Bullied Back in the Closet

Disengagement of LGBT Employees Facing Workplace Bullying

Leah P. Hollis, EdD, and Scott A. McCalla, MA

Full-time employed adults spend nearly 25% of their time working for their employers every year. For the estimated 8.8 million lesbian, gay, bisexual, or transgendered (LGBT) adults living in the United States (Ramos, Badgett, & Sears, 2008), the concept of spending 25% of a year at work believing they lack the safety to self-identify as LGBT because of a fear of losing employment can cause psychological stress, diminished physical health, and reduced work performance (Chun, 2011). The LGBT equal rights movement works so that fairness and ethical treatment of LGBT individuals continue; one area of continued attention is the existing and persistent social strain for LGBT individuals within workplace environments in which they often experience exclusion and bias (Field, 2009; Gay and Lesbian Alliance Against Defamation [GLAAD] et al., 2011; Human Rights Campaign, 2011a, 2011b, 2011c).

Researchers largely have focused on the bullying epidemic at schools, including primary, secondary, and collegiate levels (GLAAD et al., 2011); however, bullying is also pervasive and epidemic in adult workplace settings (Field, 2009; Namie, 2011; Salin, 2008). LGBT individuals encounter workplace bias, discrimination, and bullying; the negative treatment may occur at each level within organizations (Elmslie & Tebaldi, 2007). Such bullying treatment, which is rooted in organizational culture and power, occurs disproportionately for the LGBT community. Although school bullying in the K–12 sector is illegal in 46 states (and disproportionately affects children associated with an alternative lifestyle; Stuart-Cassel, Bell, & Springer, 2011), workplace bullying is still legal in all 50 states. Ferfolja (2007) suggested bullying of LGBT individuals is disproportionate in Western societies because heterosexuality is considered natural (an antecedent to heterosexism and homophobia), and many consider homosexuality immoral, deviant, and contradictory to biological determinism of what is normal.

The Problem of Workplace Bullying

Title VII discrimination and harassment occur when someone is denied access to or privilege of fair treatment because of a protected class. For example, gender-based bias, which is prohibited under Title VII, occurs if a supervisor denies a woman a promotion for being a woman; the belief is

"Women aren't the breadwinners anyway; men need raises, not women." In contrast, bullying is abuse or harassment that occurs regardless of protected class; a common misperception about bullying is that it is the same as discrimination. The U.S. Department of Health and Human Services (2011) defines bullying as long-term, intentional, and aggressive actions in which victims feel a balance of power difference between themselves and the perpetrators.

Except in the state of New York, the LGBT community is not a protected class. An example would be a colleague or boss constantly using homophobic slurs and comments as a way to make the LGBT target feel uncomfortable and devalued. Bullying also occurs within protected groups. An example of in-group bullying includes a Latino male boss who continually picks on another Latino male employee with yelling, insults, and inappropriate changes in schedule or behavior; this would be considered bullying as Title VII regulations offer little protection when harassment occurs within groups or occurs without invoking racial or sexual innuendo.

According to Van Hoye and Lievens (2003), LGBT employees represent a significant workforce population. The Williams Institute of the UCLA Law School reports that approximately 9 million American workers are from the LGBT community. Considering the personal costs of bullying, organizational leaders serve staff and the organizational bottom line better by eradicating the deleterious effects of bullying.

Lutgen-Sandvik (2003) estimated that 90% of working adults are likely to experience some level of workplace bullying. Tiller (2009) approximated more than 4 million employees in the United States will annually experience workplace bullying. In congruence with the Williams Institute data, Ramos et al. (2008) estimated that 8.8 million

LGBT individuals have no state or federal governmental protection against workplace heterosexism or bullying, and 3.1 million LGBT individuals have no state or federal protection against workplace discrimination. Harvey, Heames, Richey, and Leonard (2006) argued, "The concern that is coming out of the bullying research is that bullying appears to be 'tolerated' in firms and therefore is becoming embedded in many organizational cultures" (p. 11).

Intersection of Bullying and Heterosexism

A common antecedent to workplace bullying of LGBT workers is heterosexism (Harris, 2009; Herek & Capitanio, 1999; Lipka, 2010); heterosexism is defined as the deprecation of nonheterosexual individuals (Huffman, Watrous-Rodriguez, & King, 2008). Espelage and Swearer Napolitano (2008) theorized that the lack of LGBT-centric antibullying policies might be due to the complexity of heterosexism coupled with the complexity of bullying. Bullying of LGBT employees is problematic when considering difficulties with identification of LGBT workers. Van Hoye and Lievens (2003) state, "[S]exual orientation represents a non-observable or underlying type of diversity, as opposed to more visible characteristics such as race or gender" (p. 16). According to GLAAD et al. (2011), "Not every person who is the target of anti-LGBT bullying is LGBT. Many who are bullied are targeted because of their perceived sexual orientation or because they do not conform to someone's expectations about gender" (p. 2).

