

Gay and Transgender Issues in the Workplace

A Very Masculine Woman and a Very Effeminate Man Walked into a Bar...

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This is not a joke. A very masculine woman and a very effeminate man walked into a bar to get a drink, but neither could afford one. According to a new study released by the National Center for Transgender Equality, and the National Gay and Lesbian Task Force, gender non-conforming people and transgender people live in extreme poverty at four times the national rate, and are twice as likely to be unemployed. If they're persons of color, they fare far worse.

When openly gay actors Chris Colfer and Jane Lynch, from the popular television program *Glee*, won awards at the Golden Globes for best supporting actor and actress in a series, one might have been tempted to announce "Mission accomplished. The culture war has been won!" But it hasn't yet, especially for people who make us uncomfortable because they are gender non-conforming. Young people refer to such non-conformance as "gender queer."

Chris Colfer is effeminate, and Jane Lynch is a bit masculine, but they are very talented people. If you are a very talented, wealthy, likeable, and influential person, or you bring business or status to your employer, you can get away with being an effeminate man or a masculine woman. But if you're an average person whose presentation of self exceeds traditional gender boundaries in mannerisms, voice level, attire, and other forms of expression you will have a harder time being embraced by the general public or making a living. Most employers, even those with policies that prohibit discrimination based upon gender identity or expression, are not comfortable having gender non-conforming people as the face of their company. Lower-paying back office positions can be found, but very effeminate men and very masculine women are unlikely to be in higher-paying front office jobs. Many young, so-called "gender queer" people work at Starbucks, Target, and Walmart.

There's a heavily tattooed, pierced, and bearded woman I know who works as a tattoo artist. I say, "Hi" to her when I see her, but she generally doesn't respond. She seems to have found her niche in the work she is doing. Her gender non-conforming appearance may even make her more attractive to those people who want to have their body tattooed or pierced. If she came to me for advice because she had changed her mind about the direction of her life, and now wanted to work on the trading floor at one of the major banks, I would suggest to her that her chances for success would increase if she shaved and took the giant rings out of her earlobes. She might respond, "But most banks prohibit discrimination based upon gender expression, don't they? Why would I need to change my appearance?" And I would probably respond, "I don't know the answer to that question."

The Employment Non-Discrimination Act (ENDA), according to most insiders, would pass the U.S. House of Representatives if it didn't include gender identity (transsexuality) and expression (cross dressing and other gender non-conforming behaviors). Most Americans oppose job discrimination based on sexual orientation, and there's probably a survey out there saying they don't want transsexuals fired either, but the majority of people are not yet able to say they embrace all

expressions of gender. Most people, especially those in Congress, couldn't yet get their arms around the bearded lady.

So, can we never claim success until so-called "gender queer" people win Golden Globe awards? Does the "T" in LGBT drag us down? Are transsexuals equally invested in the equality of men who only wear a dress occasionally? Should we be angry with the really masculine woman and the really effeminate man for coming into the bar and making us uncomfortable? Should we buy them a drink, or turn our heads and hope they leave?

Most non-political gay and lesbian people I know don't really get the "transgender thing." If they had the choice, they'd have the "T" dropped from the ENDA legislation so that sexual orientation protections would pass. In fact, a longtime gay activist said that very thing to me at a party last week. "Why can't we just first get employment protections for gay and lesbian people, and then work on transgender people?"

What if we dropped gender expression from ENDA and kept gender identity? Most banks actually say they prohibit discrimination based upon gender identity but they don't include expression. It's okay now to be a transsexual person but not one who pushes the boundaries on gender conformity.

If Chris Colfer in *Glee* didn't have the great voice that he does, he might have a tough time finding meaningful work because of his effeminate speech and manner. If effeminate men, regardless of their sexual orientation, are not successful in the arts, their job opportunities are often limited to floral design and hair styling.

It seems to me that though most gay men and women will never be considered "gender queer," many of us walk at the edge of the boundaries of gender expression. If we win protections through federal legislation for our sexual orientation, we may also need protections for our mannerisms. The same is true in corporate non-discrimination policies, which protect us until states or the federal government does so.

Until we gay men and women see our very real personal connection to the gay or straight person who pushes the gender expression boundaries, our success in the cultural war will be undependable. We will have won a battle, but not the war. We're still vulnerable to discrimination.

The bearded lady scares me, and makes me uncomfortable. I say, "Hi" but I avoid her. Very masculine women can have the same effect on me, as can very effeminate men. But I don't want them to be poor or unemployed. I don't want to win my acceptance at their expense. And I want to understand and accept that my discomfort with them is a reflection of my discomfort with myself, and my fear that I don't measure up as a "real" man.

Gender non-conforming people will only begin to win public acceptance when gay, lesbian, and transsexual people embrace them as equals and worthy of respect. I don't have to have lunch with the bearded lady, but I want to make sure that she can afford her own. This sounds very close to the feelings of some heterosexual people about me and my gay sexual orientation.