINGS

- Over one-quarter (28.2%) of LGBT employees who have ever worked in state or local government reported that they experienced discrimination or harassment because of their sexual orientation or gender identity in a state or local government job (or both) at some point in their lives.
  - About one in ten LGBT employees reported being fired (11.4%) and/or not hired (8.8%) by a state or local government employer because of their sexual orientation or gender identity.
  - Nearly one-fifth (19.0%) of LGBT employees reported verbal harassment while working in a state or local government job, 8.7% reported sexual harassment, and 7.6% of LGBT employees reported physical harassment because of their sexual orientation or gender identity.
- 85.3% of LGBT employees who have experienced mistreatment in the workplace and have worked only in state or local government employment report that an employer's or co-worker's religious beliefs motivated the unfair treatment against them.
- Many LGBT people avoid discrimination and harassment in the workplace by not being out to their supervisor and co-workers. Over 60% of LGBT employees (62.5%) who are currently employed by state or local governments reported that they are not open about being LGBT to their supervisor and 29.7% report that they are not out to any of their co-workers.
  - LGBT employees currently working in state and local government jobs are less likely to be out at work than private sector LGBT employees. Less than half (48.8%) of private sector LGBT employees are not out to their supervisor; less than one-quarter (23.3%) are not out to any of their co-workers.
- Similarly, many LGBT employees who have ever worked in two of the largest public sector occupations—education and law enforcement—are not open about being LGBT at work.
  - Around half of LGBT people who have ever worked in K-12 education (49.1%) and higher education (54.6%) are not out to their current supervisor. One-quarter (25.0%) of LGBT employees who have ever worked in K-12 education are not out to any of their co-workers, along with 21.5% of LGBT employees who have ever worked in higher education.
  - Similarly, 54.4% of LGBT people who have ever worked in law enforcement are not out to their current supervisors and 26.2% are not out to any of their co-workers.
- Many LGBT employees currently employed in state and local government reported engaging in “covering” behaviors in order to avoid harassment or discrimination at work. About 40% of LGBT employees (42.4%) reported that they take steps to change how they present themselves at work, including 35.0% who said they have changed their physical appearance; 25.7% who have changed the way they dress; 16.1% who have changed where, when, or how

frequently they used the bathroom; and 30.6% who have changed their voice or mannerisms.

- One-third (34.6%) of LGBT employees who work for state or local government employers said that they have looked for other jobs because of how they were personally treated by their employer based on their LGBT status and/or because the workplace environment was uncomfortable for LGBTQ people in general.

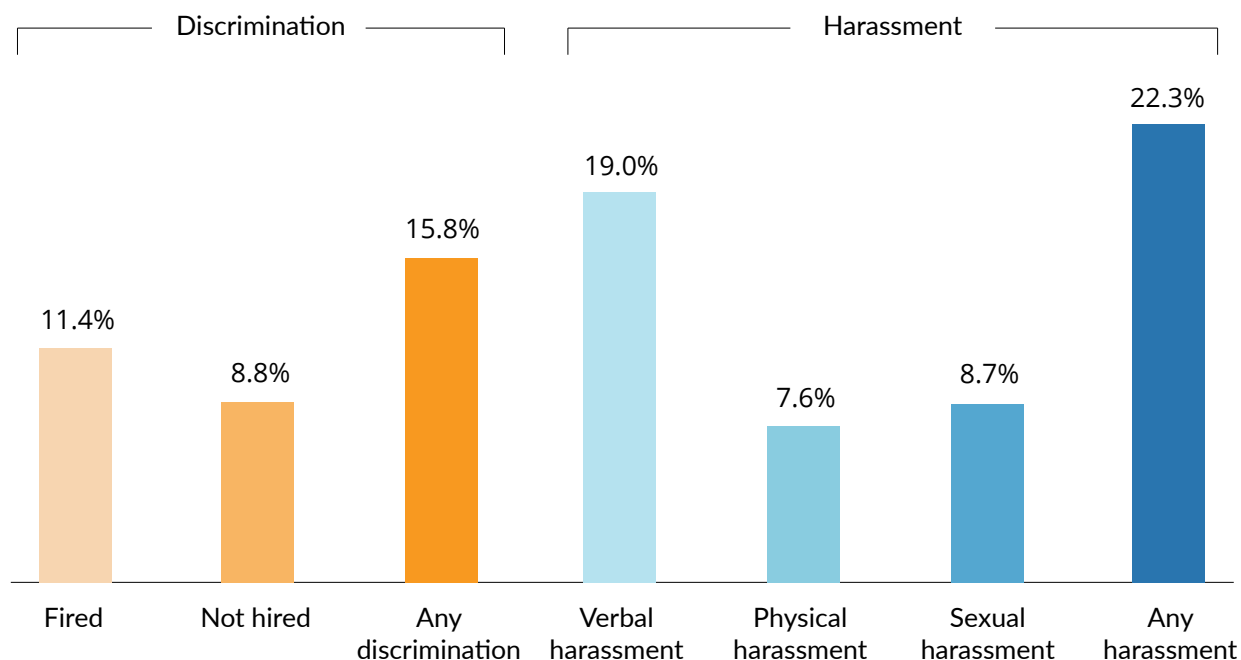
## RESULTS

### LIFETIME EXPERIENCES OF DISCRIMINATION AND HARASSMENT

Over 600,000 LGBT employees are currently employed by state and local governments. About one in five (19.6%) of all LGBT employees have worked for state or local government employers at some point in their careers, including 9.2% who have worked only in state or local government jobs (or both).

