



2018  
U.S. LGBTQ PAID  
LEAVE SURVEY

HUMAN RIGHTS CAMPAIGN FOUNDATION  
PUBLIC EDUCATION & RESEARCH

Mary Beth Maxwell  
Ashland Johnson, Esq.  
Mark Lee  
Liam Miranda

# FOREWORD

In the 25 years since the Family and Medical Leave Act (FMLA) was signed into law, millions of Americans have been able to take unpaid time off from work to manage significant life events.

While working in the U.S. Department of Labor, I saw firsthand how FMLA protections help working people in America welcome new children into their homes and take care of family members who are seriously ill. Gaining access to medical leave has ensured that many Americans don't have to worry about losing their jobs while fighting cancer or recovering from a debilitating accident.

For too long, LGBTQ parents and families found themselves outside of this safety net. Throughout the Obama Administration, the Human Rights Campaign advocated with the Department of Labor to ensure that our families receive equal access to these critical and humane protections. Yet, despite the millions of Americans who have benefitted from its enactment, **FMLA is not enough.**

In 2018, the United States remains the only developed country in the world without some form of guaranteed paid leave. Many employees — including those working in small

businesses or part-time — are ineligible to take FMLA leave. Moreover, because FMLA leave is unpaid, even those who are eligible to take time off often cannot afford to do so.

LGBTQ people face heightened challenges with respect to paid and unpaid leave, including unique medical needs, unequal relationship recognition, and unjust employment discrimination. With these concerns in mind, the Human Rights Campaign Foundation's Public Education & Research team launched a groundbreaking study to better understand how this issue impacts our community. The results are clear: LGBTQ Americans not only stand to gain from paid leave, but the lack of inclusive leave policies continues to harm LGBTQ people and our loved ones.

## No one should have to choose between the people they love and the job they need.

As a country, we must do better to support all Americans and families.



**Mary Beth Maxwell**  
Senior Vice President for Programs,  
Research, and Training  
Human Rights Campaign Foundation



**Table of Contents**

<b>4</b>	<b>KEY FINDINGS</b>
<b>5</b>	<b>PAID LEAVE IS AN LGBTQ ISSUE</b>
<b>8</b>	<b>SURVEY RESULTS</b>
<b>15</b>	<b>WELCOMING OUR CHILDREN</b>
<b>20</b>	<b>CARING FOR OUR LOVED ONES</b>
<b>27</b>	<b>MANAGING OUR HEALTH</b>
<b>34</b>	<b>WHAT'S NEXT FOR PAID LEAVE</b>
<b>40</b>	<b>ABOUT THE STUDY</b>
<b>47</b>	<b>APPENDIX</b>
<b>53</b>	<b>ACKNOWLEDGMENTS</b>

# KEY FINDINGS

## Access to leave is a critical concern for LGBTQ working people.

Eighty-eight percent of respondents have previously taken leave, considered taking leave, and/or anticipate taking leave within the next five years. Despite this widespread need, most respondents do not have access to paid parental, family care, or medical leave. Instead, many report having to use sick days/vacation days, unpaid leave, and/or quit their jobs in order to take time off. Only 45 percent of respondents indicate that their employers have LGBTQ-inclusive leave policies. One in five respondents would be afraid to request time off to care for a loved one because it might disclose their LGBTQ identity.

## Parental leave policies often fail to recognize the full diversity of LGBTQ parents.

One in four of respondents anticipates taking time off to welcome a child within the next five years. Many will have to take unpaid leave to do so, as fewer than one-third of respondents have access to paid parental leave. Employer policies for welcoming a child still commonly exclude LGBTQ families: only 48 percent of respondents report that their employer's policies cover new parents of all genders equally, while just 49 percent say that the policies are equally inclusive of the many ways families can welcome a child, including childbirth, adoption, or foster care.

## Barriers to accessing family care leave continue to negatively impact LGBTQ working people and our loved ones.

Only 20 percent of respondents have access to paid leave to care for a loved one, forcing many to use sick days, vacation days, or unpaid leave in order to be there for a loved one who is seriously ill. Although most respondents have

immediate family members on whom they can depend when faced with a significant health challenge, many others rely on “chosen family” who are often ineligible to take leave to care for them. Forty-eight percent of respondents indicate that they feel an increased responsibility to care for loved ones whose own families have rejected them because of their LGBTQ identities.

## Medical leave is vital for LGBTQ working people facing serious mental or physical health challenges, especially those with transgender-specific and HIV-related health care needs.

Though 50 percent of respondents have previously taken medical leave — a figure that rises to 65 percent among those over the age of 50 — many still do not have access to paid time off for it. For LGBTQ working people requesting leave for medically necessary transgender-specific or HIV-related health care, the barriers are significant. Many are hesitant to even ask for leave, and for good reason: those who have made requests were often then viewed or treated differently and subjected to harassment or inappropriate questions.

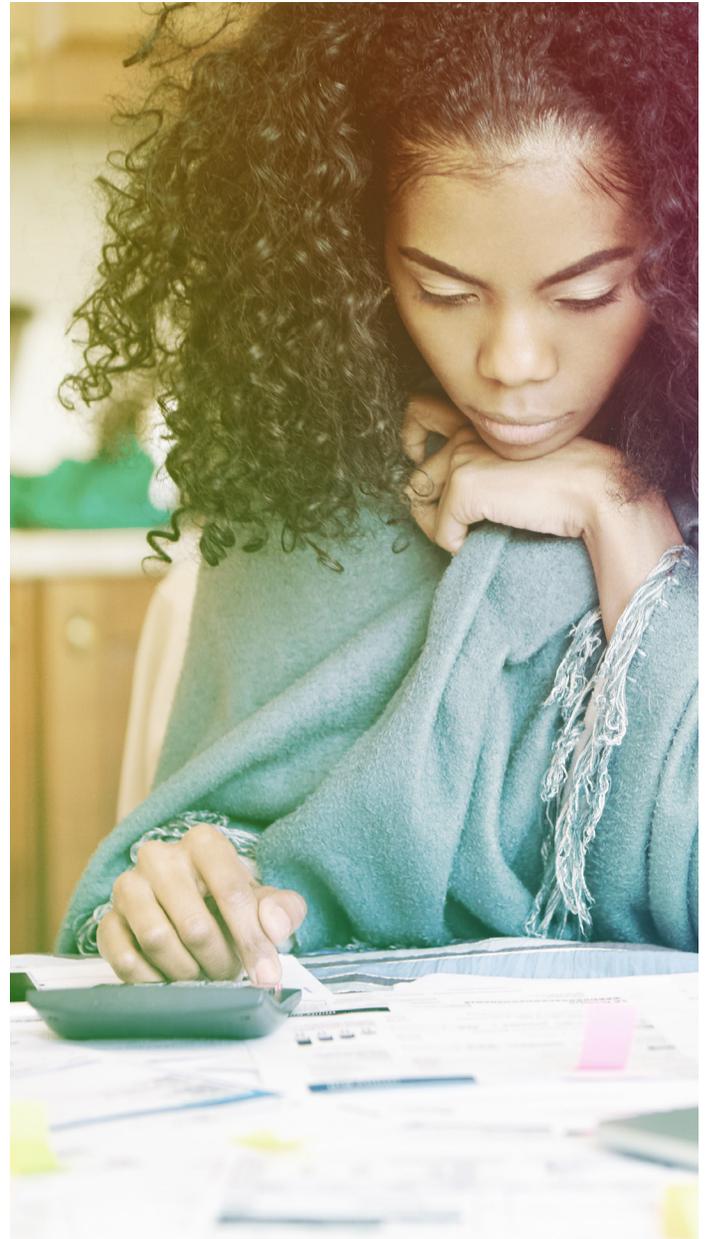
## The right to paid leave is gaining momentum, bolstered by the voices of LGBTQ working people and our families.

LGBTQ people overwhelmingly support the right to paid leave. Ninety-two percent of respondents say they believe the United States should guarantee paid leave for all Americans. Meanwhile, 92 percent of respondents report that access to paid leave would positively impact their lives and 82 percent say it would make them feel more supported at work. Many employers, and a handful of states, have begun taking steps to ensure that working people are able to access this critical safety net.

# PAID LEAVE IS AN LGBTQ ISSUE

Every year, millions of Americans make difficult decisions about their jobs when facing some of life's most challenging moments and significant events. Often, circumstances require working people to take leave in order to care for themselves or loved ones. **When discussing leave, we are generally referring to taking time off work for the following reasons:**

- **Welcoming a child**, including through childbirth, surrogacy, adoption, foster care, or other placement (parental leave)
- **Caring for a loved one with a serious medical condition**, including serving as a caregiver for a spouse, child, or parent (family care leave)
- **Managing our own health**, including undergoing treatment for a serious health condition and/or recovering from a physical or mental illness, injury, or impairment (medical leave)



Under FMLA, many Americans are eligible to take up to 12 weeks of unpaid leave each year for the above reasons with no threat of job loss.<sup>1</sup> However, FMLA only covers approximately 60 percent of the American workforce.<sup>2</sup> Millions more are not covered by FMLA, including many people who work for small businesses, work part-time, or have been with their organizations for less than 12 months. Moreover, absent additional benefits conferred by forward-thinking states and individual employers, those who take time off through FMLA often must do so without pay — a luxury that many families simply cannot afford.

Only  
**60%**

of American working people are eligible for FMLA leave, which is unpaid

<sup>1</sup> United States Department of Labor. "FMLA (Family & Medical Leave)." <https://www.dol.gov/general/topic/benefits-leave/fmla>

<sup>2</sup> United States Department of Labor. "FMLA is Working." [https://www.dol.gov/whd/fmla/survey/FMLA\\_Survey\\_factsheet.pdf](https://www.dol.gov/whd/fmla/survey/FMLA_Survey_factsheet.pdf)

Without access to paid leave, too many Americans who take unpaid leave are thrown into financial chaos and struggle to cover everyday expenses like groceries and rent without a steady income. Those who do not qualify for FMLA protections may even be fired by their employers or forced to quit their jobs in the process. These circumstances are particularly stark when you consider that the reason individuals take leave is often heartwrenching. Many are dealing with the serious illness of a loved one or their own life-threatening diagnosis.

## Lesbian, gay, bisexual, transgender, and queer people are particularly vulnerable in the absence of guaranteed paid leave.

This is especially true in states that lack explicit protections for employment discrimination based on sexual orientation and gender identity. LGBTQ people are more likely to be living in poverty,<sup>3</sup> mistreated in the workplace,<sup>4</sup> and discriminated against during the hiring process<sup>5</sup> — making a request for unpaid time off, without clear and enforceable protocols, both impractical and un navigable.

LGBTQ people may also be unable to take time off to care for a loved one without “outing” their identities or relationships at work, which may result in adverse treatment and could cost them their jobs. Some fear the stigma they could face if they reveal they need to take time off for HIV-related care or transgender-specific treatment. Too many others, especially transgender people of color and those who are low-income, may face other forms of anti-LGBTQ discrimination, housing instability, and violence. These hardships are likely to compound each other, especially as individuals lose their steady source of income and grapple with significant life events.

*“Most [LGBTQ people] I know have struggled [to get] paid leave. I’ve watched a gay man be denied time off to travel and say his final words to his parents. Oftentimes, we cannot afford [it].”*

*Open-ended response from a non-binary and genderfluid survey respondent from the South*

<sup>3</sup> The Williams Institute. “New Patterns of Poverty in the Lesbian, Gay, and Bisexual Community.” <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGB-Poverty-Update-Jun-2013.pdf>

<sup>4</sup> Out and Equal Workplace Advocates. “2017 Workplace Equality Fact Sheet.” <http://outandequal.org/2017-workplace-equality-fact-sheet>

<sup>5</sup> The Williams Institute. “Gender Identity and Sexual Orientation Discrimination in the Workplace: A Practice Guide.” <https://williamsinstitute.law.ucla.edu/wp-content/uploads/CH40-Discrimination-Against-LGBT-People-Sears-Mallory.pdf>

## THE 2018 U.S. LGBTQ PAID LEAVE SURVEY

To study this critical issue, the Human Rights Campaign Foundation launched a nationwide survey to better understand LGBTQ working people's experiences with paid and unpaid leave. The survey was designed to explore the degree to which LGBTQ people have access to paid or unpaid leave when undergoing significant life events. Few initiatives have ever sought to capture and quantify LGBTQ people's access to leave in these scenarios, let alone examine the barriers to requesting it and the community's overall support for such policies.

The HRC Foundation Public Education & Research team created and deployed a 45-question online survey to HRC social media followers and other online users from December 1, 2017, to January 5, 2018. 5,433 LGBTQ respondents representing all 50 states, aged 18-90, and of varying identities participated in the survey. HRC also conducted a number of follow-up phone and email interviews with survey respondents, many of which are featured in this report. For more information about our methodology and respondent profile, please refer to [About the Survey on page 40](#). Additional tables and survey results can be found in the [Appendix on page 47](#).

1  
in  
5

survey  
respondents  
says

*"I would be afraid to request time off to take care of a loved one because it might disclose my LGBTQ identity."<sup>6</sup>*

<sup>6</sup> Percentage of respondents, n=4,528. See appendix for further detail.

