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Do Diversity, Equity, and Inclusion (DEI) Initiatives Cause More Harm Than Good?:

Extending Research to the Domain of LGBTQ+ Discrimination

by

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Honors Thesis

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Abstract

Workplace diversity, equity, and inclusion (DEI) initiatives have been shown to delegitimize discrimination claims made by members of low-status groups, namely women and people of color (Dover et al., 2020; Kaiser et al., 2013). Previous research attributes this effect to the fact that DEI initiatives send signals of organizational fairness, thus causing individuals to overestimate the fairness of the organization and overlook discrimination claims. Given the fact that up to 40% of LGBTQ+ employees in one survey reported some form of workplace harassment due to their sexual orientation or gender identity, it is imperative that this line of research is extended to the LGBTQ+ community (Badgett et al., 2007). Utilizing a study design adapted from Kaiser et al. (2013), this research assesses the extent to which the presence (vs. absence) of diversity initiatives that emphasize LGBTQ+ inclusion leads to the delegitimization of LGBTQ+ discrimination claims. This experiment demonstrates that the presence of a diversity statement did not undermine the perceived validity of discrimination claims made by LGBTQ+ employees, nor did it lower support for discrimination-related litigation, indicating that the effects demonstrated in previous research may not replicate in regard to LGBTQ+ workplace discrimination claims. However, additional research—with stronger signals of organizational support for DEI initiatives and other representations of LGBTQ+-identifying individuals—is needed to verify this finding.

Keywords: LGBTQ+, diversity, discrimination, workplace

Do Diversity, Equity, and Inclusion (DEI) Initiatives Cause More Harm Than Good?: Extending Research to the Domain of LGBTQ+ Discrimination

Diversity, equity and inclusion (DEI) initiatives have become commonplace in workplaces across the country as organizations attempt to grapple with workplace discrimination and bias. Despite their widespread implementation, recent research has shown that DEI initiatives are not only often ineffective, but can also backfire by undermining discrimination claims made by minority employees (see Onyeador et al., 2021; Kaiser et al., 2013). The current study extends this research in an effort to assess the effect of DEI initiatives on perceptions of discrimination claims made by LGBTQ+ employees.

The History of DEI Initiatives

The 1960s and 1970s

On July 2, 1964, President Lyndon B. Johnson signed the Civil Rights Act of 1964, banning companies from discriminating on the basis of race, religion, sex, or national origin when hiring employees. As a result, thousands of employees filed discrimination suits with the Equal Employment Opportunity Commission (EEOC) (Anand &Winters, 2008). In order to avoid litigation, companies began implementing company-wide trainings to inform managers and employees of the new legal requirements under the Civil Rights Act. These trainings were often met with disdain and resentment by the white men who dominated the corporate world at the time (Anand &Winters, 2008). This model of diversity training persisted through the 1970s, as companies sought to avoid costly litigation by demonstrating commitment to the idea of nurturing a diverse workplace environment. It was the government's strict enforcement of the Civil Rights Act during this period that led to a significant "increase in racial and gender diversity in the workplace" (Anand & Winters, 2008). The 1980s saw a sharp decrease in

government enforcement of hiring discrimination, facilitated by then-EEOC Chairman Clarence Thomas, who did not believe in creating "timetables for increasing representation of underrepresented groups" (Anand & Winters, 2008). In response, many companies scaled back their trainings, effectively stagnating the progress that had been made in the previous decade.

Concurrently, however, Dr. Jeff Howard began to create programs for women and minorities based on Albert Bandura's concept of self-efficacy (Anand & Winters, 2008). Howard believed that women and minorities lacked the confidence required "to demonstrate their talents in different and sometimes unwelcoming environments" and were thus underachieving (Anand & Winters, 2008). Howard's approach was a novel one at the time as he began to attribute the supposed underperformance of women and minorities to external factors rather than intrinsic weaknesses, as was commonplace at the time.

The 1980s and 1990s

In the late 1980s and early 1990s, the concept of diversity began to shift slightly as new research displayed that few women and minorities were being promoted to higher-level positions despite increases in their hiring rates (Anand & Winters, 2008). Roosevelt Thomas assisted in shifting the narrative by promoting the idea that "affirmative action [was] an artificial, transitional intervention" that could not "cope with the remaining long-term task of creating a work setting geared to upward mobility of all kinds of people" (Anand & Winters, 2008). As a result, diversity training transitioned from watered down programming regarding respect for differences to exercises in which participants were forced to confront their own prejudices head-on. Companies began to create space for employees to share their personal experiences through role-plays. However, this well-intended exercise placed an undue burden on women and minorities to share their own experiences and left many white men defensive and confused

(Anand & Winters, 2008). Despite these shortcomings, it was evident that the concept of diversity as a whole was beginning to change. Corporations began to recognize that "diversity could not be relegated to a program, but rather that it had to be viewed as an ongoing business practice" (Anand & Winters, 2008). It is important to note, however, that diversity training at the time primarily revolved around race and gender, neglecting discrimination on the basis of sexual orientation, age, and disabilities (Anand & Winters, 2008).

The 2000s to Present

In the early 2000s, businesses began to understand the value of diversity in the workplace. Diversity became a key driver of success in every business, and, as a result, businesses invested more in their diversity training (Anand & Winters, 2008). Diversity trainings were expanded to include gender and sexual orientation, and employees became increasingly well-versed in communicating with different cultures in an effort to keep up with the fast pace of globalization (Anand & Winters, 2008). Despite the expansion of these initiatives, research on the subject in the early 2000s called into question the effectiveness of these trainings. One study conducted during this time period found that diversity training actually decreased the number of Black women in managerial positions (Kalev, Dobbin, & Kelly, 2006).

Moreover, as discussed in the subsequent section, historically disadvantaged and marginalized groups have continued to experience exclusion, stigma, and discrimination in the workplace. It seems that, throughout their brief history, diversity initiatives have failed to effectively support and uplift underrepresented and marginalized groups, calling into question the manner through which businesses approach diversity.

Ongoing Attitudes Toward LGBTQ+ Individuals

In recent decades, attitudes towards lesbian women and gay men, in particular, have shifted dramatically (see Westgate et al., 2015). In fact, between 2006 and 2013, moral approval of gay and lesbian people in the United States increased from 44% to 59% (Westgate et al., 2015). Perhaps even more significant is the fact that this attitude shift appears to have occurred both implicitly and explicitly, indicating that these changes are not due to a simple decrease in willingness to express negative attitudes toward lesbian and gay individuals, but rather are indicative of a true cultural shift (Westgate et al., 2015). Despite progress in both explicit and implicit attitudes towards lesbian and gay men, the LGBTQ+ community is still subjected to "persistent and widespread" discrimination (Sears et al., 2021). In a recent survey, as many as 31.1% of LGBT individuals reported that they had experienced discrimination or harassment in the last five years (Sears et al., 2021). Additionally, 8.9% of those surveyed reported that they were either fired or not hired as a result of their sexual orientation or gender identity, and this percentage was five times as high for those who were out as LGBTQ as compared to those who were not (Sears et al., 2021). It appears that this discrimination even extends to the salaries and wages of LGBT employees. In 2018, despite making up only 4.5% of the population, LGBT adults comprised 6.2% of people who earn less than $36,000 per year (The National LGBTQ Workers Center & Movement Advancement Project, 2018). Across the board, both lesbian women and gay men report less income than their non-LGBT colleagues (The National LGBTQ Workers Center & Movement Advancement Project, 2018).