Of those respondents who had ever worked for state or local government employers throughout their careers, over one-quarter (28.2%) reported that they experienced discrimination or harassment because of their sexual orientation or gender identity in a state or local government job (or both) at some point in their lives. The types of employment discrimination and harassment reported by LGBT employees who had ever worked for state or local government employers ranged from being fired or not hired to experiencing verbal, physical, or sexual harassment because of their sexual orientation or gender identity. Fifteen percent (15.8%) of these LGBT employees reported experiencing at least one form of employment discrimination (including being fired or not hired) because of their sexual orientation or gender identity in a state or local government job (or both) at some point in their lives. Over one-fifth (22.3%) reported experiencing at least one form of harassment because of their sexual orientation or gender identity in a state or local government job at some point in their lives.

**Figure 1. Lifetime experiences of discrimination and harassment against LGBT employees based on sexual orientation or gender identity in state or local government employment, of those who have ever worked for state or local government employers**



About one in ten of these LGBT employees reported being fired (11.4%) and/or not hired (8.8%) by a state or local government employer because of their sexual orientation or gender identity. In relaying their personal stories of discrimination, employees of state and local governments also reported

other types of workplace discrimination, including being unfairly reprimanded, singled out, and isolated by supervisors. Examples of these experiences include:<sup>4</sup>

*"I told a student at a school I was working at that I was a lesbian . . . after the incident, I got fired from the job."*

**Black cisgender lesbian from Texas**

*"A man trapped me in a room using foul language, and employees as a group made fun of my lifestyle. The work environment became hostile and my bosses told me to ignore it all and do my job. When I kept reporting it, I was eventually let go."*

**White cisgender lesbian from Indiana**

*"Working as a cryptanalyst for the state government, I would constantly be under a microscope and constantly scrutinized or reprimanded or just blatantly assaulted on a daily basis particularly because of my sexual orientation. The straight men with an equal title were not confronted for things that I was reprimanded for."*

**Latinx cisgender bisexual man from New Mexico**

*"One of my trainers changed her attitude once she found out I was queer and Muslim. She became hostile towards me and would single me out."*

**American Indian cisgender bisexual woman from West Virginia**

*"I was excluded from responsibilities and activities extended to straight colleagues [while serving as a city's first openly gay council member]."*

**White cisgender gay man from Texas**

In terms of the specific types of harassment reported, nearly one-fifth (19.0%) of LGBT employees reported verbal harassment while working in a state or local government job, 8.7% reported sexual harassment, and 7.6% reported physical harassment because of their sexual orientation or gender identity. Examples of these experiences include:

*"I have been called slurs during one of my shifts such as fag, and they continued to tell me that I shouldn't be working here because I'm a danger to my co-workers."*

**Asian American cisgender bisexual woman from Georgia**

*"I was cursed out and yelled at and called disgusting for my sexuality."*

**White cisgender bisexual man from Ohio**

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<sup>4</sup> Throughout this report, we include several responses to two open-ended questions asking respondents to describe experiences of discrimination and harassment (see Methodology for more information). The excerpts included are limited to those submitted by respondents who have only worked in state or local government, or who expressly referred to their employer as a state or local government entity in their written response, ensuring that the responses describe an experience that happened in a state or local government job.



*"People were making jokes about transgender people and kept doing it deliberately even after I asked them not to. Another person said he didn't want to be near someone who was gay."*

**Black cisgender bisexual woman from New York**

*"I was sexually abused by my ex-boss and co-workers to 'prove that I'm not into guys like that.' They were never charged for anything."*

**Asian American nonbinary bisexual person from Texas**

Many accounts of discrimination and harassment involved teachers. These accounts included discrimination and harassment by co-workers and supervisors, as well as by students.

Examples of these experiences include:

*"My worst experience was when I was a teacher at a high school. A student of mine would always make negative comments to me and eventually found out where I lived. He started stalking me and driving by my house screaming slurs and throwing things at my property."*

**White cisgender lesbian from North Carolina**

*"At work, high school students have physically hit me and used gay slurs often."*

**Black nonbinary person from New York**

*"Often times my paycheck would be lower than the other staff [and] I would often not be given an adequate budget for classroom supplies compared to the other teachers."*

**White cisgender bisexual man from Alabama**

*"I was told by a parent of a student that I was going to hell."*

**White cisgender lesbian from Wisconsin**

*"Some of the most uncomfortable experiences I have had at work would happen almost on a daily basis from my supervisor. He would regularly act like he was making jokes about gay and lesbian people. It was shocking and unbelievable that someone in his position (an elementary school principal) would say such things. Others would laugh."*