According to Waldo (1999), heterosexism includes thoughts or actions that support the notion that heterosexuality is the only appropriate and acceptable form of sexuality. Spencer (2006) posited that heterosexism differs from

homophobia. Homophobia largely refers to fear of homosexuality, whereas heterosexism refers to the psychological aspect of believing heterosexuality is superior to other sexualities (Ferfolja, 2007; Spencer, 2006). Herek (2000) equated heterosexism with racism and sexism; both racism and sexism result in the perpetrator feeling a measure of power over the marginalized victim. Herek (2000) argues that heterosexism is a power differentiator between heterosexuals and their homosexual counterparts. Harris (2009) asserts heterosexism is sexual prejudice or bias causing LGBT people to be potential victims of the prejudice or bias.

Haynes (2011) notes that policies that do not include sexual orientation further exacerbate the problem of bullying LGBT individuals and heterosexism. According to Haynes (2011), outcomes from this bullying anteceded by heterosexism have included a history of suicide by the victim. Hannah (2011) explains that bullying LGBT individuals is more prevalent in organizations that do not have specific policies related to heterosexism and bullying. According to Hannah (2011), more organizations have antibullying policies than in the past, but generic policies that do not include acts such as heterosexism are difficult to enforce.

Practitioners potentially fear the development of pro-LGBT policies and antibullying policies related to LGBT workers because of heterosexual workers' undesirable outlook of LGBT workers (Zickar, 2010). Namie (2011) notes that opponents of antibullying policies also object to many antibullying laws introduced into legislation in the United States because of protections the laws might afford the LGBT population. According to Pichler, Varma, and Bruce (2010), sexual orientation does not receive consideration as a diversity issue in many organizations; therefore, the leaders of these organizations do not see a need for LGBT-inclusive antibullying policies or training. Although many organizational leaders and lawmakers see a need for LGBT-inclusive diversity policies, many others see the inclusion of LGBT equality as problematic to the fairness of the work environment standards for heterosexual workers. According to King and Cortina (2010), organizations that have diversity programs propagate equal rights in the workplace; claim LGBT support without true LGBT support policies; and create social tensions that may result in lost productivity, profits, and social perceptions of justice.

According to Marcello (2010), negative consequences within organizational infrastructures, such as turnover and tumultuous group dynamics, may be associated with a bullying environment. The Hollis study (2012) that reflected on workplace bullying in higher education confirmed that 16% of respondents leave organizations to escape bullying. The LGBT community is disproportionately affected, considering 24% admitted to leaving a job or sector to escape a bully, and another 8% of respondents considered leaving a position due to a bully. Considering any organization loses 150% of a staff member's salary due to turnover, bullying and heterosexism are cultural norms that organizations can ill afford to maintain.

Some organizations attempt to be inclusive of LGBT employee populations by developing LGBT support groups, domestic partner coverage for benefits, and antidiscrimination policies (Ecker, 2008); however, these policies and practices do not cover the separate construct and actions of bullying LGBT employees (Parkins, Fishbein, & Ritchey, 2006). A lack of agreement exists when considering the use and risk of antibullying policies that would ensure equity and fair treatment for marginalized LGBT workers (Atkinson, Baumgartner, Coggins, & Stimson, 2011; Cowan, 2009; Yamada, 2009).

Why Organizational Leaders Should Take Action

Bullying negatively affects organizational behavior, culture, and employee morale; specifically, victims may suffer psychological issues, including depression and anxiety. The risks of organizational exposure to employee-victim litigation; diminishing employee morale, including symptomatic problems associated with employee turnover; and problematic new-employee onboarding are increased (Einarsen, Hoel, Zapf, & Cooper, 2003; Fisher-Blando, 2008; Salin, 2008). Bullying is associated with poor leadership, poor organizational culture, and contingent reward environments within organizational structures (Salin, 2001). Continued organizational change initiatives increase the likelihood of bullying (Harvey et al., 2006; Skogstad, Matthieson, & Einarsen, 2007).

Psychological and sociological reviews indicated bullying could have severe negative consequences, including mental and physical ailments for the victim, low morale, and monetary losses for the organization (Hoel, Einarsen & Cooper, 2003; Mikkelsen & Einarsen, 2002; Salin, 2008). According to GLAAD et al. (2011), "Research indicates that persistent bullying can lead to or worsen feelings of isolation, rejection, exclusion and despair, as well as to depression and anxiety, which can contribute to suicidal behavior" (p. 2). Hershcovis and Barling (2010) posit the potentiality of victim psychological damage is greatest when the perpetrator is the victim's leader, manager, or superior. Health and financial risks are inherent in bully environments (Bullying Statistics, 2009; Centers for Disease Control and Prevention, 2011; Farrell, 2002); bullying will continue to diminish employee and organizational effectiveness (Salin, 2001, 2008), increase organizational costs associated with the results of bullying (Fisher-Blando, 2008), and increase instances of victim psychological and physiological illnesses (Einarsen et al., 2003).