In short, while attitudes towards LGBTQ+ individuals in the United States have shifted significantly in the early 21st century, workplace discrimination and harassment against the LGBTQ+ community persist. While DEI initiatives were created to increase inclusivity and

equity in the workplace, the aforementioned statistics call into question the effectiveness of DEI initiatives for the LGBTQ+ community, in particular.

The Troublesome Effects of DEI Initiatives

While diversity, equity, and inclusion initiatives are often created for the purpose of reducing discrimination, increasing diversity, and providing support for low-status groups, recent research is calling into question the extent to which these programs achieve their purpose (Edelman, Fuller, & Mara-Drita, 2001). Despite the widespread acceptance of diversity initiatives in the corporate world, studies indicate that diversity initiatives have failed to both increase diversity and decrease workplace biases (Kalev et al., 2006).

Some of this failure can be attributed to the ineffectiveness of one of the hallmarks of diversity training in the workplace: implicit bias training. In an assessment of the most promising implicit bias interventions, only eight of 17 actually reduced implicit bias, and all of the effects faded within 24 hours (see Onyeador et al., 2021). Perhaps even more concerning is the fact that implicit bias training has been shown to result in more negative explicit bias against Black people among those low in motivation to respond without prejudice (see Onyeador et al., 2021). Additionally, the presence of diversity initiatives does not make minority-identifying individuals applying for a job less concerned about discrimination, nor does it lead to a greater anticipated sense of belonging (Dover et al., 2020). These failures, among others, have led scholars to note that, at times, “diversity initiatives not only fail to produce the intended consequences...but produce unintended consequences instead” (Leslie, 2019).

Of particular interest to the current research, the presence of diversity initiatives may decrease sensitivity to unfairness in the workplace (Dover et al., 2020). In one study, even when shown explicit evidence that women were discriminated against in the workplace, men believed

that women in the organization were treated fairly if the organization had diversity structures in place suggesting that such initiatives undermine belief in discrimination claims made by the minority populations they were designed to protect (Kaiser et al., 2013). A related study found that the presence of a diversity structure undermined the discrimination claims of minorities in the eyes of White participants, even when presented with evidence in support of the claim (Kaiser et al., 2013). Why might that be?

Fairness Signaling

The presence of diversity initiatives has been shown to act as a fairness signal in the workplace, sending the message to those within and outside of the organization that underrepresented groups are treated fairly and even that overrepresented groups are treated unfairly (Dover et al., 2020). This perception of procedural fairness then contributes to the delegitimization of discrimination claims in organizations with diversity initiatives in place, as these organizations are seen as being fairer to underrepresented groups (Dover et al., 2020). Researchers have demonstrated the tendency to underestimate discrimination claims when diversity initiatives are present not only in White men, a higher status group, but also in Latino men and women, a comparably lower status group (Dover et al., 2014). These results have also been replicated in instances of gender discrimination. In one study, men saw discrimination claims made by a woman as being more legitimate when her organization did not have diversity initiatives in place as compared to when it did promote diversity initiatives (Brady et al., 2015).

These studies demonstrate a particular way in which, contrary to their intended effects, DEI initiatives may ultimately harm minority group members that experience discrimination in the workplace.

The Current Study

While the impact of diversity, equity, and inclusion initiatives on perceptions of race-based workplace discrimination has been investigated extensively, the influence of DEI initiatives on perceptions of LGBTQ+ workplace discrimination remains under-researched. Given the fact that up to 40% of LGBTQ+ employees in one survey reported some form of workplace harassment as a result of their sexual orientation or gender identity, it is imperative that more research examines the effects and drivers of LGBTQ+ workplace discrimination (Badgett et al., 2007). This study will serve to assess the extent to which DEI initiatives actually benefit the LGBTQ+ community. The hypothesis is based upon the aforementioned literature that highlights the unintended consequences of diversity, equity, and inclusion initiatives in the workplace. The study design, adapted from Kaiser et al. (2013), manipulates the diversity structure to evaluate effects on perceived validity of the discrimination claim, procedural justice, and support for litigation. The study also manipulates promotion practices to explore whether or not the aforementioned effects vary in the face of clearly disparate promotion outcomes.

Hypothesis

Diversity, equity, and inclusion initiatives that emphasize LGBTQ+ inclusion will lead to the delegitimization of LGBTQ+ discrimination claims.

Method

Participants

Participants were recruited via Prolific Academic for a study on "Workplace Discrimination." The sample was restricted to those whose residence and nationality was listed as the United States and who were fluent in English, 22 years of age or older, and currently employed in a part- or full-time position. The sample size (N = 350) was determined by the

amount of funding available to offer participants an appropriate level of monetary compensation for a study of this nature. Of the 350 participants, 50.6% identified as male, 48.3% identified as female, 0.9% identified as non-binary, and 0.3% of participants preferred not to answer. Additionally, 0.6% of participants identified as transgender. The average age of those who participated in the study was 40.67 years old (*SD* = 12.94; range = 22-79). Additionally, 82.3% of participants identified as heterosexual while 7.4% identified as bisexual, 5.7% as homosexual/gay/lesbian, 3.4% as asexual, 1.4% as pansexual, and 1.4% as queer[1]. Finally, 75.7% of participants identified as White, 6.6% as Asian, 5.4% as Bi/Multiracial, 5.1% as Latinx, 4.9% as Black, and 1.7% identified most closely with a variety of other racial and ethnic groups. This study was approved by the University of Richmond Institutional Review Board (IRB). All participants provided informed consent before completing the study.

Procedure

After consenting to participate in the study, each participant was first presented with background information on a fictional financial services company ("Smith & Simon Corporation"). The company biography included the name and size of the company, the services provided, and a brief overview of its history. After reading the company biography, half of the participants were randomly assigned to view the company's diversity statement, which explicitly mentioned the inclusion of LGBTQ+ employees, while the other half were randomly assigned to view the company's mission statement, which did not mention inclusivity (*diversity structure manipulation*; Kaiser et al., 2013). After completing this step, participants viewed data regarding the sexual orientation demographics of those receiving promotions in the company between 2016 and 2020. Those randomly assigned to the 'fair' group viewed a pie chart which demonstrated

[1] Percentages sum to greater than 100 because participants could choose more than one category.

that 25% of non-LGBTQ+ individuals and 25% of LGBTQ+ individuals received promotions. Those randomly assigned to the 'unfair' group viewed a pie chart which demonstrated that 28% of non-LGBTQ+ individuals received a promotion while only 10% of LGBTQ+ employees received a promotion (*promotion practices manipulation*). After viewing the charts, participants were asked to briefly describe what was depicted in the chart as both an attention check and to reinforce the manipulation. Finally, participants viewed an ostensible *The New York Times* article regarding discrimination claims made by an LGBTQ+ employee at the company. The discrimination claim was ambiguous in nature, leaving room for variation in the participants' perceived level of discrimination. This choice was intentional in order to more effectively measure the subtler forms of discrimination that often go unnoticed by coworkers but have lasting negative effects on the victim (Burn et al., 2005). After reading the article, participants completed the dependent measures and provided demographic information. All of the aforementioned materials, as well as the measures utilized in the study, can be found in the Appendix.