*I would always be silent."*

**White cisgender lesbian from Florida**

Several reports were from employees who were harassed specifically because they are bisexual. Examples of these experiences include:

*"Because I was attracted to both men and women, I was seen as 'soft' or 'loose' to some."*

**Asian American cisgender bisexual man from Mississippi**

*"Someone told me my feelings were invalid because I can't pick a side."*

**Other race cisgender bisexual woman from Wisconsin**

*"I was often referred to as a slut because of being bisexual. . . . It meant I was promiscuous because I'm attracted to all genders."*

**White cisgender bisexual woman from Louisiana**

*"My boss had planned a get together after an opening at a new school and he had gifts for everyone and since I'm bisexual he was like, 'So hey, do you want a girl gift or a boy gift since you swing both ways?'"*

**American Indian cisgender bisexual woman from Illinois**

*"My co-workers weren't fans of different sexual orientations. . . . When I openly expressed that I liked both, one of them was disgusted and asked if I needed help."*

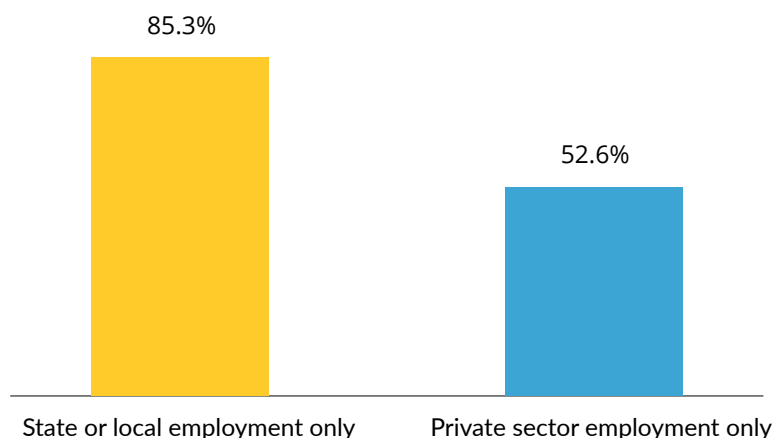
**White cisgender bisexual man from New York**

In addition to reporting instances of discrimination and harassment, many LGBT employees reported that their workplace environments were unsupportive of LGBT people. Over one-quarter (27.9%) of current state or local government LGBT employees reported that they heard negative comments, slurs, or jokes about LGBTQ people at work.

## RELIGION AS A MOTIVATING FACTOR FOR DISCRIMINATION

Among all LGBT employees, over half (57.0%) of LGBT employees who experienced discrimination or harassment because of their sexual orientation or gender identity at work said that their employer or co-workers did or said something to indicate that this unfair treatment was motivated by religious beliefs. Religious beliefs underlie discrimination experienced across all employment sectors and may even motivate unfair treatment more often in state and local government jobs than in the private sector. A clear majority—85.3%—of LGBT employees who have experienced mistreatment in the workplace and have worked only in state or local government employment throughout their careers report that an employer's or co-worker's religious beliefs motivated the unfair treatment against them. By contrast, of LGBT employees who have experienced discrimination, harassment, or other forms of mistreatment and have worked only in the private sector, 52.6% say that religious beliefs motivated the unfair treatment against them.

**Figure 2. Perceived religious motivation for unfair treatment, among LGBT employees who experienced discrimination or harassment**





Many LGBT employees who believed the workplace discrimination against them was religiously motivated provided further detail about their experiences via the following open-ended question:

*Please explain what happened when you felt that someone's religious beliefs were a factor in the unfair treatment, harassment, or discrimination that you experienced at work because of your sexual orientation or gender identity.*

Examples of these accounts include:

*"A woman blatantly said, 'The Bible says lying with a man is a sin. And you're ok with that? You're willing to disgrace God just to see another man's penis?'"*  
**Latinx cisgender bisexual man from New Mexico**

*"My co-workers talked about how true Christians would never fall for their own gender."*  
**Black cisgender lesbian from Texas**

*"My trainer that harassed me often times mentioned Jesus in front of me and my co-workers."*  
**American Indian cisgender bisexual woman from West Virginia**

*"They kept saying, 'You're going to hell,' 'God doesn't accept you.'"*  
**Latinx cisgender bisexual woman from California**

*"They said it was a sin to be gay."*  
**Black cisgender bisexual woman from Texas**

## AVOIDING DISCRIMINATION AND HARASSMENT

LGBT employees often take steps to avoid experiencing discrimination and harassment.<sup>5</sup> For example, LGBT employees may conceal their sexual orientation or gender identity at work, avoid talking about their personal lives with co-workers, and change their appearance to conform to gender norms. Engaging in these behaviors, sometimes referred to as "covering," can be a source of stress for LGBT people and negatively impact their health and well-being.<sup>6</sup>