# SURVEY RESULTS

## PAID LEAVE IS CRITICAL FOR LGBTQ PEOPLE AND OUR FAMILIES

Like many working Americans, LGBTQ people encounter life events that require us to take leave from work, including parental leave, family care leave, or medical leave. Eighty-eight percent of survey respondents report that they have prior experience with these types of leave and/or they anticipate taking leave for these reasons in the next five years.<sup>7</sup>



### LGBTQ Adults' Experience with Taking Leave

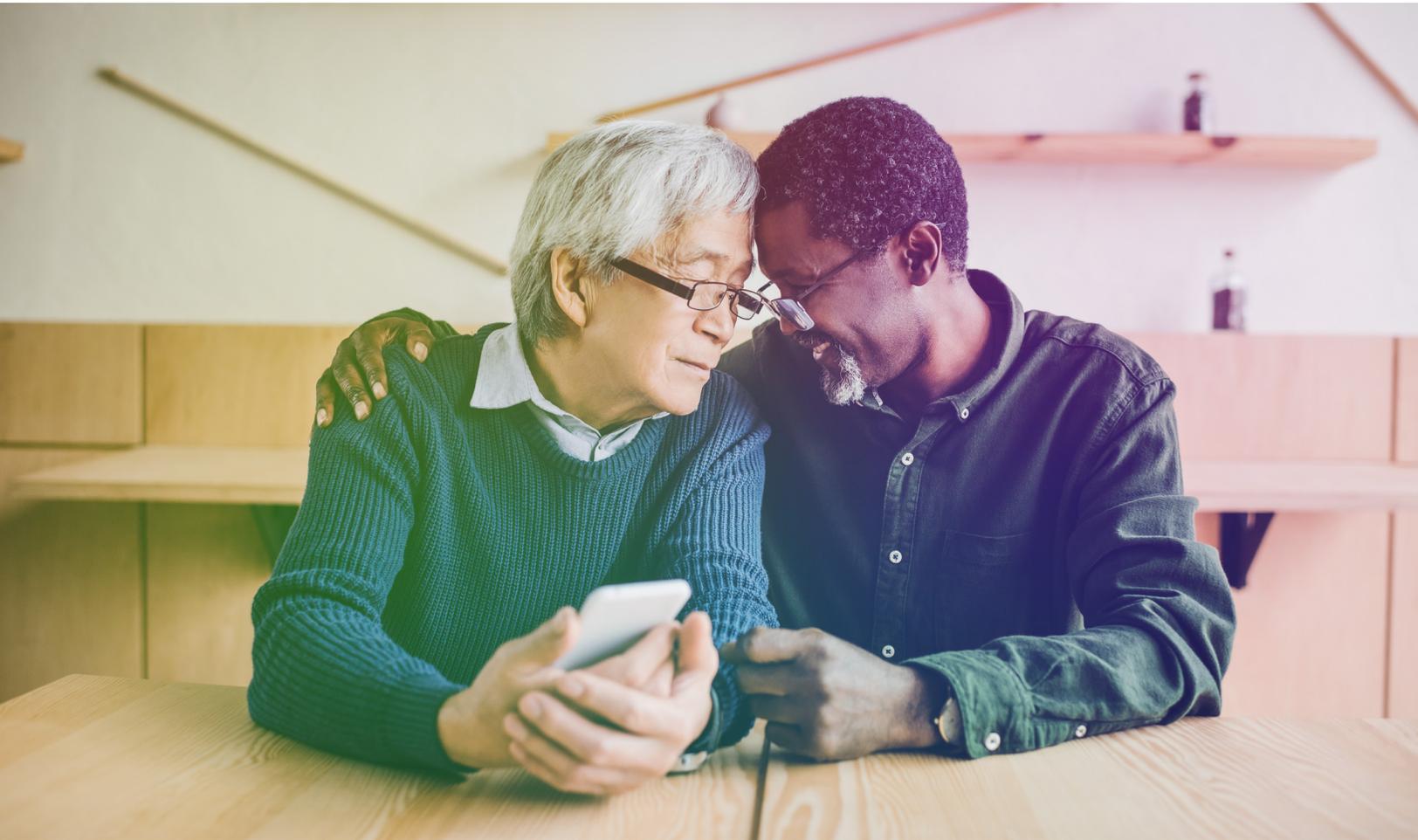
(including parental, family care, and/or medical leave)

Percentage of respondents, n=5,029. Respondents were asked to select all that apply.<sup>8</sup>



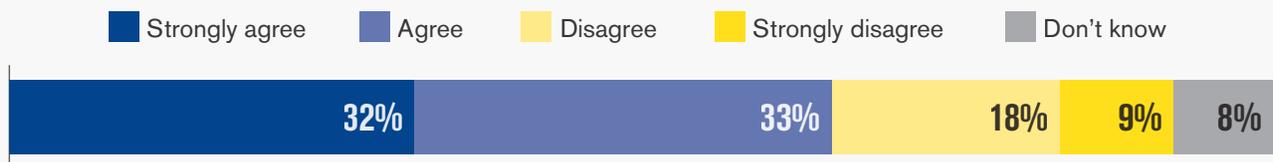
<sup>7</sup> Percentage of all respondents, n=5,029. Includes respondents that indicated they have previously taken leave, considered but ultimately did not take leave, and/or anticipate taking leave in the next five years.

<sup>8</sup> For more information about select all that apply questions and percentages throughout the report, please see the [appendix](#) note on [page 50](#).



Unfortunately, LGBTQ people often cannot take the full amount of time they need to care for family members or manage their own health. Among respondents who have previously taken or considered taking leave, 65 percent took less than they wanted or needed.

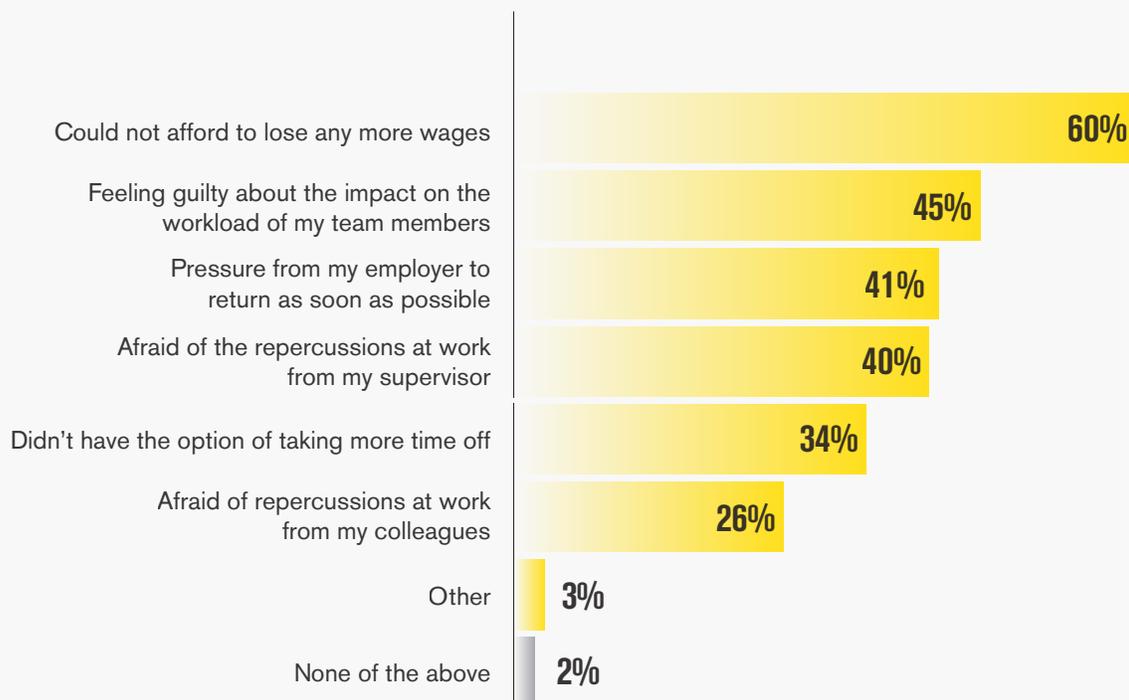
**In previous situations when I took leave or considered taking leave, I took less leave than I wanted or needed to.**



Percentage of respondents who previously took leave and/or considered but ultimately did not take leave, n=3,170. Note: Percentages may not add up to 100 due to rounding.

Financial concerns are the greatest factor forcing LGBTQ people to return to work early — or forgo taking time off entirely. Sixty percent of respondents report taking less leave than they needed because they could not afford to lose any more wages. Others felt additional pressure from their supervisor or colleagues to return to work as soon as possible. More than one-third of respondents say they didn't have the option of taking more time off.

### Reasons for Taking Less Leave Than Wanted or Needed



Percentage of respondents who took less leave than they wanted or needed to during prior experiences taking and/or considering taking leave, n=2,061. Respondents were asked to select all that apply.

*“Given my current financial situation, it would not be possible for me to take time off from work without pay.”*

**71%**

of survey respondents agree<sup>9</sup>

<sup>9</sup> Percentage of respondents, n=4,523. See appendix for further detail.

## AN INCOMPLETE SAFETY NET

Without nationwide paid leave protections, many employers have taken it upon themselves to fill the void by offering paid leave benefits, recognizing that it is the right thing to do to support employees and their families.

However, whether intentionally or unintentionally, these benefits may not always be equally inclusive of LGBTQ people, our diverse families, or our medical needs. Parental leave policies may not equally cover parents of all genders or those who become new parents through surrogacy, adoption, or foster care. Other employer policies may restrict family care leave to legal guardians and their spouses, while failing to cover domestic partners, other close family members, and other primary caregivers for a child, senior, or person with a disability. Finally, in the absence of guaranteed protections under the law, employers may offer paid leave as a benefit but deny individual paid leave requests, forcing employees to take unpaid time off, even when they are seeking medically necessary care.

### STORY

My boss treats me differently than other employees in the office because of my sexual orientation. He knows I'm bisexual and has repeatedly told me that he does not agree with my "way of life." Every time I've requested leave, I've been denied.

When I tried to take time off to go to doctor's appointments to help manage my HIV, I was repeatedly denied and eventually had to take unpaid days. He denied me again when I wanted to welcome a child with my wife. Even when I asked for a small amount of time off to care for my grandmother who was receiving treatment for cancer, I was denied. He never once told me why.

It's not just me — my coworker requested only a week off for gender confirmation surgery, and she was denied. Now, she's suing our boss.

We have a right to this time.

*Based on a true story shared by a woman-identified survey respondent living in the South*

*"I worry that taking leave would have a negative impact on my job or career."*

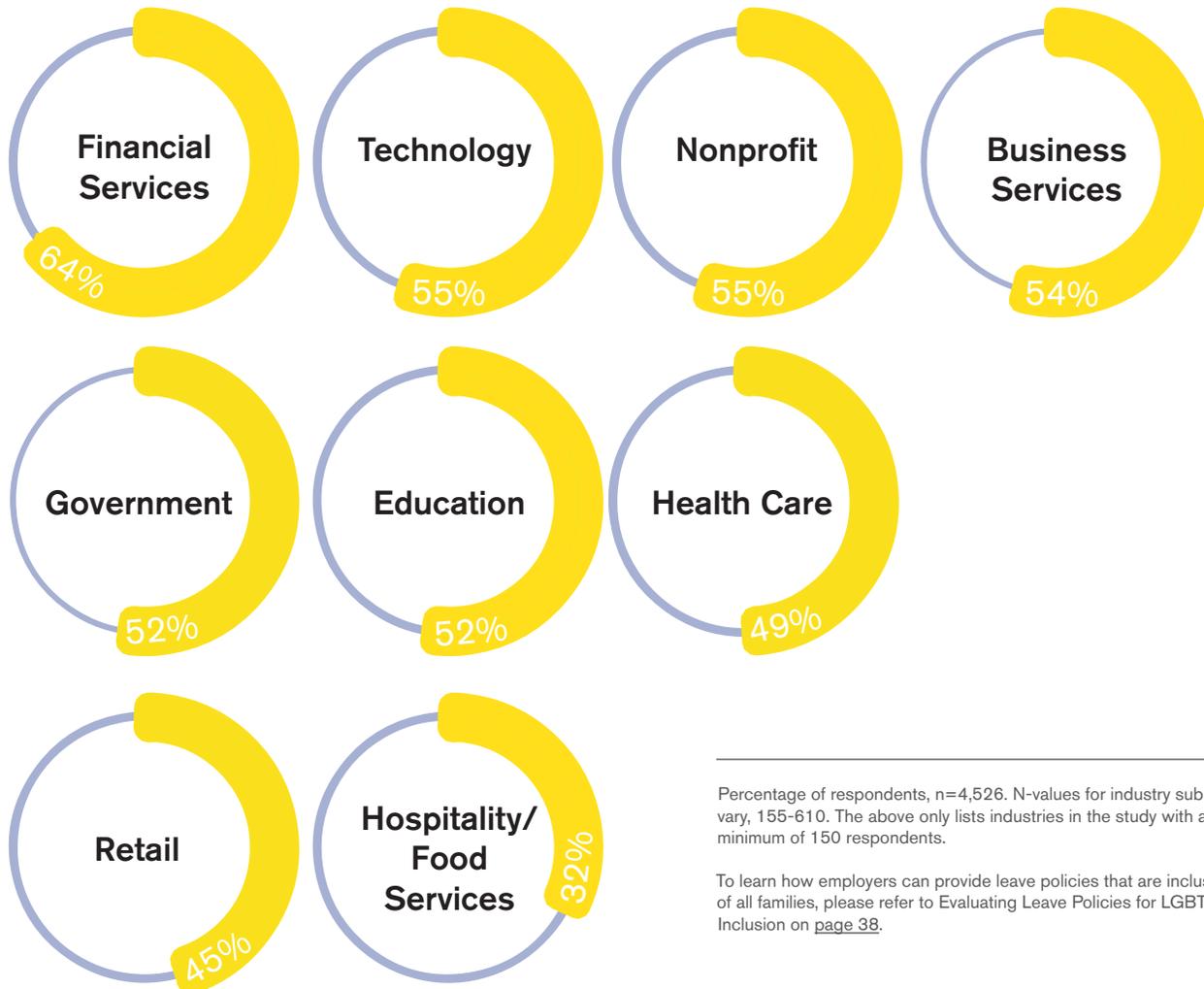
**65%**

of survey respondents agree<sup>10</sup>

<sup>10</sup> Percentage of respondents, n=4,527. See appendix for further detail.

## Only 45 percent of all survey respondents say that their employer has LGBTQ-inclusive leave policies.

However, responses vary across industry:



Even LGBTQ people who work for companies with generous paid leave policies may be hesitant to request it. Asking for time off to care for a spouse or to pursue HIV- or transgender-related health care may require revealing an identity or status to potentially biased colleagues.

Given that many states have yet to ban employment discrimination based on sexual orientation or gender identity and there is no explicit federal law doing so,<sup>11</sup>

**asking for time off can put LGBTQ people at risk of losing their jobs or receiving adverse treatment from colleagues.**

**LGBTQ people** face a plethora of concerns when considering whether or not to request leave.

To better understand these complex decision-making dynamics, we asked respondents to rank the concerns they would have if they needed to request paid or unpaid leave from work.