Measures

Perceived Validity of Discrimination Claim

In order to measure the participant's perceived validity of the discrimination claim, the participants were first asked a series of questions regarding their perceptions of the discrimination suit. Initially, participants were asked to rate the following item: "If you were a juror in this lawsuit, how likely would you be to find in favor of Mr. Alfredson, the employee who filed a claim against Smith & Simon Corporation?" on a scale from 1 *(very unlikely)* to 7 *(very likely*). After completing this item, participants were asked to rate the extent to which they agreed with the following items on a scale from 1 (*strongly disagree)* to 7 (*strongly agree)*: "Mr.

Alfredson, the man suing Smith & Simon Corporation, was discriminated against"; "Mr. Alfredson was given the same opportunities as non-LGBTQ+ employees" (reversed); "Mr. Alfredson was treated unfairly." Responses to these four items were averaged together such that higher numbers indicate greater perceived validity ($\alpha = .96$).

Procedural Justice

After completing the *perceived validity* measure, participants were asked to indicate the extent to which they believe that Smith & Simon Corporation is procedurally fair to LGBTQ+ employees via a measure of procedural justice. Items for this measure included: "Smith & Simon Corporation applies personnel procedures consistently across all employees, irrespective of sexual orientation"; "Smith & Simon Corporation values diverse opinions"; "Smith & Simon Corporation treats members of the LGBTQ+ community with respect"; "Members of the LGBTQ+ community are able to express their views and feelings about their treatment at Smith & Simon Corporation"; and "Members of the LGBTQ+ community have influence over the outcomes they receive at Smith & Simon Corporation" (Kaiser et al., 2013). The participants rated these items on a scale of 1 (*strongly disagree)* to 7 (*strongly agree)*. Responses to these five items were averaged together such that higher numbers indicate greater procedural justice within the Smith & Simon Corporation ($\alpha = .92$).

Support for Litigation

One item assessed the extent to which participants would support an LGBTQ+ employee who filed a discrimination suit against the fictional company. For the item, participants were asked: "If an LGBTQ+ employee brought a class action lawsuit against Smith & Simon Corporation, how likely would you be to find in favor of the LGBTQ+ employee who sued?" (Kaiser et al., 2013). The potential responses ranged from 1 (*very unlikely*) to 7 (*very likely*).

Additional Variables of Interest

Beyond our primary dependent variables, we also included a number of related, exploratory measures.

Social Dominance Orientation. Social Dominance Orientation (SDO) was measured using the SDO-7 Scale, which asks participants to rank items such as: "An ideal society requires some groups to be on top and others to be on the bottom," on a scale of 1 (s*trongly oppose) to 7* (s*trongly favor*; Ho et al., 2015). Responses to the 16 items were averaged together such that higher numbers indicate greater social dominance orientation ($\alpha = .94$).

Explicit Prejudice. To measure each participant's explicit prejudice against LGBTQ+ individuals, participants were asked to select the statement that best described them from the following list: 1 = *I strongly prefer gay people to straight people*; 2 = *I moderately prefer gay people to straight people*; 3 = *I slightly prefer gay people to straight people*; 4 = *I like gay people and straight people equally*; 5 = *I slightly prefer straight people to gay people*; 6 = *I moderately prefer straight people to gay people*; 7 = *I strongly prefer straight people to gay people* (Axt, 2018).

Feeling Thermometer. Participants were also asked to complete a set of feeling thermometers in which they rated groups on a scale of 0 to 100 with a higher score indicating a warmer, or more favorable, feeling toward the group and a lower score indicating a colder, or less favorable, feeling toward the group. Participants completed four separate feeling thermometers for straight women, gay/lesbian women, straight men, and gay men, respectively. For the purpose of analysis, the score that participants selected for gay men was subtracted from the score selected for straight men. Therefore, a positive feeling thermometer score would

indicate a preference for straight men as compared to gay men, and a negative score would indicate a preference for gay men as compared to straight men.

Number of LGBTQ+ Relationships. In hopes of exploring the extent to which the presence of LGBTQ+ relationships in one's life affects their perception of LGBTQ+ discrimination, we asked participants to disclose the number of family members and friends of theirs that would identify as members of the LGBTQ+ community. Participants could choose from the following options: 0; 1-2; 3-4; 5-6; 7+.

Manipulation Checks

Finally, participants completed two manipulation checks. First, participants were asked to identify whether they had read Smith & Simon's purported mission statement or its purported diversity statement (Kaiser et al., 2013). Next, the participants were asked to indicate whether the following statement was true or false: "LGBTQ+ employees are equally likely to receive promotions at Smith & Simon Corporation" (Kaiser et al., 2013).

Results

Manipulation Checks

We first sought to assess the extent to which the diversity structure and the promotion practices manipulations functioned as intended. In regard to the diversity structure, only 70.3% of participants correctly identified whether they read Smith & Simon's mission statement or diversity statement. It is important to note that the majority of those who failed to correctly identify their condition believed that they viewed the diversity statement when they actually saw the mission statement (58% incorrect in the mission statement condition versus 42% incorrect in the diversity statement condition), indicating that many participants believed that they had, in fact, viewed diversity-related information, regardless of condition. In regard to promotion

practices, 80.3% of participants correctly identified their condition, while 19.7% failed to correctly identify their condition. Among those who failed to correctly identify their condition, there was a fairly even split across conditions (49.5% in the unfair condition, 50.5% fair in the fair condition).

Main Analyses

The three primary dependent variables (perceived legitimacy of discrimination claim, procedural justice, and support for litigation) were each subjected to a two-way between-subjects analysis of variance having two levels of diversity structure (diversity statement and mission statement) and two levels of promotion practices (unfair and fair).

Perceived Legitimacy of Discrimination Claim

There was no statistically significant main effect of diversity structure, $F(1,346) = 0.03$, $p = .87$, $\eta_p^2 < .001$. However, the main effect of promotion practices was found to be statistically significant, $F(1,346) = 16.24$, $p < .001$, $\eta_p^2 = .05$. Participants in the unfair promotion practices condition perceived the discrimination claim as being significantly more legitimate ($M = 4.98$, $SD = 1.49$) than those in the fair promotion practices condition ($M = 4.33$, $SD = 1.53$). This main effect was not qualified by a significant interaction with diversity structure, $F(1,346) = 0.60$, $p = .44$, $\eta_p^2 = .002$. See Figure 1.