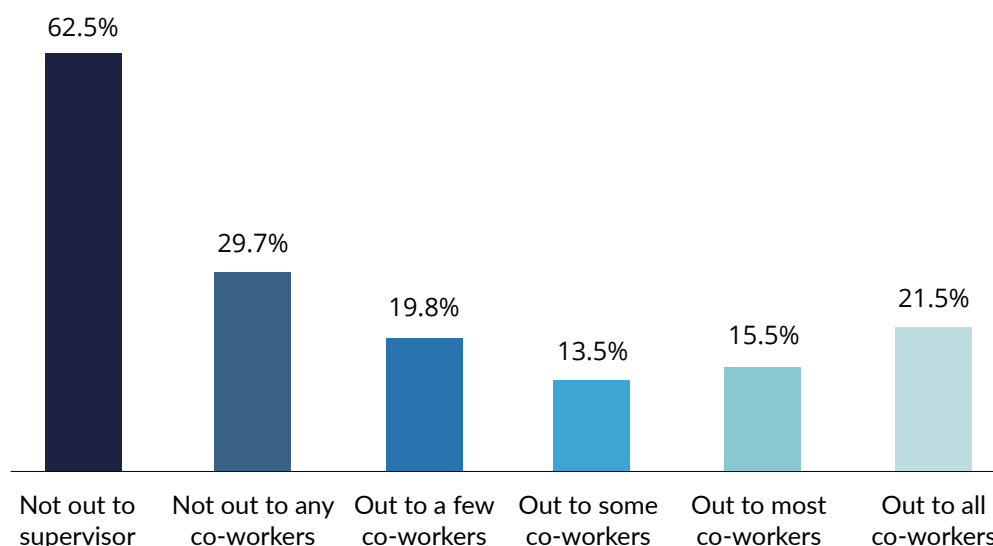
Over 60% of LGBT employees (62.5%) who are currently employed by state or local governments reported that they are not open about being LGBT to their supervisor and 29.7% report that they are not out to any of their co-workers. Only about one-fifth (21.5%) of LGBT state and local government employees are out to all of their co-workers. LGBT employees in state and local government jobs are less likely to be out at work than private sector LGBT employees. Less than half (48.8%) of private sector LGBT employees are not out to their current supervisor; nearly one-third (31.5%) are out to all of their co-workers.

<sup>5</sup> See Christy Mallory & Brad Sears, *LGBT Discrimination, Subnational Public Policy, and Law in the United States*, in OXFORD RES. ENCYC. POL. (2020), doi:10.1093/acrefore/9780190228637.013.1200.

<sup>6</sup> 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>.

Similar to state and local government employees overall, many LGBT employees who have ever been employed in two of the largest public sector occupations—education and law enforcement—are not open about being LGBT at work. Around half of LGBT people who have ever worked in K-12 education (49.1%) and higher education (54.6%) are not out to their current supervisor. One-quarter (25.0%) of LGBT employees who have ever worked in K-12 education are not out to any of their co-workers, along with 21.5% of LGBT employees who have ever worked in higher education. Similarly, 54.4% of LGBT people who have ever worked in law enforcement are not out to their current supervisors and 26.2% are not out to any of their co-workers.

**Figure 3. Openness about being LGBT at work among current state and local government employees**



LGBT people and others with marginalized identities often adjust their behavior and conduct in order to avoid bringing attention to a stigmatized trait—a process that has been called “covering” by law professor Kenji Yoshino.<sup>7</sup> Covering is not necessarily the same as concealing one’s LGBT status.<sup>8</sup> LGBT people who are open about their sexual orientation and gender identity may still engage in covering behaviors in order to minimize their LGBT identity.<sup>9</sup>

Many current LGBT state and local government employees reported engaging in covering behaviors at their current jobs to avoid harassment or discrimination related to sexual orientation or gender identity. About forty percent of these LGBT employees (42.4%) reported that they take steps to change how they present themselves at work, including 35.0% who said they have changed their physical appearance; 25.7% who have changed the way they dress; 16.1% who have changed where, when, or how frequently they used the bathroom; and 30.6% who have changed their voice or mannerisms.

In addition, LGBT state and local government employees avoid talking about their families and lives outside of work to avoid discrimination and harassment. Forty-four percent (44.1%) of LGBT state

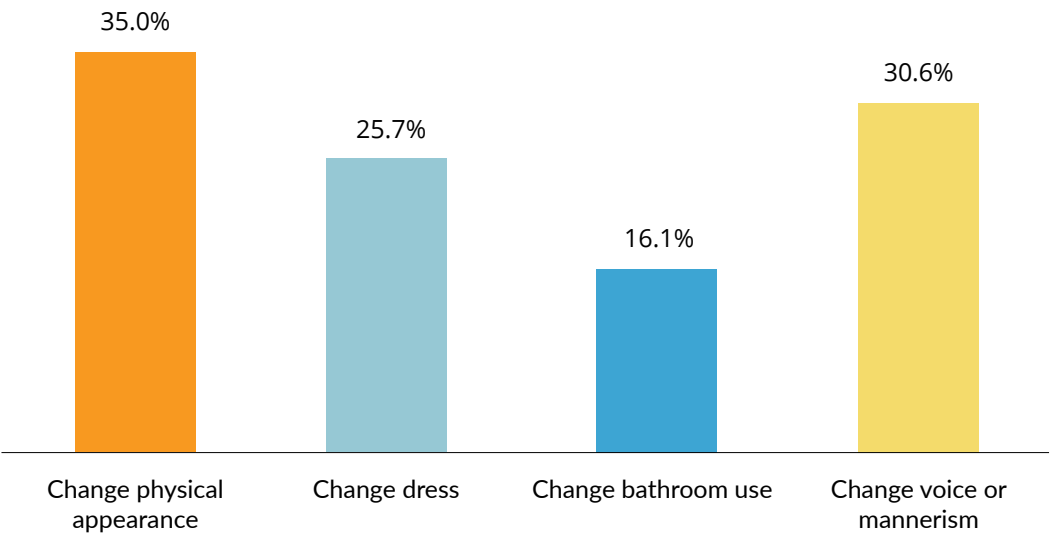
<sup>7</sup> Yoshino, *supra* note 5, at 837.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.* at 838.

