

AN EMPLOYER GUIDE TO LGBTQ+ INCLUSIVE SELF-ID

Employers are required by law to afford employees the opportunity to voluntarily self-report demographic information. Often referred to as “self-ID,” employers use this information in order to understand important diversity, equity and inclusion (DEI) metrics within their organization. For example, employee-reported self-ID data may help employers determine underrepresentation in hiring or to understand pay equity across different demographics, strengthening employee recruitment and retention efforts.

More than one in twenty private and public sector workers in the United States are part of the LGBTQ+ community. The number of people identifying as LGBTQ+ has also been growing in recent years: According to a 2022 Gallup poll, roughly 7% of adults in the United States identify as part of the LGBTQ+ community. LGBTQ+ identified people account for one-in ten (11.3%) people in the voting eligible population (defined as adults age 18+) in the United States. For Gen Z adults, these numbers tower over the national rate, with 21% of Gen Z adults identifying as LGBTQ+. Notably, the Gen Z workforce is set to triple by 2030. This will only increase the need for LGBTQ+ inclusive self-ID in the workplace. Unfortunately, many Human Resources Information Systems (HRIS) do not collect or fail to properly collect data about LGBTQ+ people in their workforce, preventing employers from having a full understanding of the experiences of LGBTQ+ workers.

LGBTQ+ inclusive self-ID generally refers to employer data collection efforts that provide LGBTQ+ people the ability to voluntarily report their sexual orientation and gender identity on their HRIS records and elsewhere within an organization. In the 2022 HRC Corporate Equality Index, the national benchmarking tool measuring policies, practices and benefits pertinent to lesbian, gay, bisexual, transgender and queer (LGBTQ+) employees, 40% of companies allowed employees to voluntarily disclose their sexual orientation and gender identity on anonymous surveys or confidential HRIS records. While many more would like to implement LGBTQ+ inclusive record-keeping, many employers struggle with understanding how to get started.

The following guide will discuss the imperatives for employers to implement LGBTQ+ inclusive self-ID in their HRIS, how to implement LGBTQ+ inclusive self-ID in their HRIS, and provide sample questions and answers for HRIS recordkeeping.

WHY EMPLOYERS NEED LGBTQ+ INCLUSIVE SELF-ID

LGBTQ+ people often report fearing and facing discrimination, stigma and bias in the workplace. Discrimination, stigma and bias also contribute to LGBTQ+ people facing an increased risk of economic insecurity. Studies show that despite recent advances in equality, LGBTQ+ individuals and families across the country continue to experience discrimination across their lives, including at work. For example, the Center for American Progress reported that in 2020, 36% of LGBTQ+ people reported experiencing discrimination in the workplace. Not long after that study was conducted, the U.S. Supreme Court ruled in Bostock v. Clayton County that discrimination on the basis of sexual orientation and gender identity is a form of sex discrimination prohibited under Title VII of the Civil Rights Act of 1964. In addition to ensuring their business practices align with this anti-discrimination ruling, employers should create workplace policies that include protections based on sexual orientation, gender identity, and expression across all operations.

LGBTQ+ inclusive self-ID can help employers better understand LGBTQ+ peoples' experiences in the workplace and combat inequities that arise from workplace disparities. Fewer than half of LGBTQ+ people report that their employer's paid leave policies cover new parents of all genders equally, and only 49% said that employer policies are equally inclusive of the many ways families can welcome a child, including childbirth, adoption or foster care. Previous research from the HRC Foundation found that LGBTQ+ workers do not earn equal pay for equal work, with LGBTQ+ adults earning about 90% of what the average American worker earns — and LGBTQ+ women earning approximately 79% of what the average American man earns. These pay inequities are further exacerbated by multiple layers of discrimination and stigma for people of color, transgender people, bisexual people and people who occupy more than one of these identities. With LGBTQ+ inclusive self-ID, employers can do an annual assessment of collected pay and benefits data by sexual orientation, gender, and gender identity and understand assessment data by other demographics such as race.

The benefits from these practices are multiplied when considered alongside other demographic data like race or age and used for intersectional analyses that allow for greater detail in reporting, greater detail on needs to promote equity and deeper levels of allyship to LGBTQ+ people of varying intersecting identities.

Acknowledging and showing firm-wide allyship to the LGBTQ+ community is critical for supporting LGBTQ+ employees. Two in three (67%) LGBTQ+ people say that supportive companies can change the lives of LGBTQ+ workers. LGBTQ+ inclusive self-ID is one way in which an employer can show allyship through policy. Supportive policies such as LGBTQ+ inclusive self-ID have been shown to have positive effects on worker commitment to their jobs, improved worker health, and greater job satisfaction. Knowing these positive effects is critical for describing the business case for LGBTQ+ inclusive self-ID.