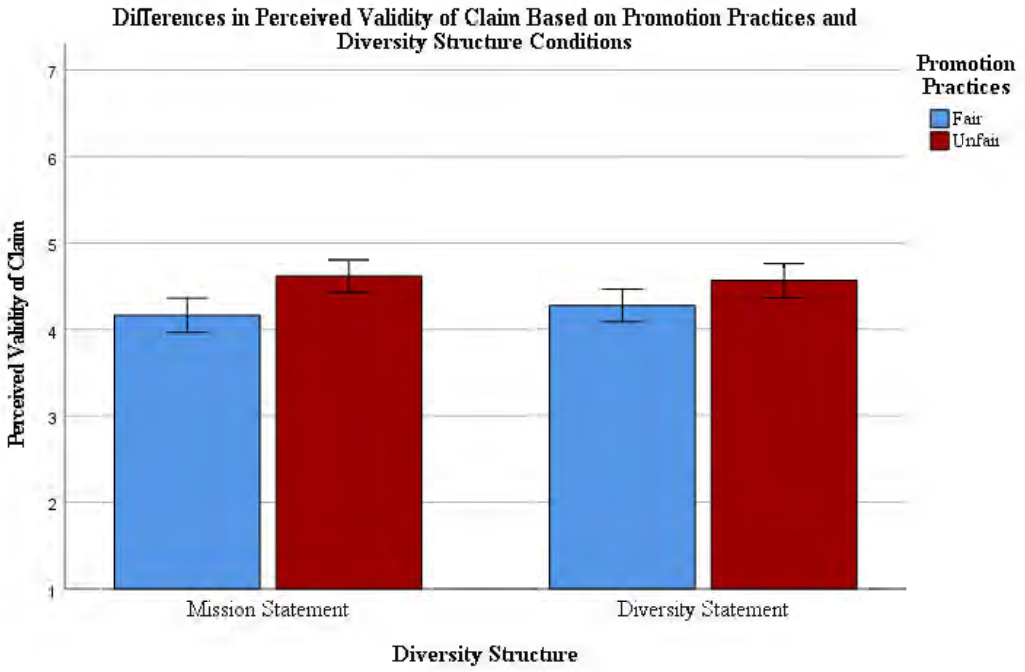

Figure 1. Sample means for perceived validity of claim. Error bars represent 95% confidence intervals.

Procedural Justice

There was no statistically significant main effect of diversity structure, $F(1,346) = 0.53$, $p = .47$, $\eta_p^2 = .002$. However, the main effect of promotion practices was found to be statistically significant, $F(1,346) = 22.94$, $p < .001$, $\eta_p^2 = .06$. This main effect was also qualified by a marginally significant interaction with diversity structure, $F(1,346) = 3.32$, $p = .07$, $\eta_p^2 = .01$[2]. To better understand the nature of this interaction, the simple effects for promotion practices were examined. The test of simple effects suggested that, when exposed to the unfair promotion practices condition, those who saw the diversity statement perceived Smith & Simon's practices as marginally fairer ($M = 4.02$, $SD = 1.34$) than those who saw the mission statement ($M = 3.67$,

[2] When analysis was limited to those who correctly identified their diversity structure condition, the interaction between diversity structure and promotion practices for procedural justice became statistically significant, $F(1,242) = 3.94$, $p = .048$, $\eta_p^2 = .02$.

SD = 1.38), *mean diff* = -0.36, *SE* = 0.20, *p* = .07. In contrast, there was no significant effect of diversity structure when exposed to the fair promotion practices condition, *mean diff* = 0.15, *SE* = 0.20, *p* = 0.44. See Figure 2.

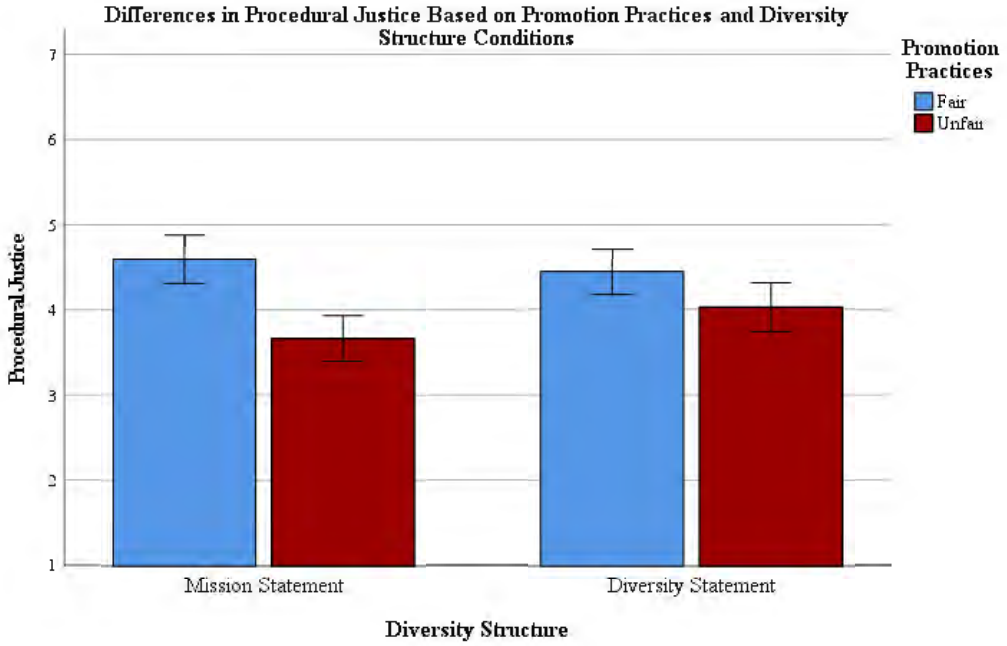

Figure 2. Sample means for procedural justice. Error bars represent 95% confidence intervals.

Support for Litigation

There was no statistically significant main effect of diversity structure, $F(1,346) = 0.23$, $p = .63$, $\eta_p^2 = .001$. However, the main effect of promotion practices was found to be statistically significant, $F(1,346) = 34.27$, $p < .001$, $\eta_p^2 = .09$. Participants in the unfair promotion practices condition were significantly more likely to support litigation (*M* = 5.04, *SD* = 1.53), than those in the fair promotion practices condition (*M* = 4.05, *SD* = 1.61). These main effects were not

qualified by a statistically significant interaction, $F(1,346) = 0.62$, $p = .43$, $\eta_p^2 = .002$.[3] See Figure 3.

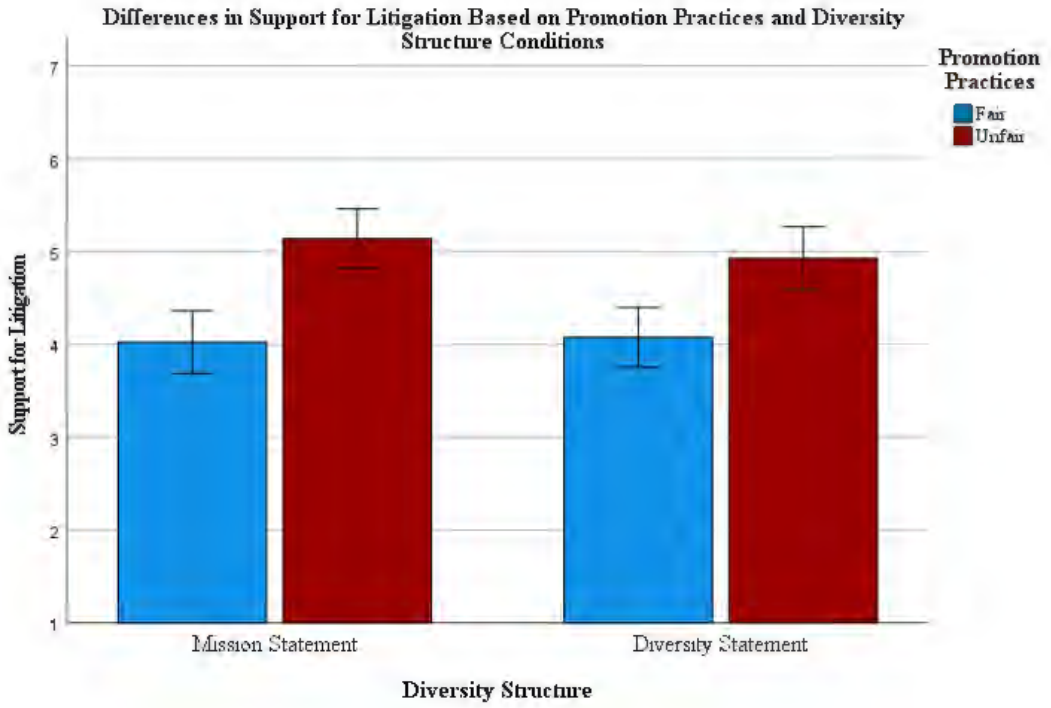

Figure 3. Sample means for support for litigation. Error bars represent 95% confidence intervals.