and local government employees have avoided talking about their family at work, 40.5% have not displayed photos of their partner or family at work, and 36.3% have not brought family to work events, to avoid discrimination and harassment. Nearly 40% have avoided social events with co-workers (38.5%) and 30.8% have avoided talking about their social lives at their current jobs to avoid discrimination and harassment.

Figure 4. Covering behaviors at work among current LGBT state and local government employees



While covering behaviors are often initiated by LGBT people to prevent discrimination and harassment, some respondents also indicated that they have engaged in these behaviors in response to workplace experiences or because they were directly told to do so:

*"My employer was expecting me to present more feminine."*  
Black nonbinary bisexual person from Oregon

*"My director didn't mind speaking her mind. She would always tell me that I was too soft or to toughen up."*  
Black cisgender gay man from Georgia

*"I was told by my employer to change my appearance."*  
White cisgender gay man from Arizona

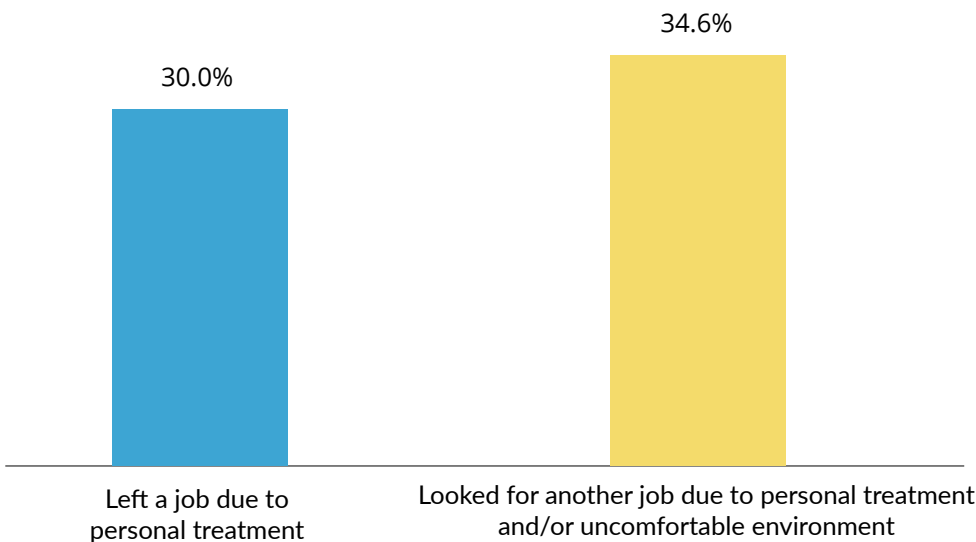
*"At work, I wasn't feeling comfortable using the females' restroom because I was a lesbian and other girls weren't."*  
Black cisgender lesbian from Texas

## IMPACT OF DISCRIMINATION AND HARASSMENT ON EMPLOYEE RETENTION

Discrimination and harassment, or fear of those experiences, negatively affects the well-being of employees, which, in turn, can negatively impact employers. Decades of research have linked unsupportive workplace environments for LGBT people to poorer health, decreased job satisfaction, and decreased job commitment, among other negative outcomes.<sup>10</sup> These employee outcomes can have economic consequences for employers.<sup>11</sup>

The current study did not assess whether LGBT employees have ever left, or considered leaving, state or local government jobs due to unfair treatment. However, one-third (30.0%) of LGBT people who currently work for state or local government employers reported that they have left a job at some point in their lives because of how they were treated by their employer based on their sexual orientation or gender identity. About thirty percent (34.6%) of LGBT employees who currently work for state or local governments said that they have looked for other jobs because of how they were personally treated by their employer based on their LGBT status and/or because the workplace environment was uncomfortable for LGBTQ people in general.

**Figure 5. Impact of discrimination and unsupportive environments for LGBT people who are currently employed in state or local government on employee retention**



<sup>10</sup> See, e.g., M.V. LEE BADGETT, LAURA E. DURSO, ANGELIKI KASTANIS & CHRISTY MALLORY, 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>.