HOW TO IMPLEMENT LGBTQ+ INCLUSIVE SELF-ID

Implementation of LGBTQ+ inclusive self-ID will look different for every company, however, there are some general tips to keep in mind along the journey to LGBTQ+ inclusive self-ID:

- Choose an HRIS with the right options and features to be as inclusive as possible. There are HRIS services that allow employers to begin to collect sexual and gender identity data in thoughtful ways. Also work with HRIS administrators and software providers to develop creative solutions that allow greater customization in options.
- Staff who are leading on the implementation of LGBTQ+ inclusive self-ID should become familiar with the various terms about the community with dignity and respect.
- Staff who are leading on the implementation of LGBTQ+ inclusive self-ID should become familiar with the various terms about the community, in order to lead their efforts with language and knowledge that helps treat LGBTQ+ employees dignity and respect.
- Staff leading on implementation should create protocol for how to collect LGBTQ+ inclusive self-ID among new and existing employees once a system is in place, and those staff should be prepared to explain the importance of such data collection.
- A process will need to be created for ongoing monitoring to ensure employees can redeclare or self-disclose at any time. Consider protocols already in place such as how employees can update their records after getting married.
- With the roll-out of LGBTQ+ inclusive self-ID, some employees may not be familiar with these topics and associated terms. Educating staff will be critical, so employers should consider bringing education and training to their workplaces.

- Using relationships built with other teams critical in implementation, drive participation into self-reporting (though do not mandate it) by communicating clearly how the information will be utilized and how it will be kept secure and confidential.
- Many workplaces already require voluntary self-ID and report this data to the Equal Employment Opportunity Commission (EEOC), so ensure compliance with company policies is met with respect to data collection. Furthermore, the EEOC has also started accepting data on people who are non-binary, giving employers another reason to expand their gender identity self-ID options as part of their LGBTQ+ inclusive self-ID journey.
- Employers must be mindful about how they collect and use self-reported LGBTQ+ identity and establish guidelines that prioritize employees' privacy and confidentiality. Consider the reason the information is being requested.
- Employers should communicate to their employees that while participation is encouraged, self-ID is a voluntary process. Employees should be encouraged to only disclose personal information if they feel safe doing so.
- Consider the global landscape if employees outside of the United States are asked to self-ID such as whether it is safe for LGBTQ+ employees to disclose their identities, even in a confidential system.

HOW TO ASK LGBTQ+ INCLUSIVE SELF-ID QUESTIONS

Below are recommendations for how to collect LGBTQ+ self-ID questions. Three different sets of questions are offered, which offer varying balances of inclusivity, generalizability, ease of data collection and reporting, and efficiency.

In determining a question set, there are a few considerations to keep in mind.

Open-ended responses — those which allow employees to write-in additional answers other than those provided — are a great way to offer additional detail and give employees the power to define who they are. If looking to include this option see examples in Question Set 1 and 3. However, if including this, ensure HRIS systems have the capacity to record write-in options — and keep in mind that this may create additional administrative work and make it more difficult to aggregate data for reporting.

Employees may also hold multiple identities, or use multiple labels. Ideally, employees should be able to select all answer choices that apply to them (a select all that apply, or “SATA” option, as in Question Set 1 and 3), especially for individuals who may use a combination of pronouns such as “she” and “they,” or other variations. In the case that it is not possible to allow for multiple responses in the HRIS being utilized, language should be included in the questionnaire to explain the limitations to the answer choices. Consider using the following to precede the questions when a SATA option is not available: “A person can identify in a diverse number of ways, but what if you had to pick only one option for each question?”

Finally, regardless of the approach you take, allowing an option for employees to opt-out is critical.



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QUESTION SET 1: Maximizes inclusivity at the cost of efficiency. This question set includes a larger set of identities as answer choices, SATA options and write-ins for when an employee cannot find an available answer that best describes them.

Sexual Identity – Who You Love

Which of the following best describes you personally? Please select all that apply.

- A. Asexual
- B. Bisexual or pansexual
- C. Lesbian or gay
- D. Straight or heterosexual
- E. Queer
- F. Something else: _____
- G. I don't understand the question [cannot SATA]
- H. Prefer not to answer [cannot SATA]

Gender Identity – How You Feel

Do you personally identify as transgender?

- A. Yes
- B. No, I am cisgender
- C. No, but I do not identify as cisgender
- D. Something else: _____
- E. I don't understand the question [cannot SATA]
- F. Prefer not to answer [cannot SATA]

Gender – Who You Say You Are

Which of the following best describes you personally?

- A. Man
- B. Non-binary
- C. Woman
- D. Something else: _____
- E. I don't understand the question
- F. Prefer not to answer

Pronouns – What You Want to Be Called

What are your pronouns? Please select all that apply.

- A. She/Her
- B. He/Him
- C. They/Them
- D. Something else: _____
- E. Prefer not to answer [cannot SATA]

QUESTION SET 2: Maximizes generality and efficiency at the cost of inclusivity. This question set would be more digestible to individuals who are unfamiliar with a lot of the terms and identities used to describe members of the LGBTQ+ community. It does not include a SATA option or write-ins.

A person can identify in a diverse number of ways, but what if you had to pick only one option for each question?

Sexual Identity – Who You Love

Which of the following best describes you personally?