Sixty-five percent of respondents indicate that they would have financial concerns, with 38 percent indicating it would be their number one concern.<sup>12</sup>

<sup>12</sup> Percentage of respondents, n=4,461. See appendix for further detail.

## Concerns When Requesting Leave

**Financial concerns due to taking unpaid time off**

Score: 21,018

Only 22 percent of respondents indicate that they would not have any of these concerns when considering whether or not to request leave.

Note: Circle sizes are proportional.

Ranked by Borda count, n=4,461. Respondents did not have to rank every choice.

*In the Borda count method, each answer choice earns points based on the order in which respondents ranked it. For each respondent, their number one concern earned eight points (equal to the total number of answer choices), their number two concern earned seven points, their number three concern earned six points, and so on – down to their last-ranked concern, which earned one point. Only choices that were ranked received points. See page 47 in the Appendix for the full count and detailed explanation.*

**Examples of other concerns include:**

- Depleting paid vacation/sick leave
- Fighting for access to leave
- Hostile work environment due to LGBTQ-related issues
- My physical safety at risk
- My private information being shared with others without my consent
- Fear of losing my health insurance

**Being sidelined at work**

(e.g., removed from projects, denied promotion, etc.)

Score: 11,881

**Losing my job**

Score: 11,659

**Colleagues being upset that I took leave**

Score: 7,947

**Boss not seeing my relationships/family as valid as non-LGBTQ relationships/family**

Score: 7,472

**Colleagues treating me differently than they would non-LGBTQ people who took leave**

Score: 7,021

**Fearing that I might out myself as LGBTQ**

Score: 4,340

● Other concerns\*  
Score: 303

## A COMPARISON

In March 2017, [Pew Research Center](#) conducted a nationally representative online survey assessing access to and attitudes about paid leave in the United States. A comparison between this data set and our 2018 U.S. LGBTQ Paid Leave Survey suggests that LGBTQ people may have heightened concerns about taking leave from work.

Pew Research Center asked working Americans who took leave whether they took less time than they wanted or needed. **Fifty-six percent** of those who took parental leave, **40 percent** of those who took family care leave, and **38 percent** of those who took medical leave reported this to be the case. Though the 2018 U.S. LGBTQ Paid Leave Survey did not distinguish between types of leave when asking a similar question, **64 percent** of respondents in our survey who had previously

taken at least one type of leave said that they took less time than they wanted or needed.<sup>13</sup>

Pew Research Center also asked why respondents took less time off from work than they wanted or needed. **Sixty-nine percent** said they could not afford to lose more wages or salary, **47 percent** thought they might risk losing their job, and **34 percent** feared it would hurt their chances for advancement.

In our study, **74 percent** of LGBTQ working people who reported taking less leave than they wanted to cited financial concerns. **Fifty percent** cited fear of losing their job, and **51 percent** were concerned about being sidelined at work (e.g., removed from projects, denied promotion, etc.).<sup>14</sup>

---

Source: Pew Research Center. Americans Widely Support Paid Family and Medical Leave But Differ Over Specific Policies. March 2017. <http://www.pewsocialtrends.org/2017/03/23/americans-widely-support-paid-family-and-medical-leave-but-differ-over-specific-policies>

---

<sup>13</sup> Percentage of respondents who previously took leave, n=2,839.

<sup>14</sup> Percentage of respondents who previously took leave and agree that in previous situations when taking leave they took less than they wanted or needed, n=1,707. Based on answer choices respondents indicated to be concerns when requesting leave.

# WELCOMING OUR CHILDREN

## PARENTAL LEAVE



Across the country, countless LGBTQ parents are raising children.

While data is still limited on LGBTQ parenting, the Williams Institute estimates that 37 percent of LGBTQ adults have had a child at some point in their lives.<sup>15</sup> In addition, according to the 2010 U.S. Census, households headed by same-sex couples are approximately three times more likely than those headed by opposite-sex couples to include adopted children or stepchildren.<sup>16</sup>

*"[Lack of paid leave] is one of the major reasons I haven't wanted to have kids. I don't think I could afford to take unpaid time off work."*

*Open-ended response from a queer-identified survey respondent working in local government*

Nearly one in four respondents to the 2018 U.S. LGBTQ Paid Leave Survey report that they have previously taken time off to welcome a child. In addition, one-fourth of respondents anticipate needing to take time off for this purpose in the next five years.



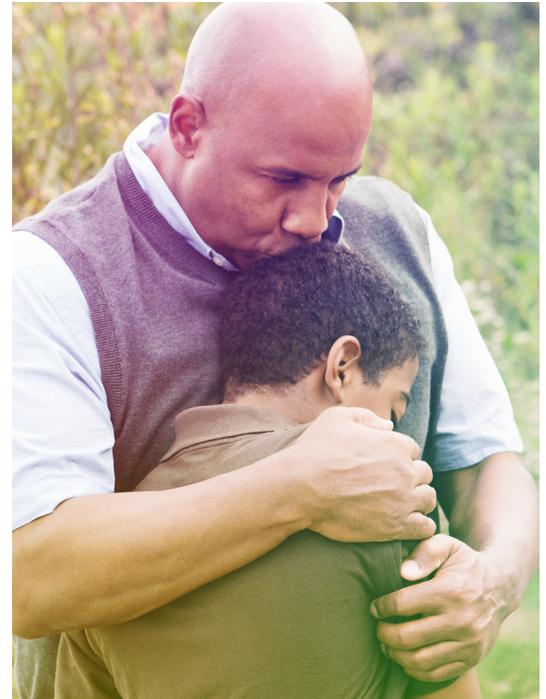
### LGBTQ Adults' Experience with Taking Time Off to Welcome a Child (Parental Leave)

Percentage of respondents, n=3,499. Respondents were asked to select all that apply.



Research studies show that parental leave can help ensure parents have ample time to properly bond with their new children, which is associated with positive physical and mental health benefits<sup>17</sup> for all parents regardless of gender.<sup>18</sup> This type of leave also results in better outcomes for newborn children, who are more likely to be breastfed, receive vaccinations, and be taken to the doctor when their parents have access to parental leave.<sup>19</sup>

Under FMLA, qualifying employees may take unpaid parental leave when welcoming a new child into their homes. Concurrently, some employers offer paid parental leave, including gender-restrictive versions such as maternity leave or paternity leave.<sup>20</sup> These policies may — intentionally or unintentionally — exclude LGBTQ families from coverage. For instance:



- Some company policies guarantee paid time off for new birth mothers but provide little or no time off for other new parents, including those whose partners give birth or who become parents through other means, including surrogacy, adoption, or foster care. For instance, a company that offers maternity leave for mothers may choose not to provide the same or any time off for a gay father who welcomes a child through surrogacy.
- Policies may only allow time off to care for newborn children, while not providing adoptive or foster parents the opportunity to bond with children adopted or placed at older ages.
- Other policies may require parents to have legal guardianship of a child in order to take parental leave. Given that some states require a six-month waiting period before an adoption can be finalized, LGBTQ employees may be denied time off in the interim, even if they are a primary caregiver for a new child.

Less than half of survey respondents indicate that their organization's leave policies are equally inclusive of LGBTQ families. Only 48 percent say their employer's policies cover new parents of all genders equally.<sup>21</sup> Similarly, just 49 percent report that their employer's policies are equally inclusive of the many ways families can welcome a child, including adoption, foster care, or other placement.<sup>22</sup>

<sup>17</sup> Schulte, Brigid. "How Much Paid Leave Is Enough?" Slate. [http://www.slate.com/blogs/better\\_life\\_lab/2017/06/19/scientific\\_research\\_on\\_optimal\\_length\\_of\\_paid\\_parental\\_leave.html](http://www.slate.com/blogs/better_life_lab/2017/06/19/scientific_research_on_optimal_length_of_paid_parental_leave.html)

<sup>18</sup> World Health Organization Regional Office for Europe. Fatherhood and Health outcomes in Europe. [http://www.euro.who.int/\\_data/assets/pdf\\_file/0017/69011/E91129.pdf](http://www.euro.who.int/_data/assets/pdf_file/0017/69011/E91129.pdf)

<sup>19</sup> Wallace, Kelly and Jen Christensen. "The benefits of paid leave for children are real, majority of research says." CNN. <http://www.cnn.com/2015/10/29/health/paid-leave-benefits-to-children-research/index.html>

<sup>20</sup> Note: Some employers, agencies, or laws define parental leave to also include other types of leave taken by parents, including attending school events. Occasionally, others group parental leave and family care leave under a single overarching category called "family leave." For clarity, we have chosen to limit the scope of this section on parental leave to welcoming a new child, while caring for a child with a serious health condition is discussed within the next section on family care leave.

<sup>21</sup> Percentage of all respondents, n=4,824. See appendix for further detail.

<sup>22</sup> Percentage of all respondents, n=4,828. See appendix for further detail.

## STORY

When my wife got pregnant, I was thrilled! We'd tried for so long and our dream of being parents was finally coming true. But when she had to stop working about three months into the pregnancy, I began to worry. Getting pregnant had been expensive for us. We'd also just bought a house, paid for our wedding, and she was in graduate school. I had no idea how we'd make it all work.

I wanted to ask my boss for time off, but I work in a Catholic hospital that only allows parental leave if you have "a legally married spouse of the opposite sex." I'd heard about federal laws like FMLA, but wasn't sure if those applied to us.

I was so nervous the day I asked my boss if I was covered by FMLA. Though I'd been "out" for years, I still worried that it would cost me my job. Her answer: "I don't know if you're covered. Let me know what you find out."

Being with my wife and son was the most important thing to me — and it still is — so I did my homework. I read everything I could and talked to people who had been there before. I learned that I could get 12 weeks off under FMLA and my job would be safe, but, just like everyone else, that time would be unpaid unless I saved up my PTO. Not having an income was not an option, so I started saving. By the time my son was born, I had four weeks.

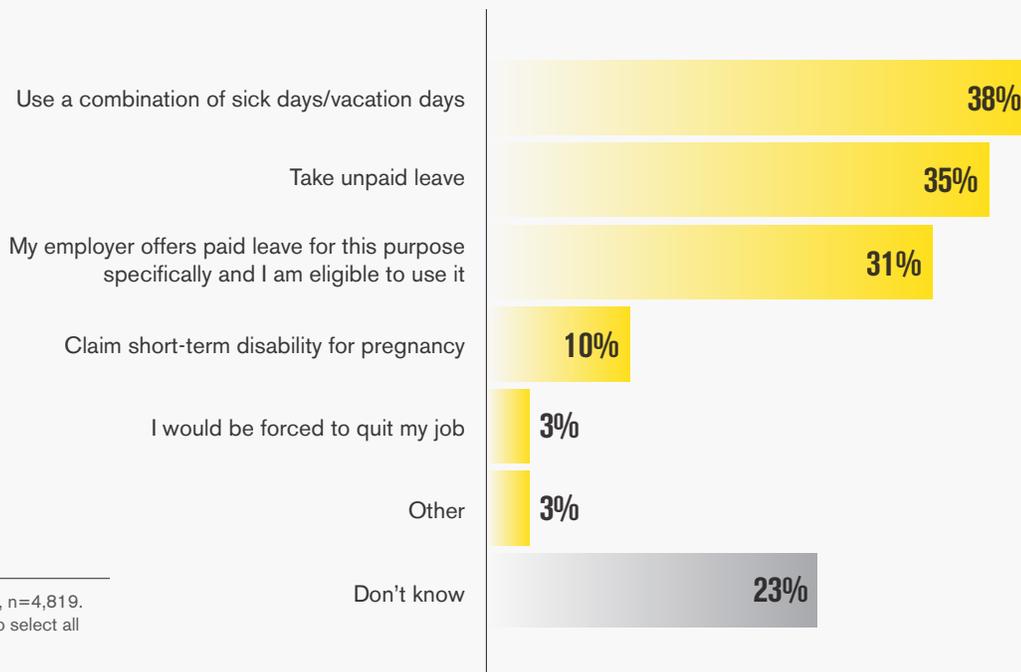
**When my son was finally born, he spent 20 days in the NICU. By the time he came home, we only had a little over a week together. I will always regret not being able to take more time off.**

*Based on a true story from a woman-identified survey respondent living in the Midwest*



Survey respondents were asked what they would do if they needed to take time off work to welcome a child. Less than one in three respondents indicate that their employer provides paid leave specifically for this purpose and that they are eligible to use it. For those without access to this benefit, many are forced to use a combination of sick days and vacation days, or take unpaid leave. Ten percent of respondents would claim short-term disability for pregnancy, which is usually only available for the parent who is giving birth. Twenty-three percent of respondents say they don't know how they would take the time off from work, perhaps reflecting the lack of knowledge regarding this topic and/or the limited options available to new parents.

### If you needed to take time off from work to welcome a child, what would you do?



Percentage of respondents, n=4,819. Respondents were asked to select all that apply.

#### STORY

We welcomed baby Lily into our lives earlier this year and we couldn't be happier. She's our first child and she is beyond perfect. Though becoming a parent is never easy, our employers both offer exceptionally progressive paid leave programs that let us focus on the important stuff. We were able to take paid leave for all of our fertility treatments and we got six months of mostly paid parental leave between the two of us.

The time we had with our newborn daughter was crucial for us as new parents. It allowed us to learn and grow as a family. We learned what made her happy, how to

best care for her, and most importantly, the bonding time we had with our daughter introduced us to the most unbelievable feeling in the world — unconditional love.

**The support we received from our employers made the experience of welcoming a child as meaningful and rewarding as it's meant to be. All families deserve that, no matter where they work.**

*Based on an interview conducted by HRC with a survey respondent and their partner living in the South*

# CARING FOR OUR LOVED ONES

## FAMILY CARE LEAVE



For many LGBTQ working people and our families, family care leave can help ensure that we will be there for loved ones facing serious illnesses or medical conditions.