<sup>11</sup> *Id.*

## CONCLUSION

LGBT people who work for state or local government employers continue to face discrimination and harassment at work. Patterns of discrimination and harassment based on sexual orientation and gender identity are similar in the public and private sectors. Over one-quarter (28.2%) of LGBT employees reported that they experienced discrimination or harassment because of their sexual orientation or gender identity in a state or local government job (or both) at some point in their lives. Experiences of discrimination and harassment were more common in local government employment. A large proportion—over 80%—of LGBT employees reported that the discrimination and harassment they experienced in a state or local government job was motivated by employer’s or co-workers’ religious beliefs. Employees who experienced religiously motivated discrimination and harassment reported that these incidents involved being told that they were “going to hell” and that it was “a sin” to be LGBT.

Fear of discrimination and harassment can lead employees to engage in behaviors to hide who they are at work. Over 60% of LGBT employees (62.5%) who are currently employed by state or local governments reported that they are not open about being LGBT to their supervisor and 29.7% report that they are not out to any of their co-workers. Only about one-fifth (21.5%) of LGBT state and local government employees are out to all of their co-workers. Many LGBT state and local government employees said that they have changed how they present themselves at work or have avoided talking about their lives and their families to avoid discrimination and harassment based on their sexual orientation or gender identity. Several employees reported engaging in these behaviors in response to workplace experiences or because they were directly told to do so.

Discrimination and harassment negatively impact both employees and employers. One-third of LGBT employees overall (i.e., both public and private sector) said they had left a job because of how they were personally treated based on their sexual orientation or gender identity.

More robust protections, including monitoring and enforcement, are needed to ensure that LGBT people are fully protected from discrimination and harassment in the workplace.

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### 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.

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## APPENDIX

### METHODS

The Employment Experiences Survey was an anonymous cross-sectional survey conducted between May 5<sup>th</sup> and 16<sup>th</sup> 2021 with 1,007 U.S. sexual and gender minority adults ages 18 and up who were in the workforce the week of March 1, 2020—just before COVID-19 emerged and many states and localities shut down. Participants were selected by Morning Consult from the Lucid and Pure Spectrum survey panels<sup>12</sup> using screening questions provided by the Williams Institute. Panelists were screened on sex assigned at birth, gender identity, sexual orientation identity and workforce participation and job type to recruit sexual and gender minority participants in three employment groups (state or local government, private or non-profit organization, or self-employed, military, federal, unemployed and looking for work, and working in a family business or farm). Eligible panelists reviewed an information sheet before opting to participate in an online English language survey.

The Employment Experiences Survey was developed primarily to gather data about experiences of harassment and discrimination in various types of employment settings. 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.<sup>13</sup> Some questions about concealment and avoidance are from a survey developed by the Center for American Progress.<sup>14</sup> 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.<sup>15</sup> 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

<sup>12</sup> 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.

<sup>13</sup> DAVID R. WILLIAMS, MEASURING DISCRIMINATION RESOURCE (2016), [https://scholar.harvard.edu/files/davidrwilliams/files/measuring\\_discrimination\\_resource\\_june\\_2016.pdf](https://scholar.harvard.edu/files/davidrwilliams/files/measuring_discrimination_resource_june_2016.pdf).

<sup>14</sup> Sejal Singh & Laura E. Durso, *Widespread Discrimination Continues to Shape LGBT 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/>.

<sup>15</sup> *The General Social Survey – GSS Questionnaire 2008*, NORC AT THE UNIVERSITY OF CHICAGO, <https://gss.norc.uchicago.edu/documentation/questionnaires> (last accessed Oct. 29, 2021); HUMAN RIGHTS CAMPAIGN FOUND., *A Workplace Divided: Understanding the Climate for LGBTQ Workers Nationwide* (2018), [https://assets2.hrc.org/files/assets/resources/AWorkplaceDivided-2018.pdf?\\_ga=2.193882793.502660657.1635548036-1645993985.1589816446](https://assets2.hrc.org/files/assets/resources/AWorkplaceDivided-2018.pdf?_ga=2.193882793.502660657.1635548036-1645993985.1589816446).

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

A total of 935 participants who self-identified as lesbian, gay, or bisexual, or who were transgender (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 response options, including male, female, transgender, and non-binary, that differed from their sex assigned at birth, were classified as transgender. Those who selected gender identity options that were the same as their sex assigned at birth were classified as cisgender. Cisgender participants who reported “something else” as their sexual orientation identity (n=72) were excluded from empirical analyses given uncertainty about whether they were sexual minorities or not. Descriptive analyses were conducted using Stata v15.1 statistical software and include 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.<sup>16</sup> 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 2019 Population Assessment of Tobacco and Health (PATH) Public Use File.<sup>17</sup> The 2019 PATH survey was conducted with a large nationally representative sample of U.S. adults and included measures of sexual orientation and transgender status. The PATH data were subset on LGBT respondents in the workforce (full-time employed, part-time employed, self-employed, or looking for work), and this subset was used to establish weighting targets for age (5 categories), sex (2 categories), race/ethnicity (4 categories), education (3 categories), and region (4 categories). Iterative proportional fitting (or “raking”) was then used to create the weight variable. Weights were calibrated to address the oversampling of LGBT adults in state and local government by using workforce sector targets from LGBT adult respondents to the nationally representative 2016 Gallup Daily Tracking survey. Weights were trimmed at 6 to avoid over-weighting a small number of respondents, and they were normalized to sum to the sample size, which is common practice.