Additional Analyses

Descriptive statistics for all continuous variables can be found in Table 1. Notably, those who perceived Smith & Simon's practices as fairer (higher in procedural justice) were also less likely to perceive the discrimination claim as valid ($r = -.71$, $p < .001$) and less supportive of litigation ($r = -.65$, $p < .001$). Additionally, a series of individual difference variables were analyzed to assess the extent to which they predicted individual perceived validity of the

[3] When analysis was limited to those who correctly identified their diversity structure condition, the interaction between diversity structure and promotion practices for procedural justice became marginally significant, $F(1,242) = 2.79$, $p = .096$, $\eta_p^2 = .011$.

discrimination claim, belief in procedural justice at the Smith & Simon Corporation, and support for litigation in the case of Kent Alfredson.

As shown in Table 1, there were significant negative relationships between all three individual difference variables (Social Dominance Orientation, Explicit Prejudice, and the Feeling Thermometer) and perceived validity of claim *(r* = -.36, *r* = -.36, *r* = -.30, *p*s < .001). This indicates that those higher in SDO, explicit prejudice, and preference for straight men as compared to gay men are less likely to perceive the discrimination claim as valid. Additionally, all three of these variables were positively related with procedural justice, demonstrating that those with higher SDO, explicit prejudice, and feeling thermometer scores were more likely to see Smith & Simon Corporation as procedurally fair to LGBTQ+ employees than those with lower scores in the aforementioned variables *(r* = .25, *r* = .37, *r* = .27, *p*s < .001). Finally, there were significant negative correlations between support for litigation and SDO, explicit prejudice, and feeling thermometer scores *(r* = -.29, *r* = -.33, *r* = -.30, *p*s < .001). This indicates that those higher in the three individual difference variables were less likely to support a class action lawsuit brought by an LGBTQ+ employee against the Smith & Simon Corporation.

LGBTQ+ Friends and Family

To examine the extent to which LGBTQ+ relationships in one's life relates to perceptions of LGBTQ+ discrimination, perceived validity of discrimination claim was subjected to a one-way analysis of variance with one between-subjects variable having five categories (0, 1-2, 3-4, 5-6, and 7+)[4]. A Bonferroni correction for multiple comparisons was used to examine the pairwise differences. The omnibus *F* statistic revealed a statistically significant relationship between LGBTQ+ friends and family members and perceived validity of claim, *F*(1,345) = 5.38,

[4] Parallel analyses were run for procedural justice and support for litigation. Though the direction of the findings was similar, the patterns of significance were not.

$p < .001$, $\eta_p^2 = .07$. Those with 0 LGBTQ+ friends and family members reported lower perceived validity of the discrimination claim (*M = 3.97, SD* = 1.74) than every other category (*M*s = 4.97-5.18, *p*s for mean differences ≤ .02). This indicates that the presence of 1 or more LGBTQ+ friends or family members was associated with higher perceived validity of the claim as compared to 0 LGBTQ+ friends and family members.

Table 1

Descriptive Statistics and Correlations

	Social Dominance Orientation	Explicit Prejudice	Feeling Thermometer	Perceived Validity of Claim	Procedural Justice	Support for Litigation
Social Dominance Orientation	**2.10 (1.19)**					
Explicit Prejudice	.47**	**4.31 (1.10)**				
Feeling Thermometer	.44**	.76**	**-2.72 (27.83)**			
Perceived Validity of Claim	-.36**	-.36**	-.30**	**4.41 (0.94)**		
Procedural Justice	.25**	.37**	.27**	-.71**	**4.17 (1.36)**	
Support for Litigation	-.29**	-.33**	-.30**	.82**	-.65**	**4.55 (1.64)**

Note. Means and standard deviations (in parentheses) appear in bold along the diagonal. Correlations between variables appear below the diagonal. Both Explicit Prejudice and Feeling Thermometer are scored such that higher numbers indicate greater anti-gay bias. *** $p < .0001$, ** $p < .01$, * $p < .05$, † $p < .10$

Discussion

Over the nearly 60 years since the enactment of the Civil Rights Act of 1964, diversity, equity, and inclusion initiatives have gained tremendous traction in workplaces across the country. As a result, it is vitally important to examine the effects of these initiatives and assess the extent to which they are achieving their purpose of increasing diversity, equity, and inclusivity in the workplace. Previous research has demonstrated that DEI initiatives may actually serve to delegitimize discrimination claims made by minority group members by causing organizational members to overestimate the fairness of the organization (Kaiser et al., 2013). The current study was created to extend this previous literature to the LGBTQ+ population.

Do DEI Efforts Undermine the Legitimacy of LGBTQ+ Discrimination Claims?

The results of this study provide weak to no evidence for the hypothesis that diversity, equity, and inclusion initiatives that emphasize LGBTQ+ inclusion will lead to the delegitimization of LGBTQ+ discrimination claims and decreased support for litigation. On average, participants who saw both the diversity and mission statements were equally likely to perceive the claim as somewhat valid and to voice mild support for litigation. These findings stand in contrast to prior research (Kaiser et al., 2013).

In the context of procedural justice, the current study does provide marginal support for the hypothesis. When participants in the unfair promotion practices condition viewed the diversity statement, as compared to the mission statement, they were more likely to view Smith & Simon Corporation as being procedurally fair. These results extend the findings of similar studies on other minority populations, wherein participants deemed a company to be more

procedurally fair towards minorities if the company had DEI initiatives in place, as compared to when they did not (Kaiser et al., 2013).

Given the fact that only 70.3% of participants were able to correctly identify their diversity structure condition, these findings should be interpreted with caution, as this study was potentially limited by the strength of the manipulation. It is possible that individuals have become less sensitive to the simple presence of a diversity statement at an organization as such statements have become incredibly widespread since 2013, when the study upon which this one was based, Kaiser et al., took place (Leslie et al., 2021). As a result, future studies may need to demonstrate more comprehensive investment in diversity initiatives in order to signal organizational fairness.

Moreover, the discrimination claim in question was intentionally ambiguous in nature. A number of participants noted that they felt that they could not speak to their support for litigation due to the claim's ambiguous nature and the lack of evidence presented in *The New York Times* article on the claim. Future studies may need to re-evaluate the degree to which the ambiguity of the claim undermines the participant's ability to pass judgment versus facilitates the effectiveness of the manipulation.

Implications for the Future of DEI Initiatives

At the core of this research is the desire to provide organizations and the individuals who constitute them with the information necessary to effectively support and uplift their LGBTQ+ employees and coworkers. These findings, though not as we hypothesized, are informative for the future directions of DEI initiatives in the workplace. In creating, implementing, and adapting their DEI initiatives, we encourage organizations to consider the following conclusions that have been drawn from our findings.