Legal Protections for the LGBT Community

Although women, minorities, religious minorities, and other underrepresented groups have civil rights protections under federal law, state law in the state of New York, which has categorized sexual orientation as a protected class, provides the only such protections for the LGBT community. LGBT community members throughout the other 49 states have no legal protection when they face discrimination in the workplace. No laws exist in any of the 50 states that make acts of workplace bullying illegal.

While the state of New York is resubmitting the healthy workplace bill for the third consecutive year (2013), there are no protections for any employees for status-free harassment (male on male, black on black, woman on woman). Once incivility and harassment leave the narrow confines of Title VII, any target is without legal recourse despite the deleterious psychological, physiological, and financial impact of workplace bullying. As confirmed by the Hollis (2012) study, executive leadership largely propagates or tacitly accepts workplace bullying.

What Is the Cost of Bullying the LGBT Community?

The UCLA School of Law, Williams Institute, a sexual orientation law and public policy think tank, estimates that 9 million (about 3.8%) of Americans identify as gay, lesbian, bisexual, or transgender (Gates, 2011). This number represents approximately 6.28% of the workforce. This number is based solely on respondents' comfort in

disclosing their sexual orientation. Concerning the earning power of the workforce, the United States Census (2013) reports that the median U.S. income is $50,054. The potential earning power of 9 million LGBT employees in the workforce is $450 trillion a year.

A 2012 study conducted by Hollis regarding workplace bullying in higher education found that 78% of the LGBT population was bullied or had witnessed bullying in the previous 18 months. Data reveal that workplace bullying affects potentially 7 million LGBT workers. Further, Hollis's statistics (2012) show that a bullied employee spends 3.9 hours a week or 195 hours annually disengaged from the organization as a result of bullying behavior.

Disengagement takes the form of sick time, idle time, time recruiting support, or just unfocused attention when recovering from a bullying incident. Seven million employees with an average salary of $50,054 (which equals approximately $26.07 an hour) waste 195 hours annually dealing with a bully, which means each employee wastes $5,083.65. In the United States, the annual approximate total organizational monetary loss due to bullying of the LGBT sector is $35 trillion.

Best Practices for the Individual and the Organization

Huffman et al. (2008) contend that leadership support of LGBT employees in tangible and intangible methods, such as personal support and organizational policies, could minimize organizational bullying. Whether an organization is attempting to protect its general population from workplace bullying or the specific LGBT sector, all data indicate that a direct commitment from the highest level of leadership sets the tone for organizational safety. When employees feel safe, they also engage in the critical innovation and problem solving that are the lifeblood of any organization, instead of wasting hundreds of thousands of dollars a year recovering from the ill effects of a bully. As the LGBT community is disproportionately targeted, personal loss and fiscal loss are disproportionately affected. The following are best practices to combat bullying for LGBT individuals and organizations, despite the absence of legal protections at state and federal levels.

Individual Best Practices

Often, the target of a bully does not have the organizational power to remove the bully, but there are individual best practices to help endure the uncivil storm of a toxic workplace. Best practices for LGBT individuals include cultivating a higher sense of self. Such cultivation includes embracing self-identity and creating or joining a community that supports LGBT sexual orientation. LGBT employees who seek support have a better chance of withstanding the heterosexist and bullying behavior and can develop a productive exit strategy. Many targets of bullying subscribe to isolation; instead, targets should begin seeking comfort from friends, family, and support groups, and find advocacy organizations that can help redirect the ill effects of bullying to more productive efforts.

The cultivation of self-worth, despite negative reinforcement at work, can create a locus of control; development of locus of control may help the targets with the realization that they have some control, such as changing jobs. Meditation and other self-care strategies, such as embracing success on the job to combat high blood pressure and anxiety, can help mitigate the physiological effects of workplace bullying. Regardless of victims' belief systems or medical conditions, the ultimate relief may be when a bully, victim, or witness leaves the environment; reporting acts of bullying

to organizational leadership, such as human resources, may be necessary.

Organizational Best Practices

A healthy workplace emerges from the leader's consistent commitment to an alignment with institutional values. The leader must not only "tolerate" proactive LGBT policy, but actively set the tone and model inclusive institutional values. In the Hollis study (2012), a healthy workplace relies on an engaged and consistent executive leadership with integrity. Executive leadership cannot tolerate aggression at any level, even from their closest colleagues; instead, the executives should encourage an open environment that relies on trust and transparency. The staff needs to know that leadership will intervene when aggressive and heterosexist behavior is present. In a case of leader intervention, a leader needs to be sensitive to the power structures in the organization and not divulge the confidence of those strong enough to come forward with complaints of workplace bullying. In hierarchical or bureaucratic organizations, it may be necessary for the leader to consider organizational authority and reporting guidelines; organizations should provide leaders the methods to handle complaints quietly and discreetly.