Calculations for the uncertainty of the results (like all other uncertainty measures for non-probability samples) assume that the weighted estimates are approximately unbiased. This approximate unbiasedness assumption is based on the assertion that any systematic differences between sample and population are corrected when the sample is adjusted via weighting to match the LGBT population in the workforce on key dimensions (age, race/ethnicity, education, region). While selection probabilities for non-probability samples are unknown, in practice probability panels face the same

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<sup>16</sup> J. N. K. Rao & A. J. Scott, *On Chi-Squared Tests for Multiway Contingency Tables with Cell Proportions Estimated from Survey Data*, 12 ANN. STAT. 46 (1984), <https://projecteuclid.org/journals/annals-of-statistics/volume-12/issue-1/On-Chi-Squared-Tests-for-Multiway-Contingency-Tables-with-Cell/10.1214/aos/1176346391.full>.

<sup>17</sup> United States Department of Health and Human Services, National Institutes of Health, National Institute on Drug Abuse, Food and Drug Administration & Center for Tobacco Products, *Population Assessment of Tobacco and Health (PATH) Study [United States] Public-Use Files (ICPSR 36498)*, NAHDAP (Oct. 21, 2020), <https://doi.org/10.3886/ICPSR36498.v11>.

methodological challenges as non-probability panels<sup>18</sup> that need to be addressed using statistical adjustment. While most non-probability panels themselves are not representative per se, statistical adjustments can be used to create unbiased and representative samples independently of the initial recruitment process.

In this report, we categorize respondents into different employment groups based on their *current* employment and on their *lifetime* employment. For example, a respondent who indicated that they are currently employed in local government was classified as currently employed in state or local government. Additionally, a respondent who has worked in state government at some point in their employment history would be classified as someone who had ever held a state or local government job. Respondents who report a current employment and lifetime employment in state government are classified as people who have only worked in state or local government employment. When we describe our findings, we clarify when results are based on current or lifetime employment.

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

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<sup>18</sup> Courtney Kennedy et al., *Evaluating Online Nonprobability Surveys*, Pew Research Center (May 2, 2016), <https://www.pewresearch.org/methods/2016/05/02/evaluating-online-nonprobability-surveys/>.

## TABLES

**Table 1. LGBT participant demographic characteristics (N=935), Employment Experiences Survey, May 2021**

EVER EMPLOYED IN STATE OR LOCAL GOVERNMENT (N=935)		
	%	95% CI
<b>Age</b>		
18-34	62.2	52.9, 70.8
35-44	22.2	15.6, 30.6
45-64	13.6	8.7, 20.6
65 and up	2.0	1.0, 3.8
<b>Sex Assigned at Birth</b>		
Male	46.4	36.8, 56.3
Female	53.6	43.7, 63.2
<b>Gender Identity</b>		
Man	39.3	29.9, 49.5
Woman	49.4	39.7, 59.1
Transgender	3.6	1.9, 6.9
Non-binary	7.7	4.0, 14.4
<b>Sexual Orientation</b>		
Gay or lesbian	31.5	23.7, 40.4
Straight	0	
Bisexual	63.5	54.1, 71.8
Something else	1.8	0.7, 4.3
Not sure	3.3	0.0, 7.0
<b>Transgender and Cisgender LGB<sup>19</sup></b>		
Transgender	12.7	19.6, 33
Cisgender LGB	87.3	80.4, 92.1
<b>Race/ethnicity</b>		
White, non-Hispanic	39.6	31.3, 48.4
Black, non-Hispanic	11.5	7.0, 18.5
Hispanic or Latinx	35.9	25.9, 47.5
All other racial/ethnic groups, non-Hispanic	13.0	8.0, 20.3
<b>Education</b>		
Less than Bachelor's degree	63.7	54.6, 71.9
Bachelor's degree	16.6	11.3, 23.7
More than Bachelor's degree	19.7	13.8, 27.4

<sup>19</sup> Participants who selected gender identity response options, including male, female, transgender, and non-binary, that differed from their sex assigned at birth were classified as transgender. Those who selected gender identity options that were the same as their sex assigned at birth were classified as cisgender.