With family care leave, working people are able to take time off to care for a loved one with a serious health condition, including a spouse, child, or parent. Examples might include, but are not limited to, taking extended and/or intermittent time off work to:

- Manage the health of a child receiving treatment for a serious illness like cancer or pneumonia
- Care for a recovering spouse after they undergo a major operation or surgery
- Be there to ensure the dignity and comfort of an aging parent who is receiving end-of-life care

Forty-one percent of respondents indicate that they have previously taken time off to care for a loved one with a serious health condition. This figure rises to 61 percent among survey takers aged 50 and older.<sup>23</sup> Meanwhile, nearly one in three respondents anticipates taking family care leave in the next five years.



### LGBTQ Adults' Experience with Taking Time Off to Care for a Loved One with a Serious Health Condition (Family Care Leave)

Percentage of respondents, n=3,631. Respondents were asked to select all that apply.



<sup>23</sup> Percentage of respondents age 50 and older, n=886.

Paid family care leave is still a relatively uncommon employee benefit; only 20 percent of survey respondents report that their employer offers paid leave for this purpose. As a result, the majority of LGBTQ working people are forced to use a combination of sick days, vacation days, and unpaid leave. Unsurprisingly, the potential loss of wages or employment often limits the extent to which many LGBTQ working people can be there for loved ones.

**STORY**

**When my wife was receiving treatment for breast cancer, my boss wouldn't let me take time off to care for her until the labor union stepped in.**

I'm a state employee and I had plenty of sick and vacation time available. That's not right.

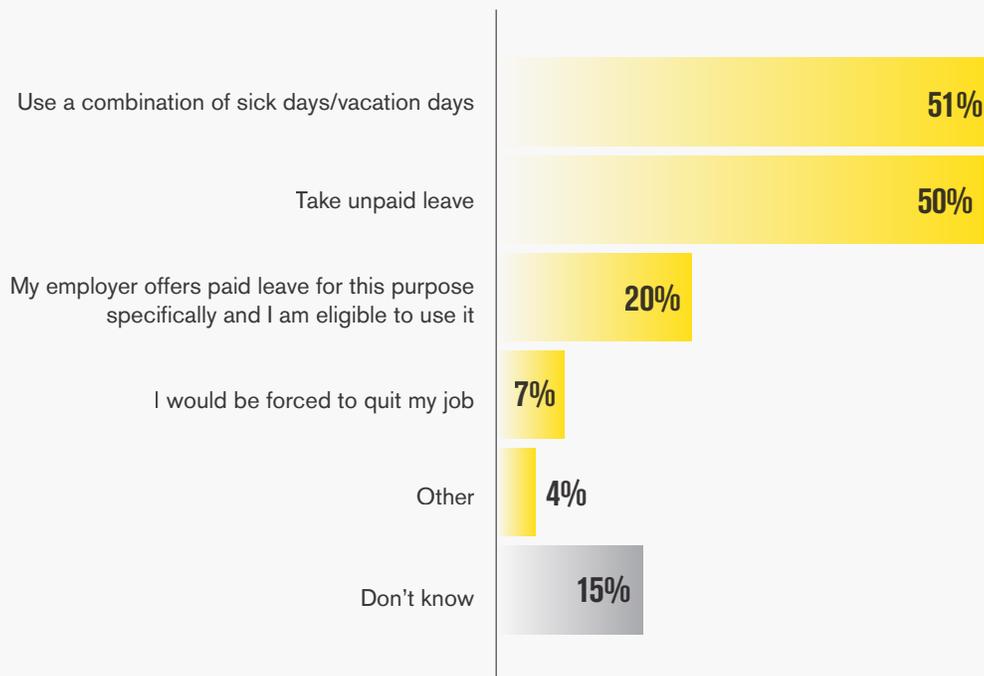
*Based on a true story from a woman-identified survey respondent working in state government*

**50%**

of respondents report that because they have limited options for paid leave, they are forced to rely on other friends or family members to care for their loved ones in times of need.

Percentage of all respondents, n=4,527. See appendix for further detail.

**If you needed to take time off from work to care for a loved one with a serious health condition, what would you do?**



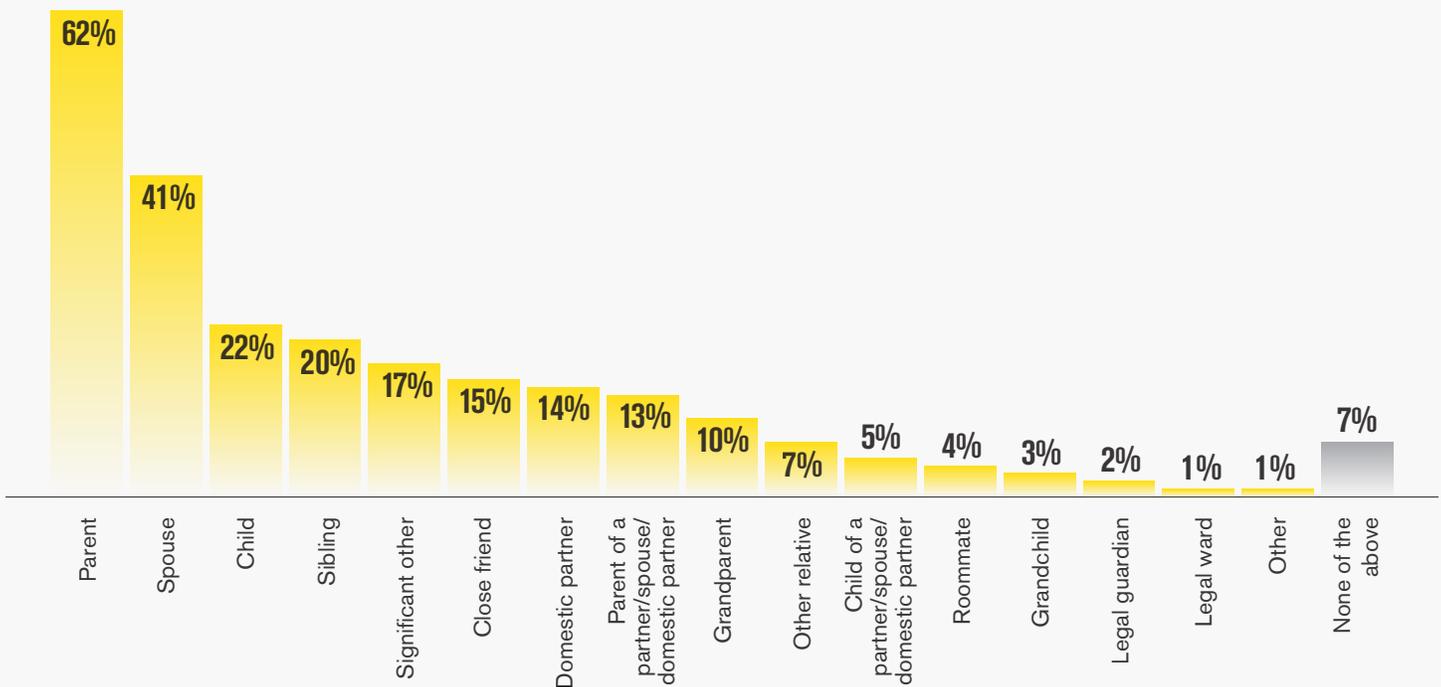
Percentage of respondents, n=4,865. Respondents were asked to select all that apply.

Under FMLA, eligible working people may take unpaid time off to care for immediate family members, defined to be a spouse, parent, or child. At least 81 percent of respondents in the study report that they would be called upon to care for at least one immediate family member should that person experience a serious health condition.<sup>24</sup>



<sup>24</sup> Percentage of respondents, n=4,883. Includes respondents who indicated that they would be responsible for caring for one or more of the following immediate family members: parent, spouse, child, child of a partner/spouse/domestic partner, legal guardian, and legal ward. We say “at least” because this figure likely undercounts other loved ones who may also otherwise qualify as a “parent” or “child” based on existing Department of Labor FMLA guidance.

**If the following loved ones in your life were to experience a serious health condition, for whom do you anticipate having to be a caregiver?**



Percentage of respondents, n=4,883. Respondents were asked to select all that apply.

During the Obama Administration, the Department of Labor clarified FMLA protections to allow employees who have “day-to-day” parental responsibilities for a child to claim unpaid leave to care for that child, regardless of the legal or biological relationship.<sup>25</sup> Similarly, the current rules also allow employees to claim leave to care for any individual who previously served in a parental capacity to them when the employee was a child.<sup>26</sup>

This existing guidance benefits all families, including those where a grandparent, aunt, uncle, godparent, or other adult has been responsible for a child’s well-being at some point in their lives. Moreover, it is particularly critical for LGBTQ working people who seek FMLA leave. LGBTQ youth face disproportionate rates of familial rejection and homelessness and may be more likely to live with an adult who is not their legal guardian, yet who serves as a de facto parent.<sup>27</sup> And, given the relatively recent progress in marriage equality and adoption rights, there are also countless Americans who have been raised by a LGBTQ parent with whom they do not have a legal or biological relationship.<sup>28</sup> Especially in cases such as these, inclusive access to unpaid leave through FMLA supports a diverse range of American families, including those who have already endured significant societal barriers and inequalities.

However, this interpretation by the Department of Labor only applies to unpaid leave covered under FMLA. Employers who offer paid leave may choose not to honor these inclusive definitions when determining benefits for their employees. Some employers may also require employees to show proof of a biological or legal relationship with an immediate family member in order to claim paid time off.

In response to the Supreme Court ruling in *United States v. Windsor*, the Department of Labor announced in February 2015 that it was amending the regulatory definition of spouse for the purposes of FMLA to include legally married same-sex couples.<sup>29</sup> This decision ensures that eligible employees in same-sex marriages

### STORY

My partner’s child attempted suicide, and I needed to be there for both of them. But upon returning to work, I was asked to bring in my domestic partnership paperwork or face discipline for my absence. I know other straight colleagues at work — married and unmarried — who have regularly taken time off to care for a partner’s child, and their requests went unchallenged. I was only away for one afternoon.

*Based on a true story shared by a bisexual-identified survey respondent living in the West*

<sup>25</sup> United States Department of Labor. “US Department of Labor clarifies FMLA definition of ‘son and daughter.’” <https://www.dol.gov/opa/media/press/WHD/WHD20100877.htm>

<sup>26</sup> United States Department of Labor Wage and Hour Division. “Fact Sheet #28F: Qualifying Reasons for Leave under the Family and Medical Leave Act.” <https://www.dol.gov/whd/reg/compliance/whd28f.htm>

<sup>27</sup> The Williams Institute. *Serving Our Youth: Findings from a National Survey of Services Providers Working with Lesbian, Gay, Bisexual and Transgender Youth Who Are Homeless or At Risk of Becoming Homeless.* <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Durso-Gates-LGBT-Homeless-Youth-Survey-July-2012.pdf>

<sup>28</sup> Human Rights Campaign. “Second Parent Adoption.” <https://www.hrc.org/resources/second-parent-adoption>

<sup>29</sup> United States Department of Labor Wage and Hour Division. “Fact Sheet: Final Rule to Amend the Definition of Spouse in the Family and Medical Leave Act Regulations.” <https://www.dol.gov/whd/fmla/spouse/factsheet.htm>

have access to unpaid family care leave to care for a seriously ill spouse. However, employers may not to honor this decision when granting paid leave requests, especially in states that lack employment discrimination protections based on sexual orientation and gender identity. Moreover, those seeking time off to care for domestic partners may also face challenges accessing both paid or unpaid leave, as the existing guidance only guarantees FMLA leave for spouses.<sup>30</sup> As leave rights advance, it will be crucial that fully inclusive definitions for immediate family are codified so that they can continue to protect all Americans.

## LGBTQ PEOPLE AND CHOSEN FAMILY

Many working people have additional caregiving responsibilities beyond their immediate family, including for those who may not qualify under FMLA or their organization's specific leave policies. These individuals, sometimes called "**chosen family**," include other family members or loved ones who share a deep bond like that of marriage, blood, or adoption. Fifty-eight percent of respondents anticipate having to be caregiver for at least one chosen family member should they experience a serious health condition.<sup>31</sup>

Many LGBTQ people count on the love and support of chosen family who affirm who they are, including their sexual orientation and gender identity. Although 76 percent of respondents report that they would rely on at least one immediate family member for care if they were to experience a serious health condition requiring time off work,<sup>32</sup> 61 percent say they would rely on chosen family during those same circumstances.<sup>33</sup>

<sup>30</sup> United States Department of Labor Wage and Hour Division. "Fact Sheet #28F: Qualifying Reasons for Leave under the Family and Medical Leave Act." <https://www.dol.gov/whd/regs/compliance/whdfs28f.htm>

<sup>31</sup> Percentage of respondents, n=4,883. Includes respondents who listed that they would be responsible for caring for one or more of the following individuals who generally would not qualify as an immediate family member under current existing Department of Labor FMLA guidance: domestic partner, significant other, sibling, grandparent, grandchild, parent of a partner/spouse/domestic partner, other relative, close friend, roommate, other.

<sup>32</sup> Percentage of respondents, n=4,890. Includes respondents who indicated that they would rely on at least one immediate family member for care.

<sup>33</sup> Percentage of respondents, n=4,890. Includes respondents who indicated that they would rely on at least one chosen family member for care.

<sup>34</sup> Percentage of respondents, n=4,890.