The Organizational Level

The current study finds little evidence to suggest that the presence of DEI initiatives alone is enough to delegitimize the discrimination claims of LGBTQ+ employees. This may be a positive finding for LGBTQ+ individuals in the workplace, indicating that their experiences of discrimination will not be dismissed or undermined by their employers and colleagues solely due to virtue signaling on the part of the employer. In other words, this study largely supports the existence of and continued investment in DEI initiatives on the part of organizations.

However, it is important to emphasize that, in the context of unfair promotional practices, participants who viewed the diversity statement, as opposed to the mission statement, viewed the organization as being more procedurally fair to its employees. This finding is meaningful as it indicates that the presence of a diversity statement in certain contexts may serve to increase an individual's belief in organizational procedural fairness, thus serving to delegitimize discrimination claims made by LGBTQ+ employees. Organizations must be aware of the potential for this kind of effect as a result of the DEI initiatives that they have in place. They must also be aware of previous research, which does, as previously mentioned, indicate that DEI initiatives serve to delegitimize discrimination for other minority groups, such as women and people of color (Kaiser et al., 2013).

The Individual Level

Perhaps more consequential are the additional analyses completed as a part of this study. While the primary analyses in this study demonstrated that DEI initiatives are not inherently harmful to the LGBTQ+ community, as demonstrated in previous research in the context of other minority groups, there is significant evidence to demonstrate the extent to which individual prejudices and biases may impact stigmatized group members' experiences in the workplace.

Namely, individuals higher (versus lower) in explicit prejudice and social dominance orientation perceived the discrimination claim as being less valid. Additionally, these individuals were less likely to support litigation brought by Mr. Alfredson and more likely to see the organization as procedurally fair, thus undermining the discrimination claim. Organizations must be cognizant of the extent to which individual biases can affect perceptions of LGBTQ+ discrimination claims and must actively work to ensure that claimants are being treated fairly according to organizational principles rather than individual beliefs. Otherwise, highly prejudiced individuals may turn a blind eye to the needs and experiences of LGBTQ+ employees, thus ostracizing the group and potentially forcing LGBTQ+ employees to conceal their identities. This concealment of sexual identity has been shown to decrease psychological well-being, self-esteem, resilience, and positive work attitudes, leading to negative repercussions for both the employee and their organization (see DeSouza et al., 2017). This is to say that workplace discrimination against LGBTQ+ employees is not only a moral issue, but a financial one. Bullying in the workplace has been shown to result in monetary losses due to the associated increase in employee turnover and related increase in employee onboarding costs (Fisher-Blando, 2008). In fact, the annual cost of harassment and discrimination in the workplace in the United States comes out to a not-so-modest $64 billion (Burns, 2007). Whether for financial reasons or moral ones, organizations must play an active role in supporting LGBTQ+ employees in the workplace. They can and should do so by ensuring that the individuals who make up their organization are committed to uplifting the voices and work of their LGBTQ+ counterparts.

Additional Limitations

LGBTQ+ Identity of Target

The conclusions drawn from this study are also limited by the identity of the target. For the purpose of this study, the target was a gay male. It is possible that other members of the LGBTQ+ community would elicit different responses from participants. For example, transgender employees are far more likely to experience workplace discrimination than cisgender LGB employees (Sears et al., 2021). In fact, 48.8% of transgender employees reported experiencing discrimination based on their LGBT status compared to 27.8% of cisgender LGB employees (Sears et al., 2021). In order to assess the effect of DEI initiatives on other members of the LGBTQ+ community, such as transgender individuals, further research should be conducted.

Racial Identity of Participants

Additionally, the racial makeup of participants may have served as a limiting factor in this study. Among participants in this study, 75.7% identified as White, with only 4.9% identifying as Black, making this study not widely generalizable. Additionally, research has demonstrated the existence of demographic differences in attitudes towards LGBTQ+ individuals. While all demographic groups have showed weakening of implicit preferences for straight people over gay people, the greatest change in preferences has occurred among Hispanic and White participants while the smallest change has occurred among Black and Asian participants (Westgate et al., 2015). On the other hand, shifts in explicit preferences were greatest among Black participants (Westgate et al., 2015). These varying strength of implicit and explicit attitudes among different racial groups may have affected the results in this study, and must be considered in future studies.

Future Directions

In addition to unintentionally delegitimizing discrimination claims, it appears that diversity, equity, and inclusion initiatives can lead to the overestimation of anti-majority discrimination. This stems from the concept of zero-sum thinking in which individuals believe that less bias against minorities leads to an increase in bias against majorities (Norton & Sommers, 2011). Evidence of zero-sum thinking in White participants has been demonstrated in numerous studies. In one such study, White participants judged organizations as less procedurally fair for White people when the organization had a diversity initiative in place (Kaiser et al., 2019). Additionally, White male job applicants have reported higher anticipated levels of discrimination when the company to which they are applying has diversity initiatives in place as opposed to when the company does not (Dover et al., 2016). Future research should explore the relationship between the presence of LGBTQ+-inclusive initiatives and perceptions of anti-cisheterosexual bias in the workplace.

The presence of DEI initiatives in the workplace has also been connected to the derogation of minority discrimination claimants. As a result of White individuals underestimating anti-majority discrimination and thus seeing discrimination claims as illegitimate, White employees are more likely to derogate minority employees who claim that they have been discriminated against (Kaiser et al., 2013). This derogation has major consequences in terms of the willingness of minority employees to report discriminatory experiences at a company, further highlighting the ill effects that diversity structures can unintentionally cause in companies. This line of research should be extended to LGBTQ+ employees in future studies to ensure that LGBTQ+ discrimination claimants are not also being subjected to such derogation.

Conclusion

Although previous research has highlighted the harmful consequences that DEI initiatives can have on women and people of color, this study fails to replicate such findings in the LGBTQ+ community. While this is, at face value, a tremendous win for the LGBTQ+ community, more research must be conducted on the topic to ensure the overall well-being of LGBTQ+ employees in the workplace. With a record 7.1% of American adults identifying as LGBTQ+, we must work quickly to further ensure that DEI initiatives do not have the same harmful effects on LGBTQ+ individuals as they do on women and people of color (Gallup, 2022). Additionally, we must ensure that organizations are aware of this line of research, particularly as research extends to improvements that can be made to standing DEI initiatives in order to make them more effective for minority employees.

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Appendix

Company Background

Smith & Simon Corporation is a world-renowned financial services firm that provides unique, creative solutions to thousands of businesses and individuals across 85 countries. We pride ourselves on our professionalism, creativity, dedication, and unique perspectives. Our 9,000+ employees embody each of these attributes, and what we do would not be possible without their intrinsic drive and love for our company and its clients. Together, we provide a variety of individual services, such as wealth management, financial planning, tailored financial advice, and estate management. We also work closely with both small businesses and multinational corporations through our capital market services, strategic advice, and personalized planning for every stage of the business life cycle. Our state-of-the-art financial research facilities ensure that we have access to the most up-to-date information relevant to our client's investments, allowing us to manage and mitigate risks more effectively and more accurately. As a testament to this, we are fortunate to have been named "Best Financial Firm" by the Wall Street Journal every year since 2004. Over the last 142 years of Smith & Simon Corporation, we have created a unique company culture of both hard work and teamwork, with our clients at the center of each decision that we make.