EVER EMPLOYED IN STATE OR LOCAL GOVERNMENT (N=935)		
	%	95% CI
<b>Current Employment</b>		
For-profit business	22.2	15.0, 31.6
Non-Profit organization	7.0	3.4, 13.7
Government employee, including military	46.1	36.3, 55.8
Self-employed	15.3	8.1, 22.6
Unemployed/out of workforce	8.9	2.2, 15.5
<b>Region</b>		
Northeast	14.4	9.3, 21.5
Midwest	19.8	13.5, 28.1
South	38.2	29.0, 48.3
West	27.7	19.4, 37.7

**Table 2. Lifetime experiences of sexual orientation- or gender identity-based discrimination and harassment against LGBT employees in a state or local government job among those who have ever worked for state or local governments (N=257), Employment Experiences Survey, May 2021**

	STATE AND/OR LOCAL (N=257)		LOCAL ONLY (N=179)		STATE ONLY (N=110)	
	%	95% CI	%	95% CI	%	95% CI
<b>Any lifetime discrimination</b>	15.8	9.9, 24.3	13.3	7.2, 23.4	5.8	1.6, 19.2
Specific discrimination experience						
Fired	11.4	6.5, 19.1	12.4	6.4, 22.7	3.9	0.7, 18.3
Not hired	8.8	4.9, 15.5	4.0	1.9, 7.9	1.9	0.3, 12.3
<b>Any lifetime harassment</b>	22.3	14.8, 32.3	24.0	14.4, 37.1	5.7	1.9, 16.0
Specific harassment type						
Verbal harassment	19.0	12.0, 28.8	19.8	11.0, 32.9	4.5	1.2, 15.8
Physical harassment	7.6	4.1, 13.8	9.4	4.7, 18.2	1.3	0.3, 5.3
Sexual harassment	8.7	4.9, 14.8	11.5	6.2, 20.4	1.3	0.4, 4.7
<b>Any lifetime discrimination or harassment</b>	28.2	19.8, 38.4	29.1	18.7, 42.3	11.7	5.0, 24.9

CI: confidence interval

Bold text indicates statistically significant difference

**Table 3. Negative comments, slurs, or jokes about LGBTQ people heard in the workplace by lgbt employees who currently work for state or local governments (N=162), Employment Experiences Survey, May 2021**

	STATE AND/OR LOCAL EMPLOYEES (N=162)	
	%	95% CI
Heard negative comments, slurs, or jokes about LGBTQ people in the workplace in general or direct at oneself		
Yes	27.9	18.2, 40.3
No	72.1	59.7, 81.8

CI: confidence interval

**Table 4. Religion as a motivating factor for sexual orientation- or gender identity-based discrimination or harassment against LGBT employees who have only worked for state or local governments (N=54), Employment Experiences Survey, May 2021**

	STATE AND/OR LOCAL (N=54)		LOCAL ONLY (N=40)		STATE ONLY (N=10)	
	%	95% CI	%	95% CI	%	95% CI
Religious beliefs were a factor in discrimination or harassment						
Yes	85.3	72.1, 92.9	82.7	72.4, 95.1	80.4	37.8, 96.5
No	14.7	7.1, 27.9	12.3	4.9, 27.6	19.6	3.5, 62.2

**Table 5. Openness about being LGBTQ at work among LGBT employees who currently work for state or local governments (N=162), Employment Experiences Survey, May 2021**

	STATE AND/OR LOCAL (N=162)		LOCAL ONLY (N=111)		STATE ONLY (N=51)	
	%	95% CI	%	95% CI	%	95% CI
Not out to supervisor	62.5	50.0, 73.6	64.3	50.2, 76.3	59.1	35.5, 79.2
Not out to any co-workers	29.7	19.1, 44.7	22.9	12.6, 38.0	42.7	20.2, 68.7
Out to a few co-workers	19.8	9.7, 36.1	23.1	9.5, 46.0	13.5	6.1, 27.4
Out to some co-workers	13.5	6.7, 25.2	12.3	4.5, 29.4	15.9	6.3, 34.7
Out to most co-workers	15.5	7.9, 28.2	18.0	8.9, 33.1	10.7	1.8, 44.4
Out to all co-workers	21.5	14.4, 30.9	23.8	15.0, 35.7	17.2	7.6, 34.6



**Table 6. Covering behaviors at current job among LGBT employees who currently work for state or local governments (N=162), Employment Experiences Survey, May 2021**

	STATE AND/OR LOCAL EMPLOYEES (N=162)	
	%	95% CI
<b>Changed presentation at work</b>	45.8	32.3, 60.0
Specific alteration of presentation		
Changed hairstyle, makeup, or appearance	35.0	22.0, 50.6
Changed dress	25.7	15.8, 38.8
Changed voice or mannerisms	30.6	18.1, 46.9
Changed bathroom use	16.1	8.9, 27.5
<b>Hid personal life</b>		
Avoided work events/travel	17.1	10.7, 26.2
Avoided social events with co-workers	38.5	26.4, 52.2
Avoided talking about family	44.1	30.8, 58.4
Avoided talking about social life	30.8	20.4, 43.6
Hid family photos	40.5	27.3, 55.4
Not brought family to work-related events	36.3	23.4, 51.6

CI: confidence interval

**Table 7. Impact of sexual orientation- or gender identity-based discrimination and unsupportive environments on employee retention among LGBT employees who currently work for state or local governments (N=162), Employment Experiences Survey, May 2021**

	STATE AND/OR LOCAL EMPLOYEES (N=162)	
	%	95% CI
Left a job due to personal treatment	30.0	17.5, 46.3
Looked for another job due to personal treatment	34.6	21.8, 50.1
Looked for another job due to uncomfortable environment	21.2	12.9, 32.7

CI: confidence interval

Additional analyses presented in this paper are on file with the authors.