- A. Bisexual
- B. Lesbian or gay
- C. Straight or heterosexual
- D. Something else
- E. I don't understand the question
- F. Prefer not to answer

Gender Identity – How You Feel

Do you personally identify as transgender?

- A. Yes
- B. No, I am cisgender
- C. No, but I do not identify as cisgender
- D. Something else
- E. I don't understand the question
- F. Prefer not to answer

Gender – Who You Say You Are

Which of the following best describes you personally?

- A. Man
- B. Non-binary
- C. Woman
- D. Something else
- E. I don't understand the question
- F. Prefer not to answer

Pronouns – What You Want to Be Called

What are your pronouns?

- A. She/Her
- B. He/Him
- C. They/Them
- D. Something else: _____
- E. Prefer not to answer

QUESTION SET 3: Balances inclusivity with generality and efficiency. This question set does not include a SATA option or write-in options, but does include some additional terms often used by members of the LGBTQ+ community to describe themselves.

A person can identify in a diverse number of ways, but what if you had to pick only one option for each question?

Sexual Identity – Who You Love

Which of the following best describes you personally?

- A. Asexual
- B. Bisexual or pansexual
- C. Lesbian or gay
- D. Straight or heterosexual
- E. Queer
- F. Something else
- G. I don't understand the question
- H. Prefer not to answer

Gender Identity – How You Feel

Do you personally identify as transgender?

- A. Yes
- B. No, I am cisgender
- C. No, but I do not identify as cisgender
- D. Something else
- E. I don't understand the question
- F. Prefer not to answer

Gender – Who You Say You Are

Which of the following best describes you personally?

- A. Man
- B. Non-binary
- C. Woman
- D. Something else
- E. I don't understand the question
- F. Prefer not to answer

Pronouns – What You Want to Be Called

What are your pronouns?

- A. She/Her
- B. He/Him
- C. They/Them
- D. Something else: _____
- E. Prefer not to answer

A NOTE ON SEX ASSIGNMENT AT BIRTH AND TWO-STEP GENDER AND GENDER IDENTITY OPTIONS

Sex assignment at birth is often asked in place of gender or gender identity. Transgender people can be rightfully reluctant and cautious to reveal their sex assignment at birth because of their past traumas and experiences. Employers should use gender questions and options, not sex assignment at birth, for general purposes. Sex assigned at birth should default remain private to the employee. Employers should only ask about sex assigned at birth if needed for health care, health insurance or other similar purposes where the information is needed. When collecting this information, using clear language on the need for this data and how it will be used is critical for building trust and participation.

Sex assignment at birth may also be used to determine employee gender identity when paired with gender. Consider using the following recommended two-step question process for collection of gender and gender identity data that utilizes sex assignment at birth:

Sex Assigned at Birth

What was your sex assigned at birth, for example on your original birth certificate?

- A. Female
- B. Male
- C. I don't know
- D. I prefer not to answer

Gender

Which of the following best describes you personally?

- A. Man
- B. Non-binary
- C. Woman
- D. Something else
- E. I don't understand the question
- F. Prefer not to answer

An individual's gender identity is determined by cross analyzing an employee's response to each question. Employees who answer "female" as their sex assigned at birth and identify their gender as "woman" as well as those who answer "male" as their sex assigned at birth and identify their gender as "man" are generally considered cisgender. Employees with sex assignment at birth and gender that do not match in this way are generally considered transgender. Note that some non-binary people do not identify as transgender, even though their sex assignment at birth does not match their gender. In addition, some transgender men and women may not openly use the term transgender to describe themselves. With this in mind, employers must ensure collection of these data are secure, private and only for a purpose where sex assignment at birth is necessary. For more in-depth discussion on two-step questions, consider reading Greta Bauer's ["Transgender-inclusive Measures of Sex/Gender for Population Surveys."](#)

COMMITTING TO EQUITY

LGBTQ+ inclusive self-ID is one critical way companies can commit to equity and allyship to the community. There are equity, legal, and business reasons for why companies should adopt LGBTQ+ inclusive self-ID. Many companies have already adopted LGBTQ+ inclusive self-ID, and this quick guide provides key points to consider for implementation and recommendations for question and answer wording.

RESOURCES

LGBTQ+ inclusive workplace training will be critical for educating staff and preparing them to engage in LGBTQ+ inclusive self-ID. Visit the HRC Foundation Workplace Equality Program's website to learn more.

Visit the HRC Foundation's ["Self-Identification of LGBTQ+ Employees"](#) resource page.

The HRC Foundation resource page on [Understanding Poverty in the LGBTQ+ Community](#)

[Third Gender Identification and U.S. Employers: Compulsory Reporting and Other Considerations](#) - this fact sheet explains the current U.S. landscape for non-binary and third gender identification and explores employer concerns such as EEO-1 reporting.

[LGBTQ+ Self Identification and Inclusive Languages Best Practices](#) recording from [The Look Forward](#) webinar series.

Read the [white paper on IBM's Self-ID practice](#) from M.V. Lee Badgett and the UMass Amherst Center for Employment Equity.