Company Policy Statements

Diversity Statement

Smith & Simon Corporation holds the belief that creativity and innovation result exclusively from cooperation between people with different experiences, perspectives, and cultural backgrounds. Our policies and practices are built on this philosophy. To better serve our customers and create a united workforce we strive to:

- Promote trust, mutual respect and dignity between employees.
- Attract, develop, promote and maintain a talented diverse workforce
- Encourage collaboration among employees from diverse backgrounds, cultures, ethnicities, and sexualities.

In accordance with our philosophy, Smith & Simon Corporation motivates our employees to contribute their best and provide us with a competitive advantage. Smith & Simon Corporation does not discriminate against any employee because of race, religion, gender, sexual orientation, national origin, disability, age, or covered veteran status.

Mission Statement

Smith & Simon Corporation holds the belief that creativity and innovation result exclusively from cooperation between people with different experiences and perspectives, and backgrounds.

Our policies and practices are built on this philosophy. To better serve our customers and create a united workforce we strive to:

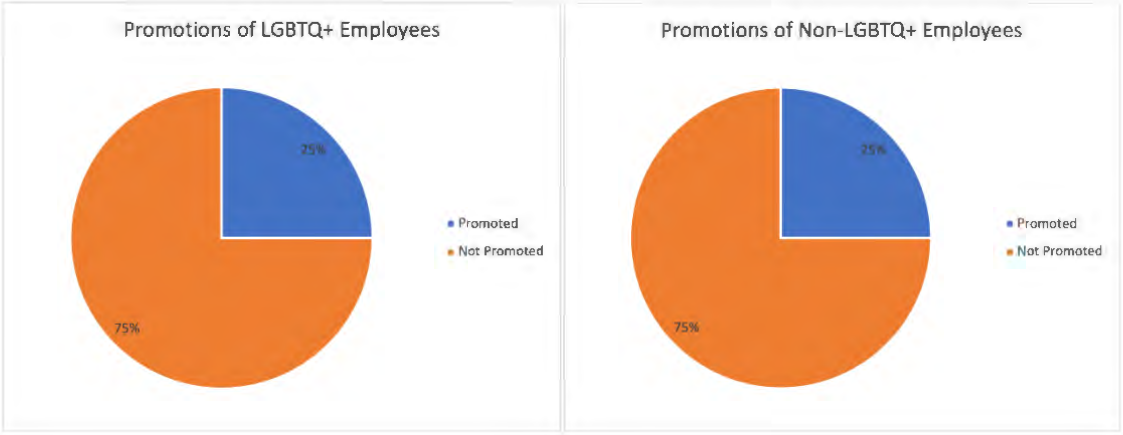
- Promote trust, mutual respect and dignity between employees;
- Attract, develop, promote and maintain a talented workforce;
- Encourage collaboration among employees with different work and learning styles.

In accordance with our philosophy, Smith & Simon Corporation motivates our employees to contribute their best and provide us with a competitive advantage.

Promotion Practices Graphs

Fair

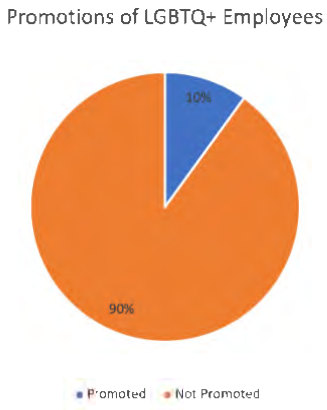
Smith & Simon Corporation has been accused of workplace discrimination on the basis of sexual orientation. You will learn more about this case on the following page and be asked to evaluate its merits. To provide more additional context for your assessment, please review the data below. Each pie chart separately details the percentage of lesbian, gay, bisexual, transgender, and other queer-identifying (LGBTQ+) employees at Smith & Simon Corporation that received promotions in 2016-2020 and the percentage of non-LGBTQ+ employees that received promotions during the same time period. When you feel that you have a sufficient understanding of the information, please proceed.

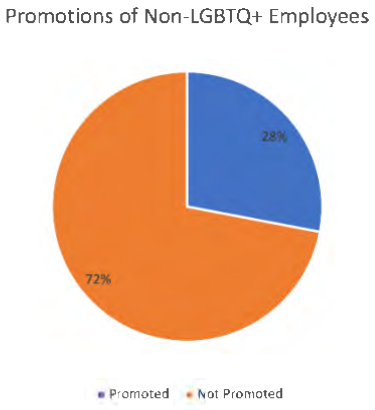


Unfair

Smith & Simon Corporation has been accused of workplace discrimination on the basis of sexual orientation. You will learn more about this case on the following page and be asked to evaluate its merits. To provide more additional context for your assessment, please review the data below. Each pie chart separately details the percentage of lesbian, gay, bisexual, transgender, and other queer-identifying (LGBTQ+) employees at Smith & Simon Corporation that received

promotions in 2016-2020 and the percentage of non-LGBTQ+ employees that received promotions during the same time period. When you feel that you have a sufficient understanding of the information, please proceed.





Fictional New York Times Article

BUSINESS The New York Times PLAY THE CROSSWORD

Smith & Simon Face Accusations of LGBTQ Discrimination

Kent Alfredson claims manager denied him clients after finding out about his husband

By Lindsay Everhart

NYC – An employee of Smith & Simon Corporation is suing the company, saying that he has been discriminated against based on his sexual orientation. Kent Alfredson, a broker who began working for the company in January 2020, filed the federal complaint against the corporation last week. He is seeking $400,000 in damages.

In the lawsuit, Mr. Alfredson claims discrimination and a hostile work environment, with most of the complaint detailing allegations against his manager,

Nancy Bradshaw, who has been with Smith & Simon since 2007.

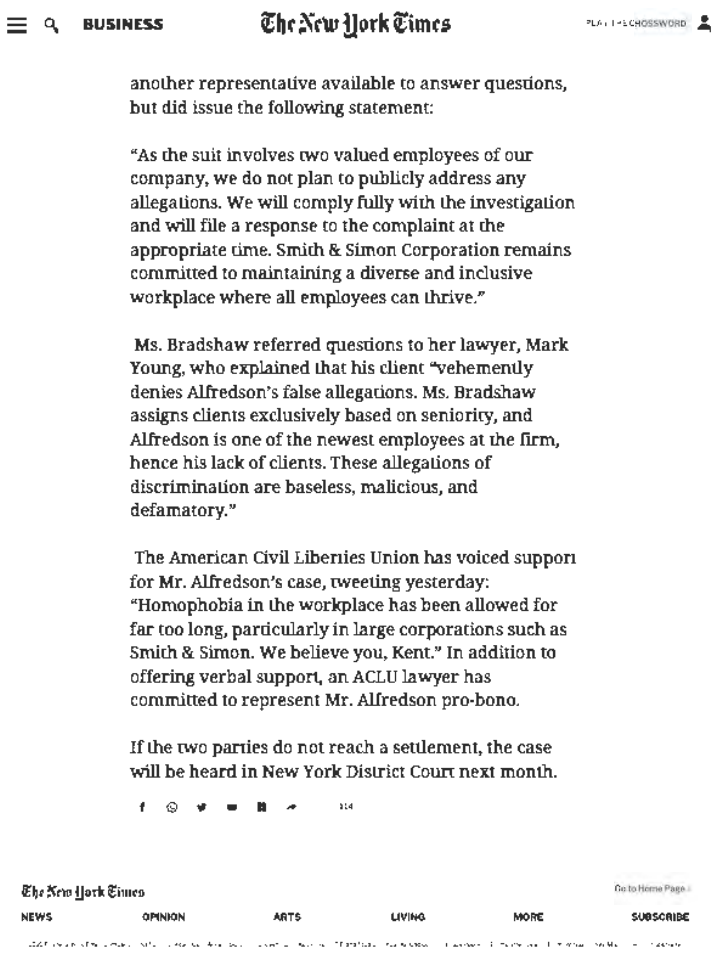
The suit says that the two had a "cordial and collaborative working relationship" when they first started working together. That relationship deteriorated, according to the lawsuit, when Ms. Bradshaw discovered that Mr. Alfredson was married to a man and began denying him access to clients.