33%

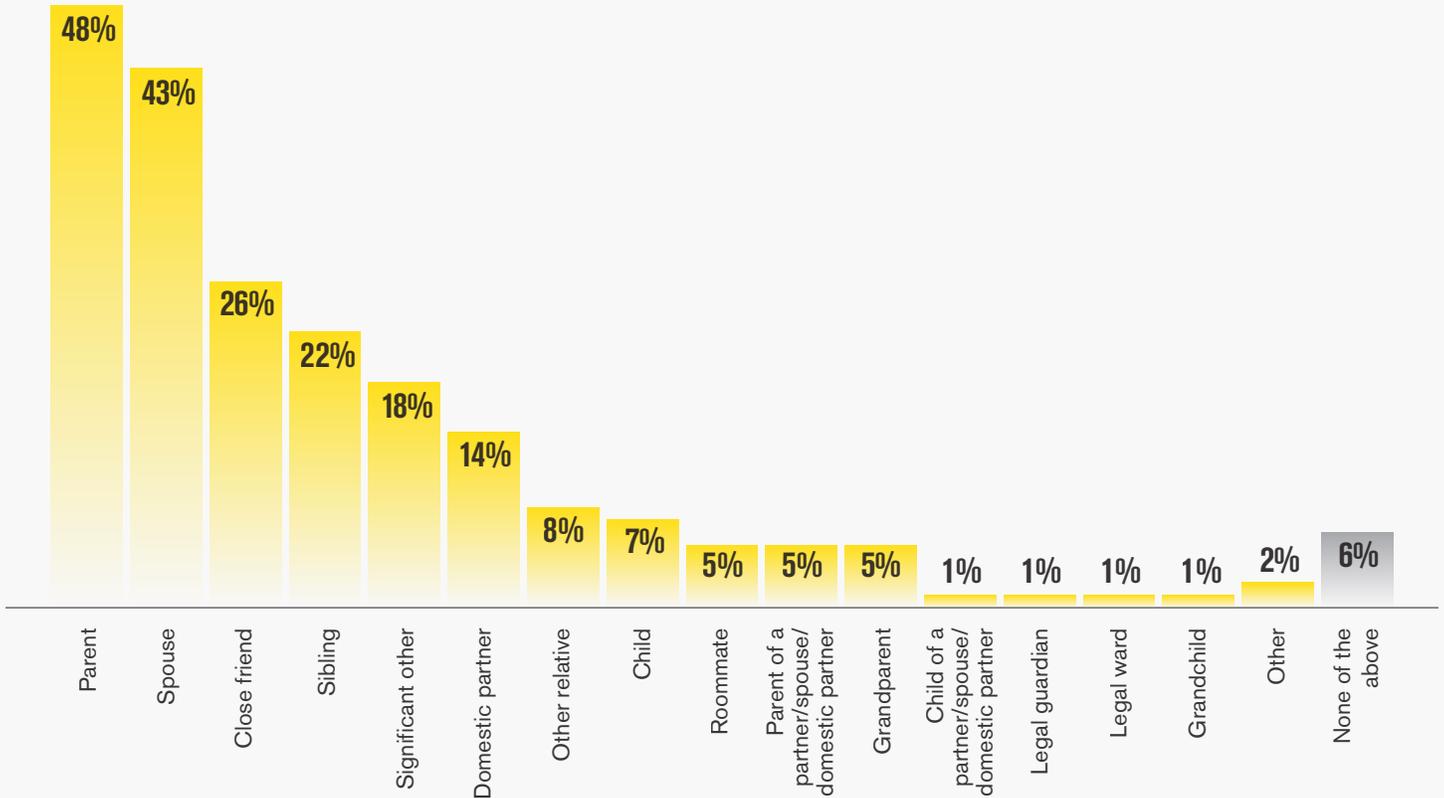
of respondents say they only have **one person** they could rely on if they were to experience a serious health condition requiring time off from work.



6%

say they would have **no one** to rely on.<sup>34</sup>

**If you were to experience a serious health condition that required you to take time off of work, which of these people would you rely on for care?**



Percentage of respondents, n=4,890. Respondents were asked to select all that apply.

The lack of paid and unpaid leave coverage for chosen family can be particularly problematic for LGBTQ people who have been rejected by their parents or other family members and are more at risk of facing housing and economic instability. Indeed, 48 percent of survey respondents indicate that they feel an increased responsibility to care for certain loved ones who lack support because of familial rejection regarding their LGBTQ identities.<sup>35</sup> These figures demonstrate how many LGBTQ people lack the safety and support networks that are currently covered under FMLA and other leave policies. They also emphasize the importance of fully inclusive leave policies.

<sup>35</sup> Percentage of all respondents, n=4,529. See appendix for further detail.

# MANAGING OUR HEALTH

## MEDICAL LEAVE

For many Americans, medical leave serves as a critical safety net when facing serious physical and mental health challenges. In contrast to paid sick days, which are typically designated to be used for short-term illness like the cold or flu or to undergo treatment for minor health conditions, FMLA defines medical leave to cover serious health conditions where an employee is unable to work.

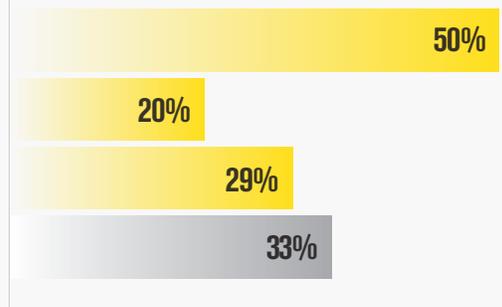
Medical leave can include hospitalization or recovery time from severe accidents or injuries, as well as intermittent or extended time off to seek treatment for a serious illness like cancer. Fifty percent of respondents have previously taken medical leave, a figure that rises to 65 percent among respondents over the age of 50.<sup>36</sup>



### LGBTQ Adults' Experience with Taking Time Off to Manage a Serious Health Condition (Medical Leave)

Percentage of respondents, n=3,892. Respondents were asked to select all that apply.

- Previously have taken time off
- Considered but ultimately did not take time off
- Anticipate taking time off in the next five years
- Have never and do not anticipate needing to take time off in the next five years

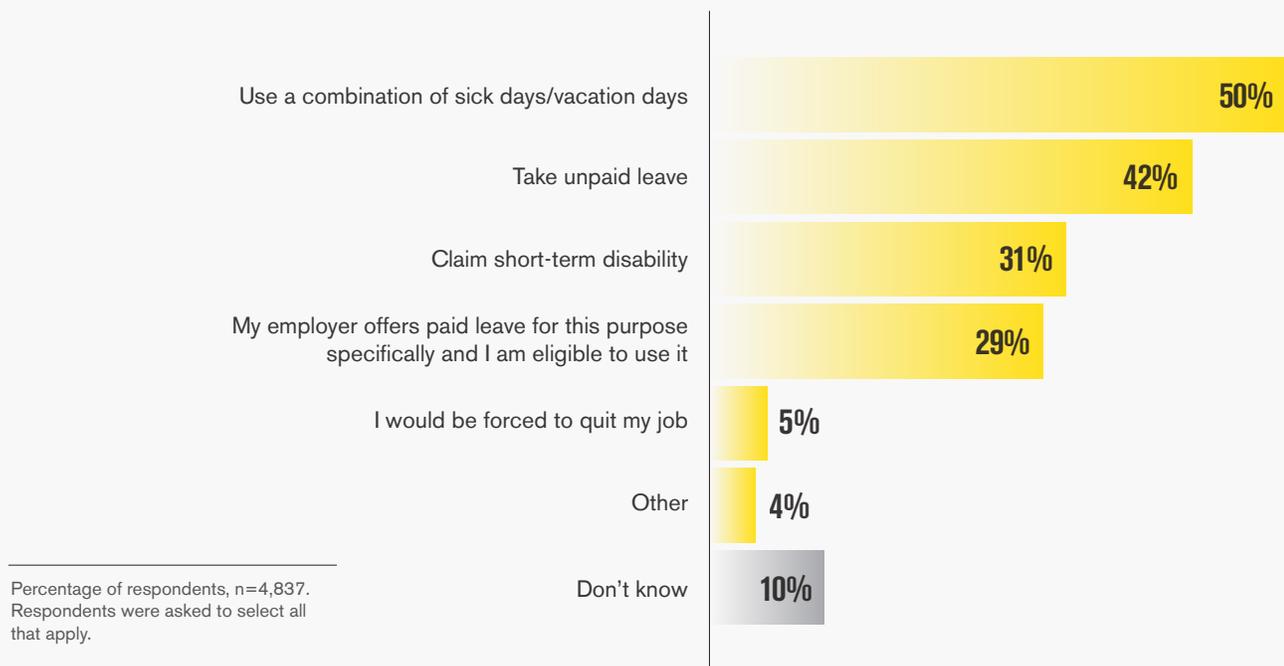


<sup>36</sup> Percentage of respondents age 50 and older, n=879.

Those who seek medical leave often do so out of necessity in the face of some of life's most significant challenges. Unfortunately, because many employers still do not offer paid medical leave, most Americans are forced to take medical leave without pay, often exacerbating the financial challenges incurred from the rising cost of medical care.

Only 29 percent of respondents report that their employer offers paid leave specifically for medical reasons and that they are eligible to use it. Meanwhile, 31 percent say that they are able to claim partial wage replacement through short-term disability (e.g., through an insurance plan paid for by their employer, themselves, or their state/jurisdiction). However, many others report relying on sick days or vacation days to help cover the cost of time away from work. A full 42 percent say they would have to take at least some unpaid leave.

### If you needed to take time off from work to manage or recover from a serious health condition, what would you do?



Adding to the difficulties of taking unpaid time off and conquering a major illness or recovery, many LGBTQ people face discrimination or stigma when claiming medical leave. Those seeking medical treatment for HIV- or transgender-related care may worry that requesting time off will out their status or identity to colleagues. In the many states that lack employment discrimination protections for sexual orientation and gender identity,<sup>37</sup> LGBTQ people may risk mistreatment or even be fired after requesting leave.<sup>38</sup>

<sup>37</sup> Human Rights Campaign. "State Maps of Laws & Policies: Employment." <https://www.hrc.org/state-maps/employment>

<sup>38</sup> HRC believes that Title VII of the Civil Rights Act of 1964 prohibits discrimination on the basis of sexual orientation and gender identity and that courts have been trending towards that interpretation of federal law. However, the determinations by federal courts have not been unanimous and the Supreme Court has yet to address the issue.

## PAID LEAVE AND PEOPLE LIVING WITH HIV

Paid leave can provide a vital health safety net for people living with HIV (PLWH). PLWH can live full, healthy lives if given adequate support and access to health care. However, PLWH disproportionately live at or below the federal poverty level, and lifetime treatment costs of HIV are estimated to exceed \$350,000 in the United States.<sup>39</sup> Paid leave policies can benefit PLWH and their caregivers in real and meaningful ways,<sup>40</sup> allowing them to take off the time needed to see a doctor, adjust to a new medication, or grapple with a recent co-infection.

Unfortunately, PLWH continue to face challenges when requesting medical leave. Among respondents who know someone who needed to take time off for HIV-related health care, 66 percent say that the person faced barriers when doing so. Forty-one percent know someone who felt hesitant to request time off, while 18 percent say they know someone who was denied time off.<sup>41</sup>



### STORY

I was diagnosed HIV positive in 1988. It was one of the scariest times of my life, but my employer and colleagues helped me get through it. They made sure I could take half days when I needed them, and filled in for me when I could not make it into the office.

### I never took their support for granted because I knew so many people, especially back then, who did not feel free to be “out” at work.

As soon as I was able, I went back to full-time work. In 2000, I received another diagnosis: inclusion-body myositis, a muscle disease with no known cure. Again, I was met with an outpouring of support, love, and understanding at work. My supervisor bought me a cane, a lift seat for my office, a modified conference room, dictation text-to-speech software, and a wheelchair — all out of pocket. I felt so loved.

But eventually, I couldn't get into the office. I used all of my accrued sick and vacation time and I was running out of options. Then, the most wonderful thing happened — I learned that my colleagues had donated their sick time to me.

When I was diagnosed with cancer in 2016, I again relied on a combination of sick time, vacation time, and donated sick time to get through chemotherapy. Thankfully, my supervisor allowed me to work just enough hours to keep my health care benefits.

What I've been through is unique, both in terms of the scale of my health problems and the level of support I received at work. Until we can mandate that all employers be as kind and generous as mine was, we need to make sure that all working people have a built-in support system so they can take care of themselves and the ones they love.

*Based on an interview conducted by HRC with John, pictured above, who has agreed to share his name and story publicly so others can hear from his experience*

<sup>39</sup> Centers for Disease Control and Prevention. “HIV Cost-effectiveness.” <https://www.cdc.gov/hiv/programresources/guidance/costeffectiveness/index.html>

<sup>40</sup> Human Rights Campaign. “Paid Leave is Critical for People Living With HIV.” <https://www.hrc.org/blog/paid-leave-is-critical-for-people-living-with-hiv>

<sup>41</sup> Percentage of all respondents, n=1,356. Includes respondents who indicated that they personally felt hesitant to request time off for HIV-related care, they personally have been denied time off for HIV-related care, they knew someone who felt hesitant to request time off for HIV-related care, and/or they knew someone who was denied time off for HIV related care. Respondents were asked to select all that apply.

## PAID LEAVE AND TRANSGENDER-RELATED HEALTH CARE

Access to paid leave can be central to the well-being of transgender working people, especially those who seek transition-related health care. Though there is a growing consensus<sup>42</sup> among medical associations and experts that transition-related care is medically necessary,<sup>43</sup> some employers and leave policies still fail to recognize these procedures as legitimate health needs.

Unfortunately, many insurance providers and plans still have exclusions preventing transgender people from accessing this type of care.<sup>44</sup> As a result, many people are forced to pay for transition-related care out of pocket.<sup>45</sup> Given that some procedures require recovery periods lasting several weeks, even those transgender employees who have the option of taking unpaid leave may not be able to afford the time off without pay.

Employment discrimination and stigma continue to pose barriers for many transgender workers across the country. Approximately one in four transgender working people say they have experienced mistreatment or harassment at work in the past year due to their gender identity.<sup>46</sup> Many others face challenges obtaining gainful employment or take steps to conceal their identity at work to avoid anti-transgender discrimination.<sup>47</sup> These challenges can give transgender working people pause when considering whether to request medical leave for transition-related care.

Among survey respondents who know someone who needed to take time off work for transgender-specific health care, 66 percent say the person faced barriers.<sup>48</sup> Meanwhile, among transgender and non-binary respondents in this same subgroup, 45 percent have personally felt hesitant to request time off for transgender-related health care, while 10 percent have been denied.<sup>49</sup>

### STORY

I requested time off from work to travel out-of-state to access hormone replacement therapy. Even though I asked my supervisor about it in confidence, word spread quickly around the office.

