

Federal Contractors Show Anti-LGBT Hiring Bias: Better Qualified LGBT Applicants 23% Less Likely to be Called Back for Interviews

To assess the extent to which lesbian, gay, bisexual, and transgender (LGBT) workers are subject to differential and adverse treatment when seeking employment from federal contractors, the Equal Rights Center (ERC) and Freedom to Work (FTW) conducted a study utilizing fictional pairs of resumes to apply for 100 jobs. Each pair of resumes included: one “LGBT resume,” which listed the applicant’s leadership role in an LGBT organization; and one “non-LGBT resume,” which listed the applicant’s leadership role in a non-LGBT organization, such as an environmental or women’s rights group. **The LGBT resume was designed to be stronger in numerous respects.** For example, the LGBT resume always had a higher grade point average and stronger work experience than the non-LGBT resume.

Eight federal contractors were selected for testing. Seven of these contractors were selected because their own internal employment policies did not prohibit discrimination based on sexual orientation or gender identity, according to an April 2012 survey by the Williams Institute.¹ Those contractors were: AmerisourceBergen Corp., the Babcock & Wilcox Co., Fluor Corp., General Electric Co., L-3 Communications Holdings Inc., Supreme Group Holding SARL, and URS Corp.²

Additionally, federal contractor ExxonMobil was selected for testing because shareholders have repeatedly voted down a resolution to protect LGBT workers from discrimination.

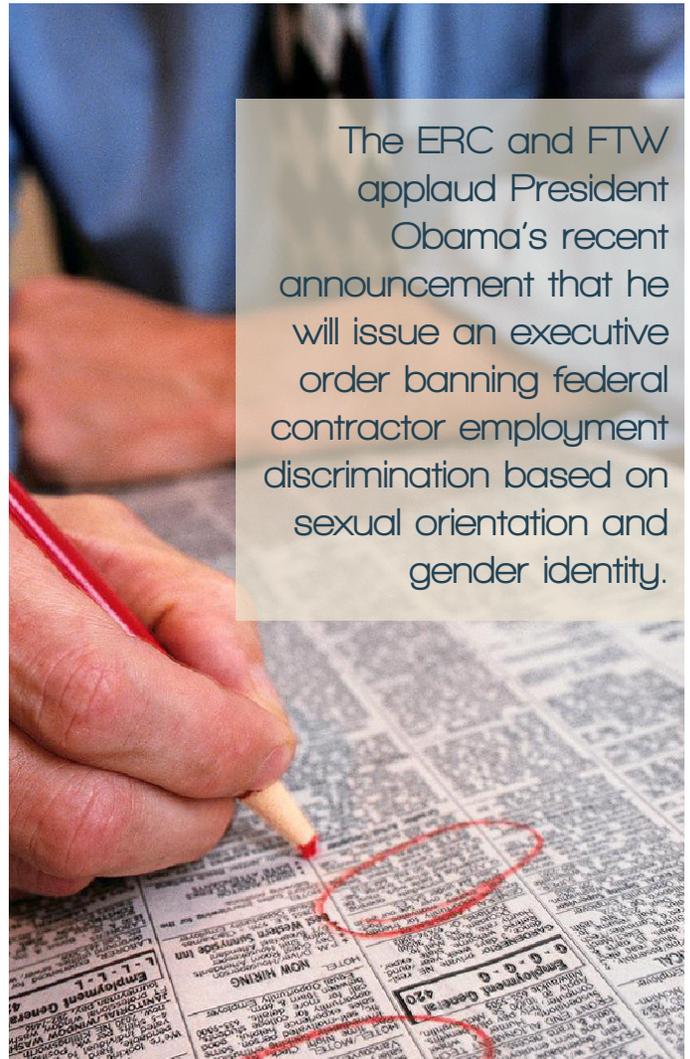
Results:

The study found that the more qualified LGBT applicants were 23 percent less likely to be called back for interviews than less qualified non-LGBT applicants.³

1 The Williams Institute, “Report Update: Sexual Orientation and Gender Identity Non-Discrimination Policies of the Top 50 Federal Contractors, FY 2011.” <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Sears-Hunter-Mallory-Report-Update-Top50-Contractors-April-2012.pdf> (accessed April 8, 2014).

2 Since the publication of the Williams Institute survey, some of these contractors have added sexual orientation or gender identity to their non-discrimination policies.

3 For further details on the investigation results and methodology, see www.equalrightscenter.org/freedomtowork.



The ERC and FTW applaud President Obama’s recent announcement that he will issue an executive order banning federal contractor employment discrimination based on sexual orientation and gender identity.

A tale of two ExxonMobil applicants



Job: Administrative Assistant,
Patoka, Illinois

APPLICANT	
JENNIFER	MICHELLE
ATTENDED SAME HIGH SCHOOL	
Superior grades	
ATTENDED SAME COLLEGE	
Superior grades	
WORK HISTORY	
Superior experience, skills	
RELEVANT PRIOR JOB TITLE	
Assistant Office Manager	Office Assistant
VOLUNTEER EXPERIENCE	
LGBT rights activism	Feminist Activism
RESUME SUBMITTED DEC. 4, 2012	
Confirmed Submission	Confirmed Submission
EXXONMOBIL'S RESPONSE	
DEC. 14, 2012	
	Exxon calls for interview, Michelle does not respond
DEC. 17, 2012	
	Exxon calls again, again Michelle does not respond
DEC. 17, 2012	
	Exxon sends email suggesting they will hold the position open until Dec 21.

RESOLUTION: Michelle never responds. Exxon fills position with another applicant. They never contact Jennifer (LGBT applicant) or offer her an opportunity to interview for the job.

CONCLUSION: Based on Exxon's dramatically different responses to the two resumes and applicants, it is clear that Exxon treated the weaker non-LGBT applicant far more favorably than the stronger LGBT applicant.

Example:

The chart on the left details how federal contractor ExxonMobil showed a repeated preference for the less-qualified, non-LGBT candidate.

The Executive Order:

On June 16, 2014, President Obama announced his decision to issue an executive order to end employment discrimination based on sexual orientation and gender identity by federal contractors. An executive order will provide equal protection under the law to an additional 14 million individuals who already work for federal contractors.

Executive orders have long played an important role in ensuring equal employment opportunity amongst federal contractors. In 1941, an executive order prohibited federal contractors from discriminating against employees due to race, creed, color, or national origin; in 1965 an executive order expanded those protections to prohibit discrimination based on religion or sex. But today, many LGBT workers are left unprotected from discrimination and harassment in the workplace based on their sexual orientation or gender identity, due to a lack of laws that explicitly prohibit such bias.

The ERC and FTW applaud President Barack Obama's decision to issue an executive order prohibiting federal contractors from discriminating against LGBT workers. Finally, LGBT workers will have legal recourse to address the discrimination revealed by this study.

The Equal Rights Center
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