In addition to transparency, executive commitment to all communities within an organization creates support for the LGBT community. Just as racist and sexist remarks create a hostile work environment for racial minorities and women, homophobic and heterosexist remarks destroy the safe work environment for LGBT community members. Organizational stakeholder silence in the face of derogatory remarks condones the negative banter and reinforces hostility toward LGBT individuals. Executive leadership of proactive antibullying policy development and support of marginalized employees would demonstrate the increased human capital of the LGBT community and simultaneously reduce acceptance of workplace hostilities such as heterosexism and bullying.

An annual 360 Evaluation of managers, supervisors, and cabinet level staff is an objective litmus test to examine work culture and leaders' ability to maintain an inclusive and civil environment. Coaching and counseling of employees should occur if standards are less than the goal (e.g., acts of aggression or heterosexism). An employee working as an exemplar performer in one area, such as fund-raising, sales, or publications, does not supplant the need for all employees to cultivate a civil environment. If a counseled employee were to continue aggressive and heterosexist behavior, the result should be removal via termination, regardless of successes in other areas.

Summary

LGBT workers are provided very little legal support in the workplace. Some organizations and governmental agencies are beginning to recognize the LGBT community in nondiscrimination policies, but discrimination and bullying are two separate acts. In summary, individual best practices for victims of workplace bullying include:

- seek counseling for support;

- seek support from family and friends (having positive affirmation at home can minimize isolation);

- report incidents of workplace bullying to the appropriate organizational leaders;

- exercise and eat healthy to minimize stress on body; and

- find locus of control and engage in self-care strategies.

Organizations have a role in protecting the psychological and physiological well-being of their employees and the financial well-being of the enterprise.

The best practices for organizations include:

- implement and consistently apply policies to prohibit heterosexist bullying and harassment;

- maintain accountability at all levels with civility as part of the formal evaluation structure;

- empower and encourage human resources to engage all levels of complaints; and

- leadership must cultivate trust and transparency by being accessible to employees.

The best practices segment emerges from workers who have offered their insight from a real-world organizational setting. Because workplace bullying is still legal, recommended best practices are tame in places because there is not legislation to protect victims and peers who step forward to report instances of bullying. In contrast, under Title VII, one who supports a target of a civil rights violation or reports instances of civil rights violations is engaged in what is a protected activity and legally protected from retaliation. Those who report bullying have no such protection and may risk becoming a target of the bully.

One of the problems associated with issues of workplace bullying is the lack of legal protection for victims of bullying, those who protect those who are bullied, and those who support others who are bullied. The presumed appropriate reactions to bullying would include reporting the abuse to human resources, offering to befriend the target of a bully, or seeking organizational support for the victim. Each of these potential solutions, while recommended during a Title VII violation, can make the bullying situation worse because bullying is still legal in the United States; many people who have spoken out about bullying explicitly comment that reporting the issue to human resources only exacerbated the deleterious situation.

Conclusion

Organizational leaders need to not only recognize the psychological and physiological turmoil that heterosexist bullying creates for victims and witnesses, but also recognize the increasing financial strain that heterosexist bullying creates for the organization. Yamada (2009) suggests organizations may hesitate to implement policy for fear of litigation should policies go unenforced. A policy without enforcement becomes a paper tiger that can lead an organization to court when it fails to adhere to the stated procedures.

Organizations have wide-ranging policies in place to protect against discrimination (acts considered illegal by Title VII). Title VII does not recognize one's sexual orientation as a cause of legal protection; therefore, workplace bullying of LGBT workers can persist. The bullying dynamic harms people on an emotional and physiological level. Workplace bullying creates organizational harm on a financial level with or without the threat of litigation. Organizational leaders should act by developing, implementing, and enforcing specific bullying policies to safeguard all organizational stakeholders; these policies should clearly define the difference between discriminatory acts and bullying acts. Other actions organizational leaders may consider include creating safe harbor acts for LGBT employees; creating LGBT support groups; and publicly declaring their organization as safe, equal, and inviting to LGBT employees. ◆

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Leah P. Hollis, EdD, a workplace diversity trainer, speaker, and consultant, is an associate faculty member at the University of Phoenix. Her study, Bully in the Ivory Tower*, was published in 2012. For more information, visit her at www.diversitytrainingconsultants.com.*

Scott A. McCalla, MA, is a doctorate of management student at University of Phoenix, School of Advanced Studies. His doctoral research examines heterosexist workplace bullying. McCalla has a 20-year career specializing in change and turnaround management. He can be reached at smccalla@email.phoenix.edu.