**People I barely knew suddenly had the intimate details of what was going on with my own body.**

I faced invasive questions and extreme harassment for something that should never have been shared.

Around the same time, a friend of mine was considering whether to request time off for the same purpose. She chose to sneak out of the office for appointments in order to avoid what happened to me, and I don't blame her.

We shouldn't have to live like this. Our medical information should be kept just as private as everyone else's.

*Based on an open-ended response from a non-binary survey respondent living in the South*

<sup>42</sup> World Professional Association for Transgender Health. "Position Statement on Medical Necessity of Treatment, Sex Reassignment, and Insurance Coverage in the U.S.A." [http://www.wpath.org/site\\_page.cfm?pk\\_association\\_webpage\\_menu=1352&pk\\_association\\_webpage=3947](http://www.wpath.org/site_page.cfm?pk_association_webpage_menu=1352&pk_association_webpage=3947)

<sup>43</sup> Human Rights Campaign. "Transition-Related Care is Medically Necessary, Not Cosmetic." <https://www.hrc.org/blog/watch-transition-related-care-is-medically-necessary-not-cosmetic>

<sup>44</sup> Center of Excellence for Transgender Health. "Health insurance coverage issues for transgender people in the United States." <http://transhealth.ucsf.edu/trans?page=guidelines-insurance>

<sup>45</sup> Jackson, Alyssa. "The high cost of being transgender." CNN. <http://www.cnn.com/2015/07/31/health/transgender-costs-irpt/index.html>

<sup>46</sup> National Center for Transgender Equality. *The Report of the 2015 U.S. Transgender Survey*. <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>

<sup>47</sup> Ibid.

<sup>48</sup> Percentage of all respondents who are knowledgeable about a transgender person's workplace experience, n=1,593. Includes respondents who indicated that they knew someone who felt hesitant to request time off for transgender-related care, and/or they knew someone who was denied time off for transgender-related care. Respondents were asked to select all that apply.

<sup>49</sup> Percentage of transgender and non-binary respondents who are knowledgeable about a transgender person's workplace experience, including their own or that of others, n=719. Respondents were asked to select all that apply.

Misinformation and misconceptions are the most common challenges for transgender people who wish to access medical leave. Sixty percent of respondents report that they or someone they knew faced difficulty when requesting time off because of others' lack of knowledge about transgender-related health care. Unfortunately, this lack of awareness can create unsafe work environments for transgender people. Majorities also note that transgender people who requested time off for transgender-related health care were viewed or treated differently afterward (56 percent) and/or were subjected to harassment or inappropriate questions (51 percent).

**STORY**

In the production office where I worked, my superiors showed a real lack of knowledge about transgender people. They were visibly tense around me and treated me differently than other employees.

When I needed time off to go to required medical appointments, my boss was visibly annoyed. I didn't understand the problem as I had sick days that I'd saved up. Still, he told me my appointments didn't count. I was angry but I had to see my doctor, so I took unpaid leave.

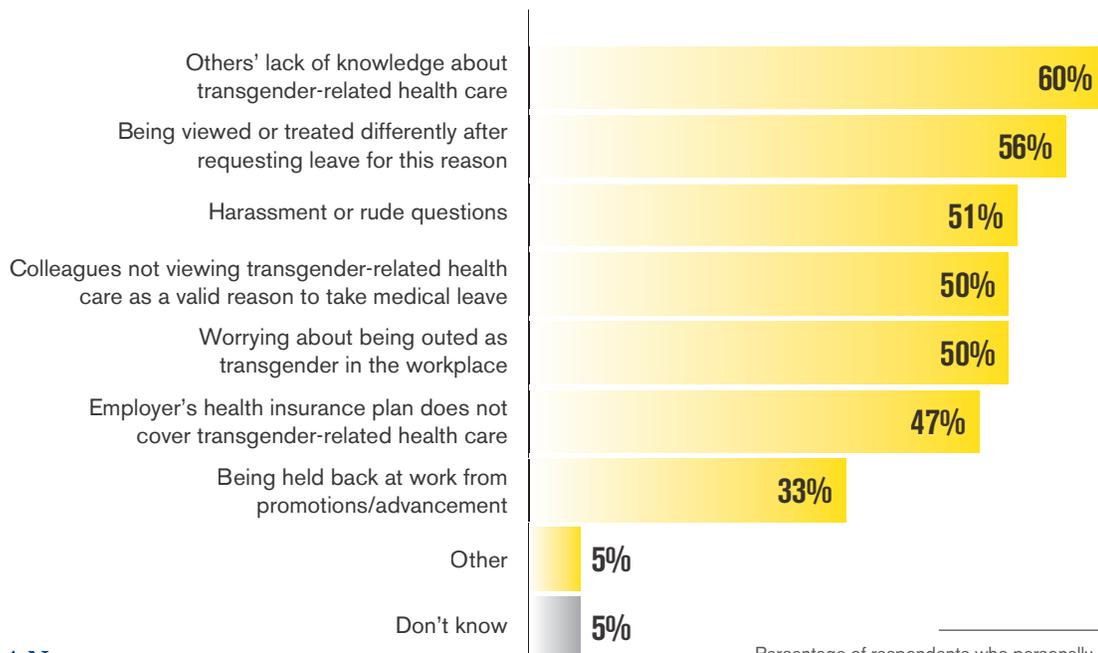
Later, when I needed a longer amount of time off to recover from a transgender-related surgery, my boss told me I wouldn't have a job when I came back. I threatened to sue him over it, and he walked back his initial threat.

As unpleasant as that conversation was, I thought we had both moved on. But soon after, I received word that the budgets were shrinking and I was being laid off. I knew it wasn't true. I handled the budgets and witnessed the contrary — our budget was actually growing.

What I experienced was blatant discrimination based on my identity as a transgender person. We need paid leave protections for all people so that no one ever has to go through what I did.

*Based on an HRC interview with Olive, a transgender woman*

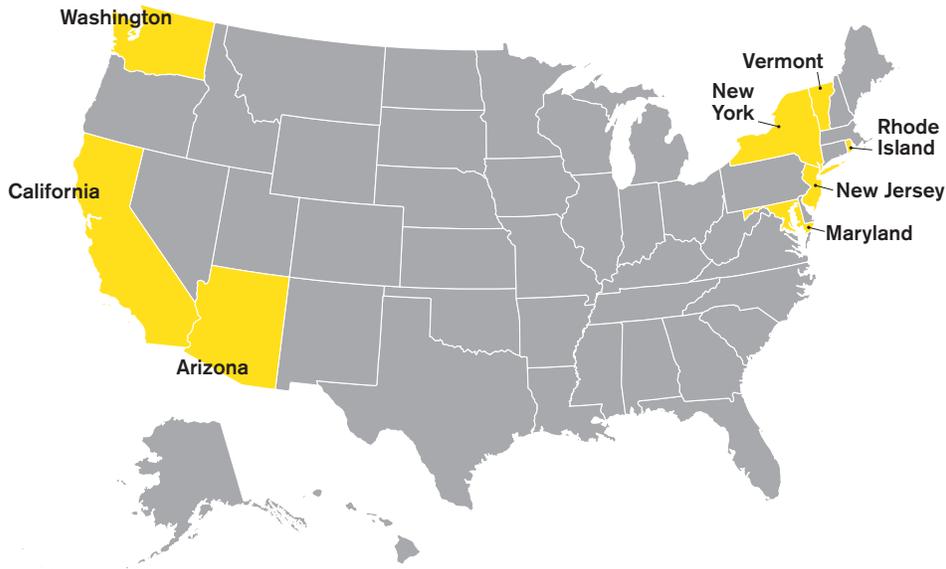
**Challenges for Workers Who Faced Barriers When Requesting Time Off from Work for Transgender-Related Health Care**



Percentage of respondents who personally experienced and/or know somebody who has experienced barriers to requesting leave from work for transgender-related health care, n=1,042. Respondents were asked to select all that apply.

# ACROSS THE COUNTRY, ADVOCATES AND ELECTED OFFICIALS ARE SPEAKING OUT ABOUT PAID LEAVE

## States That Have Passed Paid Leave Protections



In the absence of federal leave protections, many states and localities have begun taking steps to help working people gain access to paid leave.

As of January 2018, eight states have enacted paid leave legislation of some kind: Arizona, California, Maryland, New Jersey, New York, Rhode Island, Vermont, and Washington. The District of Columbia has also moved to provide paid leave for eligible private sector employees, becoming effective in 2020.

"I believe the United States should guarantee paid leave for all Americans."

**92%**  
of respondents agree.<sup>50</sup>

<sup>50</sup> Percentage of respondents, n=4,543. See appendix for further detail.

*"At the end of the day, family matters. Intimate relationships matter. And in this 24/7 world, let this state make a statement about what's really important. And those relationships are important. We should be there for one another, especially in a family environment."*

– **New York Governor Andrew Cuomo**, making an impassioned plea in support of paid leave in his 2016 State of the State address.<sup>51</sup> Four months later, Gov. Cuomo executed the New York Paid Family Leave Benefits Law, establishing one of the most comprehensive paid leave programs in the country.<sup>52</sup> Under the law, New Yorkers can claim paid time off with partial wage replacement for events including parental leave and family care leave.

<sup>51</sup> Governor Andrew M. Cuomo - New York State. "Built to Lead: Governor Cuomo's 2016 State of the State and Budget Address." <https://www.governor.ny.gov/news/video-transcript-built-lead-governor-cuomos-2016-state-state-and-budget-address>

<sup>52</sup> New York State. "New York State Paid Family Leave." <https://www.ny.gov/programs/new-york-state-paid-family-leave>



Though policy specifics differ in every jurisdiction listed above — worker eligibility, leave duration, payment amount, and cost-sharing details — each place has something in common: elected officials, supportive employers, and advocates who all recognize that paid leave is good for families.

## Despite this progress, most LGBTQ Americans still live in states lacking paid leave protections.

Moving forward, we must call on government leaders in all corners of the country to take a stand with working Americans and our loved ones.

*“Too many middle- and lower-income parents forgo parental leave simply because they can’t afford it. This law will eliminate the terrible choice many families face between bonding with a new child and paying the bills.”*

– **California State Senator Scott Wiener**, who introduced the [San Francisco Paid Parental Leave Ordinance](#) during his tenure on the city’s Board of Supervisors.<sup>53</sup> The ordinance, which came into effect in January 2017, is designed to work in concert with the [California Paid Family Leave](#) program so that eligible employees can receive 100 percent of their regular weekly income when taking paid parental leave.<sup>54</sup>

<sup>53</sup> SFGOV. “Frequently Asked Questions for San Francisco Paid Parental Leave Ordinance (PFL).” <https://sfgov.org/olse/sites/default/files/FAQ%20March%202017.pdf>

<sup>54</sup> State of California Employment Development Department. “About Paid Family Leave.” [http://www.edd.ca.gov/Disability/About\\_PFL.htm](http://www.edd.ca.gov/Disability/About_PFL.htm)

# WHAT'S NEXT FOR PAID LEAVE

## ADVOCATING FOR LGBTQ FAMILIES



Achieving paid leave for all requires advocacy and education at every level in our society.

Too many Americans are unaware of the lack of rights afforded to workers with regard to taking time off for significant life events, either paid or unpaid. Similarly, LGBTQ people are often unfamiliar with their own employer's leave policies and how they may not be fully inclusive of LGBTQ families or our medical needs. As paid leave advocacy progresses in the coming years, we must ensure that the needs of LGBTQ working people and our loved ones are fully considered and equally protected.

## **What all of us can do:**

**Educate yourself about the laws regarding paid and unpaid leave in your state and municipality.** Access to paid and unpaid leave varies widely. Although a handful of states and cities guarantee paid leave to people who work, the laws and benefits programs often differ in coverage, duration, and eligibility. Only half of respondents in this survey report that they are aware of the specifics of the laws regarding paid leave in their state.<sup>55</sup> Being informed about your rights can ensure that you and your family are prepared to manage significant life events if and when they occur.

**Talk to your colleagues and other loved ones about leave.** Many working people do not realize the rights conferred by FMLA, pending they meet the eligibility criteria. Some may be unaware of their own employer's paid and unpaid leave policies. Helping others understand the importance of parental, family care, and medical leave is the first step to advocating for access to paid leave.

**Talk to your human resources department at work to make sure they understand why inclusive leave policies are important to LGBTQ employees.** Even if you do not plan on taking certain types of leave in the near future, you can still work to make sure your organization's policies are fully inclusive of LGBTQ families and our medical needs. Due to the lack of federal legislation, many employers draft their own paid leave policies to fill the gap and may inadvertently fail to consider the needs of LGBTQ employees. By pointing out any ways in which your employer's policies can be more inclusive, you can enact change that ensures your colleagues and future employees will be fully protected and supported.

**Support inclusive paid leave legislation and policies (on all levels — federal, state, and local).** Paid leave is gaining momentum across the country, and a number of states and cities have passed new laws protecting working people and our families in the last 12 months. As these conversations continue to occur, it is critical that we educate elected officials and business leaders that all American families need and value the right to paid leave. You can do your part by turning out to vote for ballot initiatives, attending town halls and public comment sessions, and expressing your support for pending legislation such as the FAMILY Act.<sup>56</sup> The FAMILY Act, which was introduced in the U.S. Senate in February 2017, would provide working people access to 12 weeks of partial income for FMLA-qualified leave under a federally managed insurance program.

<sup>55</sup> Percentage of all respondents, n=4,535. See appendix for further detail.

<sup>56</sup> United States Congress. "S.337 - FAMILY Act." <https://www.congress.gov/bill/115th-congress/senate-bill/337>

### Find out where your public officials stand on paid leave and LGBTQ equality.

The rights and needs of LGBTQ families must be part of the policy conversation as the paid leave discussion moves forward. Elevating these issues in your community will ensure that they play a key role in the public dialogue.

**Encourage your employer to support paid leave.** Many major corporations across the United States have begun offering their own paid leave benefits for employees. (See “Employers from Many Industries Support Paid Leave” on [page 39](#) to learn more.) Even if your employer is unable to fully fund paid leave for its employees, they can still stand in support of paid leave legislation that has already begun appearing at federal, state, and local levels. Many of these proposals have cost-sharing measures written in to make offering paid leave feasible for employers of all sizes.