In an interview, Mr. Alfredson stated, "Since the moment she found out about my husband, about six months ago, I haven't been assigned a single new client or project, while my straight coworkers have each received at least two new clients. I have provided some of the highest returns in the company with my previous clients, so it is ludicrous that I have not been assigned a client in months. Without clients, I have almost no chance of receiving a promotion next year."

Documents submitted by Mr. Alfredson and reviewed by The New York Times verify that he had previously received positive performance reviews and demonstrated returns in the top 10th percentile for the company in fiscal year 2020.

The suit documents that Mr. Alfredson took his concerns to the firm's human resources department in June 2021, which recommended that he and Ms. Bradshaw participate in a one-on-one conversation to resolve their issues. Mr. Alfredson claims that the meeting lasted 20 minutes and was ended abruptly by Ms. Bradshaw "with no attempt to listen to my concerns or achieve a consensus."

Smith & Simon declined to make Ms. Bradshaw or



BUSINESS The New York Times

another representative available to answer questions, but did issue the following statement:

"As the suit involves two valued employees of our company, we do not plan to publicly address any allegations. We will comply fully with the investigation and will file a response to the complaint at the appropriate time. Smith & Simon Corporation remains committed to maintaining a diverse and inclusive workplace where all employees can thrive."

Ms. Bradshaw referred questions to her lawyer, Mark Young, who explained that his client "vehemently denies Alfredson's false allegations. Ms. Bradshaw assigns clients exclusively based on seniority, and Alfredson is one of the newest employees at the firm, hence his lack of clients. These allegations of discrimination are baseless, malicious, and defamatory."

The American Civil Liberties Union has voiced support for Mr. Alfredson's case, tweeting yesterday: "Homophobia in the workplace has been allowed for far too long, particularly in large corporations such as Smith & Simon. We believe you, Kent." In addition to offering verbal support, an ACLU lawyer has committed to represent Mr. Alfredson pro-bono.

If the two parties do not reach a settlement, the case will be heard in New York District Court next month.

The New York Times

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Measures

Perceived Validity of Claim (adapted from Kaiser et al., 2013)

Please rate the following item on a scale of 1 (*very unlikely)* to 7 (*very likely)*

- "If you were a juror in this lawsuit, how likely would you be to find in favor of Mr. Alfredson, the employee who filed the claim against Smith & Simon Corporation";

Please rate the extent to which you agree with the following items on a scale of 1 (*strongly disagree)* to 7 (*strongly agree)*

- Mr. Alfredson, the man suing Smith & Simon Corporation was discriminated against";
- "Mr. Alfredson was given the same opportunities as non-LGBTQ+ employees" (reverse scored); and
- "Mr. Alfredson was treated unfairly."
- "Mr. Alfredson was given the same opportunities as non-LGBTQ+ employees" (reverse scored);

Responses for the first item were anchored at 1 (*very unlikely*) and 7 (*very likely*), and the other three items were anchored at 1 (*strongly disagree*) and 7 (*strongly agree*)

Support for Litigation (adapted from Kaiser et al., 2013)

Given the preceding documents, please rate the following on a scale of 1 (*very unlikely)* to 7 (*very likely).*

- If an LGBTQ+ employee brought a class action lawsuit against Smith & Simon Corporation, how likely would you be to find in favor of the LGBTQ+ employee who sued?

Measure of Procedural Justice (adapted from Kaiser et al., 2013)

After reading the preceding documents, please rate the extent to which you agree with the following items on a scale of 1 (*strongly disagree)* to 7 (*strongly agree)*

- Members of the LGBTQ+ community are able to express their views and feelings about their treatment at Smith & Simon Corporation
- Members of the LGBTQ+ community have influence over the outcomes they receive at Smith & Simon Corporation
- Smith & Simon Corporation applies personnel procedures consistently across all employees, irrespective of sexual orientation
- Smith & Simon Corporation values diverse opinions
- Smith & Simon Corporation treats members of the LGBTQ+ community with respect

Diversity Structure Manipulation Check (adapted from Kaiser et al., 2013)

Please indicate whether you read Smith & Simon's Mission Statement OR Smith & Simon's Diversity Statement by checking the box of the statement that you read below.

- Mission Statement
- Diversity Statement

Promotion Practices Manipulation Check (adapted from Kaiser et al., 2013)

Please indicate whether the following statement is true or false: Members of the LGBTQ+ community and non-LGBTQ+ employees are equally likely to receive promotions at Smith & Simon Corporation

- True
- False

Social Dominance Orientation (Ho et al., 2015)

SDO7 Scale

Instructions: Show how much you favor or oppose each idea below by selecting a number from 1 to 7 on the scale below. You can work quickly; your first feeling is generally best.

1	2	3	4	5	6	7
Strongly Oppose	Somewhat Oppose	Slightly Oppose	Neutral	Slightly Favor	Somewhat Favor	Strongly Favor

Pro-Trait Dominance:

1. Some groups of people must be kept in their place.
2. It's probably a good thing that certain groups are at the top and other groups are at the bottom.
3. An ideal society requires some groups to be on top and others to be on the bottom.
4. Some groups of people are simply inferior to other groups.

Con-Trait Dominance:

5. Groups at the bottom are just as deserving as groups at the top.
6. No one group should dominate in society.
7. Groups at the bottom should not have to stay in their place.
8. Group dominance is a poor principle.

Pro-Trait Anti-Egalitarianism:

9. We should not push for group equality.
10. We shouldn't try to guarantee that every group has the same quality of life.
11. It is unjust to try to make groups equal.
12. Group equality should not be our primary goal.

Con-Trait Anti-Egalitarianism:

13. We should work to give all groups an equal chance to succeed.
14. We should do what we can to equalize conditions for different groups.
15. No matter how much effort it takes, we ought to strive to ensure that all groups have the same chance in life.
16. Group equality should be our ideal.

Explicit Prejudice (Axt, 2018)

Which statement best describes you?

I strongly prefer gay people to straight people.	I moderately prefer gay people to straight people.	I slightly prefer gay people to straight people.	I like gay people and straight people equally.	I slightly prefer straight people to gay people.	I moderately prefer straight people to gay people.	I strongly prefer straight people to gay people.

Feeling Thermometer

Please use this sliding scale to indicate your feelings toward the following groups. You can choose any number between 0 and 100. The higher the number, the warmer or more favorable you feel toward that group; the lower the number, the colder or less favorable. You would choose the 50-degree mark if you feel neither warm nor cold toward that group.

Feeling thermometers for:

Straight women

Gay/lesbian women

Straight men

Gay men

LGBTQ+ Relationships

How many family members or friends of yours would identify as members of the LGBTQ+ community?

0

1-2

3-4

5-6

7+