

## Gay and Transgender Issues in the Workplace

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### **The Best Way to Put Out a Fire Is Not to Start It**

Posted: 21 Oct 2010, 9:36AM

Without all of the facts, it is difficult to understand what the City of San Diego was thinking when it required firefighters to participate in the 2007 Gay Pride Parade. Four Catholic firefighters objected, saying that they experienced sexual harassment during the event, making their workplace feel hostile. The California Court of Appeals has concurred.

Employees, whether in the public or private sector, and whether straight or gay, should not be forced to participate in a city's gay pride parade, unless it is their job. Police officers, for instance, line the routes of civil rights marches and of those for Neo-Nazis and the Ku Klux Klan. Although the City of San Diego, and others who seek to create public support of gay and transgender rights, had the best of intentions, their requirement of participation started a fire that the firefighters shouldn't have been required to put out. Although the firefighters' claims of headaches and irritable bowel syndrome as a result of seeing half-naked gay men simulate sex seems silly to me, they nonetheless shouldn't have been in the parade unless they were working to providing public safety.

Wisdom and constraint is required in our efforts to manifest our commitment to value diversity and inclusion. I wouldn't want to work for a company that forced me to give to the Boy Scouts of America, or to attend a religious service conducted by a homophobic denomination or sect. Forced attendance at a company-sponsored event only makes good business sense when the event is diversity training that effectively creates understanding, without requiring people to change their personal values.

Employee Resource Groups, Directors of Diversity and Inclusion, and Directors of Human Resources need to be able to justify all sponsored activities as having a business imperative. The Catholic firefighters in San Diego could have been justifiably required to attend a diversity training in which they watched a film of the city's 2007 Gay Pride Parade if it was accompanied by a reasonable explanation on why seeing the film might help them better understand and accept their colleagues who are gay, as well as the gay members of the public who might need their help.

That said, it is a big business mistake, and often a violation of state and federal laws, to use the Court of Appeal's wise decision to then suggest, as was done by the regional head of the ultraconservative Catholic Thomas More Law Center, that "employees should never be forced to participate in events or acts that violate their sincerely held beliefs." If that were true, the same four Catholic firefighters could object to putting out a fire at a Gay Community Center, or resuscitating a gay citizen because it violated their beliefs. Extremists want to exempt employees from corporate diversity training on issues that violate their beliefs. They also want doctors, nurses, pharmacists, foster care and adoption professionals, and others to be legally able to refrain from serving the needs of people who ask for help in getting an abortion, distributing condoms, and placing children for adoption in gay households. There is no end to the slippery slide of religious intolerance that is being proposed for the workplace.

In the explosive atmosphere of the day, when the poor economy is exacerbating tensions among people who fear change and difference, it is essential that those of us working to create safe and productive work environments resist pressure to compromise corporate values of diversity and inclusion, while wisely refraining from starting fires that distract us and others.