**Share your personal paid and unpaid leave experiences with others.** Armed with the facts in this report, a great way to impact change is to share your stories about paid and unpaid leave with your friends, family, and fellow advocates. If you are interested in sharing your story with HRC, please contact [research@hrc.org](mailto:research@hrc.org).

*“I would feel more supported at work if I knew I could take paid leave to welcome a child, care for a loved one, or manage a serious health condition.”*

**82%**

of survey respondents agree<sup>57</sup>

<sup>57</sup> Percentage of respondents, n=4,519. See appendix for further detail.

**70%**

According to a national poll commissioned by the Human Rights Campaign, 70 percent of likely voters support giving LGBTQ workers paid family and medical leave without fear of losing a paycheck or their job.

HRC/Hart Research Poll on LGBTQ Equality Issues, December 2017.

## What employers can do:

**Review your leave policies to make sure they are LGBTQ-inclusive.** *Please see “[Evaluating Leave Policies for LGBTQ Inclusion](#)” on page 38 to learn more.*

**Make sure employees are educated about leave policies.** Spell out your organization’s leave policies in your employee handbook alongside other benefits and guidelines. Make sure that human resources staff are prepared to answer questions regarding leave. Often, when employees are looking up the specifics of their organization’s leave policies, they are already facing stressful physical or emotional challenges. Being as clear, specific, and supportive as possible can help employees better understand their access to leave and feel more confident taking it when they need to.

**Prepare managers to support their team members who need to take leave.** Frontline supervisors are often the first to learn that their team members may need to take leave. Even if your organization offers inclusive leave benefits, employees may be afraid to inquire about them out of fear of repercussions or discrimination. The more that managers understand your organization’s policies regarding leave and the commitment to employee health and well-being, the better that they can support employees undergoing significant life events.



## EVALUATING LEAVE POLICIES FOR LGBTQ INCLUSION

Paid leave is a growing trend in employer-provided benefit packages across the country, allowing employees to be with their families when they are needed most. Leading companies understand the benefits that paid leave offers to their bottom line — including improved retention, productivity, and competitiveness. As employers review these critical benefits, it is important to ensure they are equitable for LGBTQ employees and their families. LGBTQ employees may also want to review their employer's or potential employer's policies.

### Employers and employees alike can use these guidelines to evaluate the company's current leave offerings for LGBTQ inclusion:

#### Evaluate parental leave policies for inclusive language:

Policies focused solely on “birth mothers” (e.g., maternity leave) exclude fathers, non-birth mothers, and adoptive or foster parents, who are all equally deserving of the time needed to bond with a new child. Additionally, if a policy offers additional time off and/or short-term disability for “birth mothers” to allow for physical recovery from childbirth, it may inadvertently leave out parents of other genders who may also give birth, including transgender men, non-binary individuals, and people of other identities. Using the inclusive term “birth parent” addresses this concern.

#### Evaluate family care leave policies:

What constitutes a “family member?”

**Spouses:** Ensure the definition of “spouse” is inclusive of all legal spouses. Many policies still define spouses as “opposite sex” partners only. This is not in step with the current law post-marriage equality.

**Domestic partners:** Policies should be inclusive of domestic partners (both same- and opposite- sex).

**Parents and children:** Many American families — but especially LGBTQ families — have parental relationships and responsibilities that are outside of a legal and/or biological relationship. We recommend that employers follow existing Department of Labor guidance for FMLA when offering paid or unpaid leave benefits. This allows all employees with parent-child relationships to claim parental and family care leave for one another, regardless of legal or biological standing. For further information on how this supports LGBTQ families, please refer to [page 24](#).

**Chosen family:** For a variety of reasons, there may be instances where an employee must take time off to care for a seriously ill loved one outside of the relationships listed above, including a grandparent, relative, or close friend. LGBTQ people may be more likely to rely on and/or be responsible for care for such chosen family members, who may not have other immediate family who are able to care for them. Although every case is unique, we encourage employers to consider how they can best support employees and their loved ones during these sensitive situations. For more information on chosen family, please refer to [page 25](#).

# Employers from Many Industries Support Paid Leave

American employers across all sizes and industries are already finding ways to support their employees with inclusive paid leave benefits:



**Adobe** (*Computer Software*): Offers 16 weeks for paid parental leave for all birth, adoptive, and foster parents, as well as 10 weeks for paid medical leave that can be used in succession for a parent who gives birth; offers four weeks for paid family care leave.



**Deloitte LLP** (*Consulting and Business Services*): Offers 16 weeks for paid family care leave and 16 weeks for paid parental leave, with an additional two months of short-term disability for a parent who gives birth.



**IKEA** (*Home Furnishing*): Offers up to four months for paid parental leave for both hourly and salaried employees of all genders, inclusive of birth, adoptive, and foster parents.



**Levi Strauss & Co.** (*Apparel, Fashion, Textiles, Dept. Stores*): Offers eight weeks for paid parental leave for both hourly and salaried employees of all genders, inclusive of birth, adoptive, and foster parents. The paid parental leave benefit is in addition to existing short-term disability benefits for the parent who gives birth.



**Choice Hotels International, Inc.** (*Hotels, Resorts, and Casinos*): Offers four weeks of fully paid family care leave and parental leave, in addition to short-term disability benefits for a parent who gives birth and an additional four weeks of work transition time for the primary caregiver.

Each of these forward-thinking organizations has taken meaningful steps to support employees and families. Each also received a perfect score of 100 in HRC's [2018 Corporate Equality Index](https://www.hrc.org/campaigns/corporate-equality-index) measuring LGBTQ inclusion in the workplace.<sup>58</sup> However, the vast majority of Americans still work for employers who do not offer paid leave — including some that would not be able to afford doing so without cost-sharing assistance from the government. Moreover, with [employment discrimination](https://www.hrc.org/state-maps/employment) protections differing across state lines,<sup>59</sup> many LGBTQ working people may face unjust repercussions for requesting paid leave, even if their employer offers it as a benefit.

While we commend compassionate organizations that offer paid leave for their employees, we must also continue to direct our energy toward laws and legislation to ensure that all families are protected and treated equally.

<sup>58</sup> Human Rights Campaign. "Corporate Equality Index 2018." <https://www.hrc.org/campaigns/corporate-equality-index>

<sup>59</sup> Human Rights Campaign. "State Maps of Laws & Policies: Employment." <https://www.hrc.org/state-maps/employment>

# ABOUT THE STUDY

## METHODOLOGY

This study was based on existing information and legal data that highlight the need for more inclusive paid leave policies in order to best support LGBTQ people and families.

### The HRC Foundation identified three areas to be assessed:

**How are LGBTQ people accessing paid or unpaid leave?**

**Are there barriers that LGBTQ people face when requesting time off from work for significant life events?**

**Does the LGBTQ community support inclusive paid leave policies?**

To better understand these areas, the HRC Foundation conducted a 45-question poll of 5,433 LGBTQ people aged 18 or older. Web-based interviews were conducted from December 1, 2017 to January 5, 2018. Respondents represent LGBTQ individuals from all 50 states, the District of Columbia, Puerto Rico, and other U.S. territories.

The survey was advertised through social media to both HRC followers and a general LGBTQ online audience. It was also promoted and shared by other LGBTQ-focused and allied organizations. Additional respondents were recruited via third-party survey administration sites in order to soften potential sampling bias. For more information on

our recruitment methodology, please see **A Note on Sampling LGBTQ Populations** below.

All respondents self-identified as part of the LGBTQ community<sup>60</sup> by providing a qualifying answer to at least one of the following questions:

**Which of the following best represents your gender? Please select all that apply.**

Qualifying answer choices: agender, genderqueer, genderfluid, non-binary, questioning or unsure, and/or I use another term. Respondents also qualified if they selected both man and woman.

**Do you identify as transgender?**

Qualifying answer choices: yes, don't know/unsure.

**How would you describe your sexual orientation?**

Qualifying answer choices: asexual, bisexual, gay, lesbian, pansexual, queer, questioning/unsure, I use another term.

Following the survey, the HRC Foundation reached out to 60 respondents for in-depth interviews to gather more information about their experiences with paid and unpaid leave. The qualitative data gathered from these interviews can be found throughout the report.

While this report provides an overview of the survey data, it does not attempt to represent all of the different intersectional experiences across the LGBTQ community. The HRC Foundation will be releasing future analyses of this survey data exploring how different experiences and identities interact to shape a person's ability to take time off from work.

## A NOTE ON SAMPLING LGBTQ POPULATIONS

There are a variety of factors that make accurate sampling challenging when studying LGBTQ populations.

The United States lacks reliable data on sexual orientation and gender identity. Without comprehensive and accurate data on LGBTQ people, such as that from the U.S. Census,<sup>61</sup> it is challenging to define the overall LGBTQ population and thus draw a representative sample. This survey seeks instead to include as many LGBTQ respondents as possible.

However, recruiting participants via social media channels for a web-based survey may disproportionately reach populations with a certain set of privileges: internet access, stable housing, and time to take the survey. As such, web-based surveys may not reach homeless, unemployed, or transient members of the LGBTQ community. Though we can infer that responses from these individuals would highlight heightened rates of discrimination and mistreatment, our sample may not fully represent their voices within the broader narrative.

The utilization of social media advertising can often fail to reach many LGBTQ people. Popular methods of online targeting include making an estimation about someone's LGBTQ identity based on their affinity for LGBTQ organizations, attendance/interest in LGBTQ-related events, and/or engagement with LGBTQ cultural icons/trends. This method can yield a disproportionately white, higher income, and/or cisgender-identified sample, as "mainstream" LGBTQ organizations and culture may not be fully inclusive or

representative of people of color, lower income, and/or transgender communities. Based on the compounding effect that multiple minority identities have on discriminatory outcomes, many members of potentially undersampled populations face greater challenges in many facets of society, including access to leave.

Finally, the survey questions themselves may result in the underrepresentation of certain groups of LGBTQ people. By requiring someone to identify as a member of the LGBTQ community in order to participate in a survey, we may inadvertently dissuade or fail to reach those who are not yet comfortable with their LGBTQ identity. Many sampling and targeting techniques only cater to LGBTQ people who are visibly "out" about their identities, while failing to reach those who may feel unsafe disclosing their sexual orientation, gender identity, and/or other personal information.

We made a conscious effort to to mitigate the impact of these limitations by diversifying recruitment strategies, involving movement partners in outreach, employing third-party survey panels to reach respondents, and using sensitive question wording. However, we feel it's important to address the potential shortcomings of our sampling methods in the pursuit of transparency as well as our commitment to continue bettering the way that we conduct research in LGBTQ communities. The HRC Foundation, along with other researchers who study LGBTQ people, must strive to continually better our sampling and outreach procedures to reach the entire LGBTQ community, especially those who are often the most marginalized.

## RESPONDENT PROFILE

The 2018 U.S. LGBTQ Paid Leave Survey features responses from 5,433 adults who identify broadly as lesbian, gay, bisexual, transgender, and/or queer.

This includes at least 1,121 transgender and non-binary respondents (21 percent), including those who identify as agender, genderqueer, genderfluid, men, women, non-binary, questioning, two spirit, and more. Participants range from ages 18 to 90, with a mean age of 38. Sixteen percent of respondents indicate that they have a disability.<sup>62</sup>

Just over half of respondents work for a for-profit company, while many others work at not-for-profits, in federal, state, or local governments, or are self-employed. Participants represent a variety of sectors and industries.

Twenty-five percent of respondents are parents.<sup>63</sup> Of these respondents, 78 percent have a child under 18.<sup>64</sup> Eighty-nine percent of parents with children under 18 have legal guardianship rights for all of their children.<sup>65</sup>

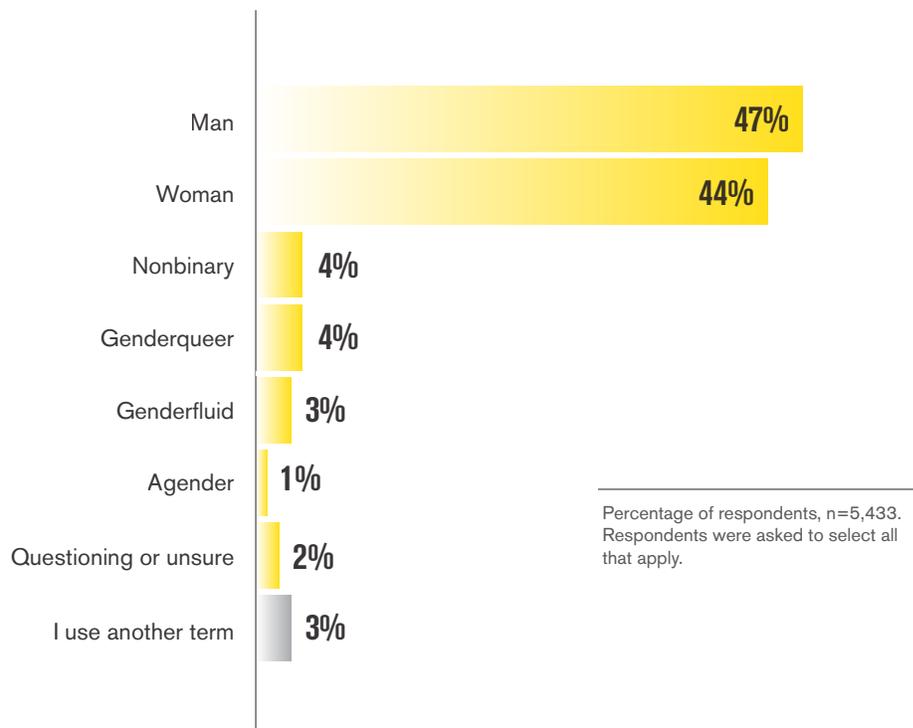
<sup>62</sup> Percentage of all respondents, n=5,417.

<sup>63</sup> Percentage of all respondents, n=5,431.

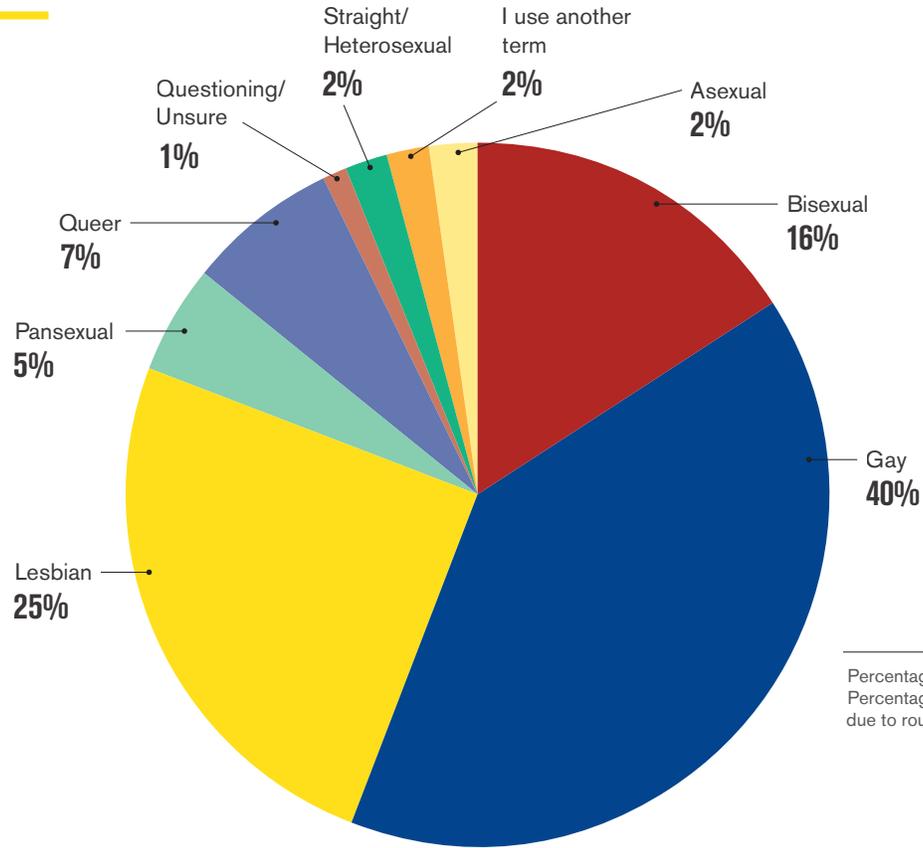
<sup>64</sup> Percentage of parents, n=1,366.

<sup>65</sup> Percentage of parents with a child under 18, n=1,060.

### Gender

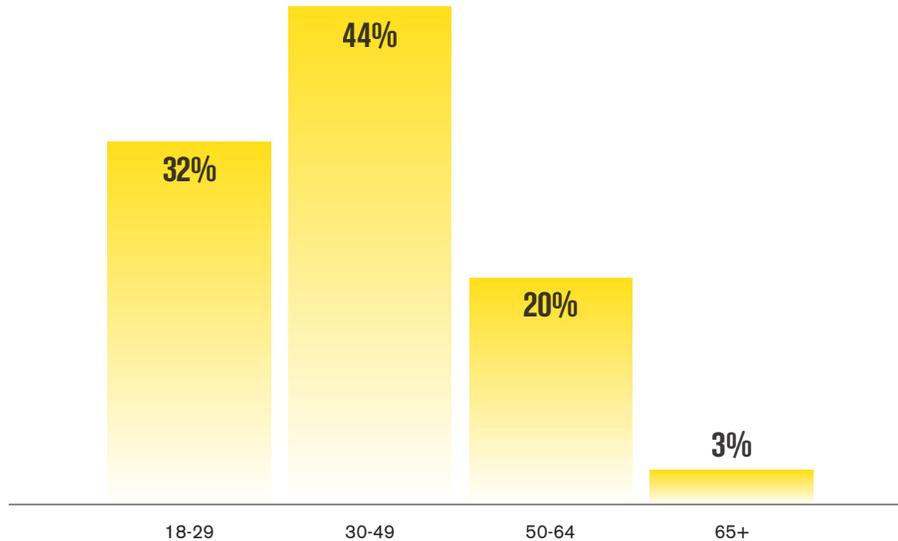


## Sexual Orientation



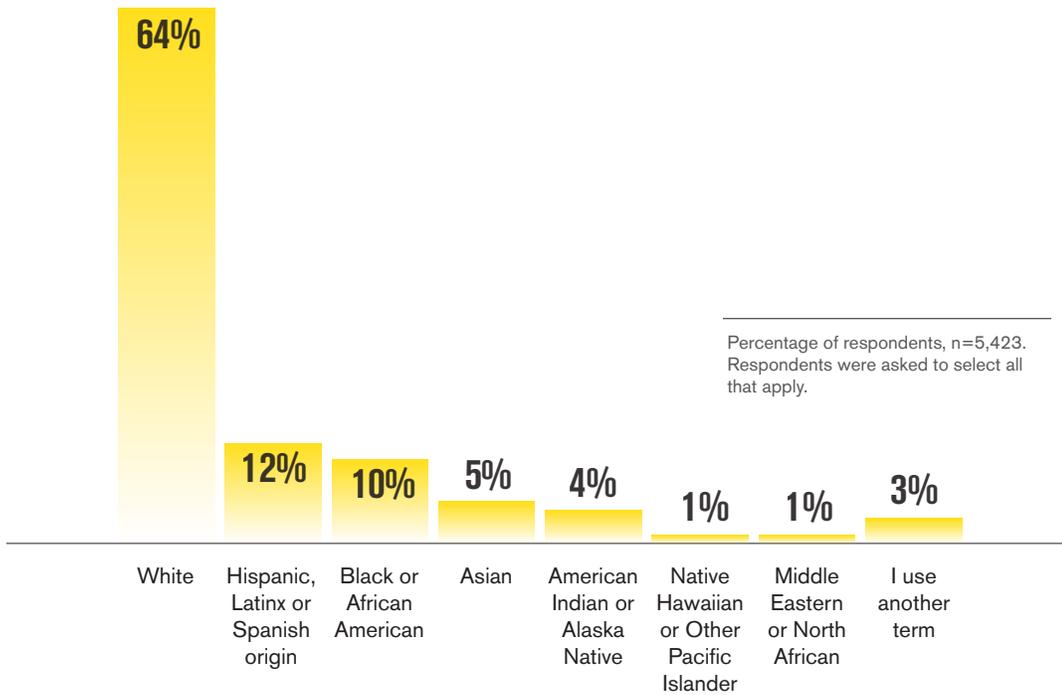
Percentage of respondents, n=5,433. Percentages may not add up to 100 due to rounding.

## Age



Percentage of respondents, n=5,433. Percentages may not add up to 100 due to rounding.

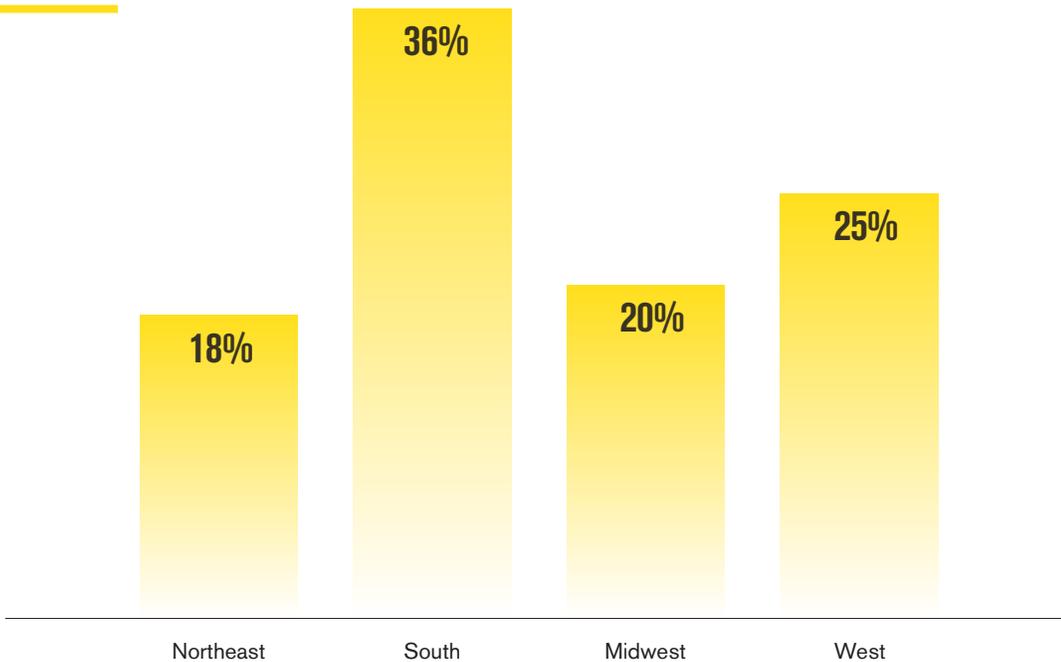
## Ethnoracial Identity



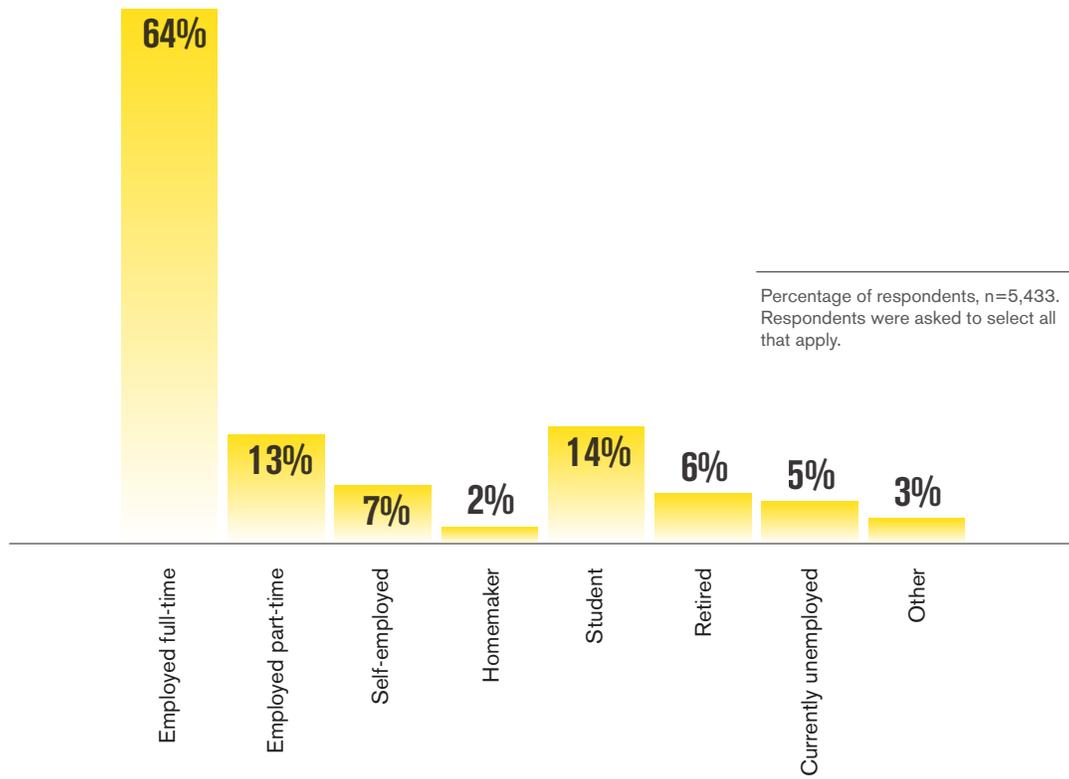
**10%**

**of respondents identify with two or more ethnoracial identities**

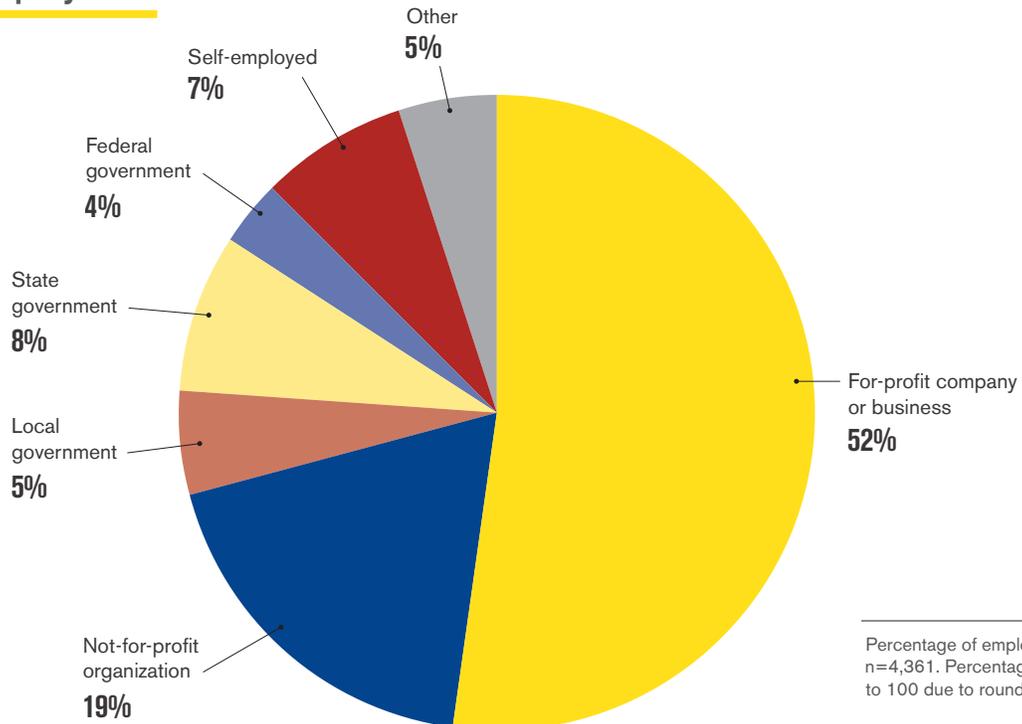
## Location



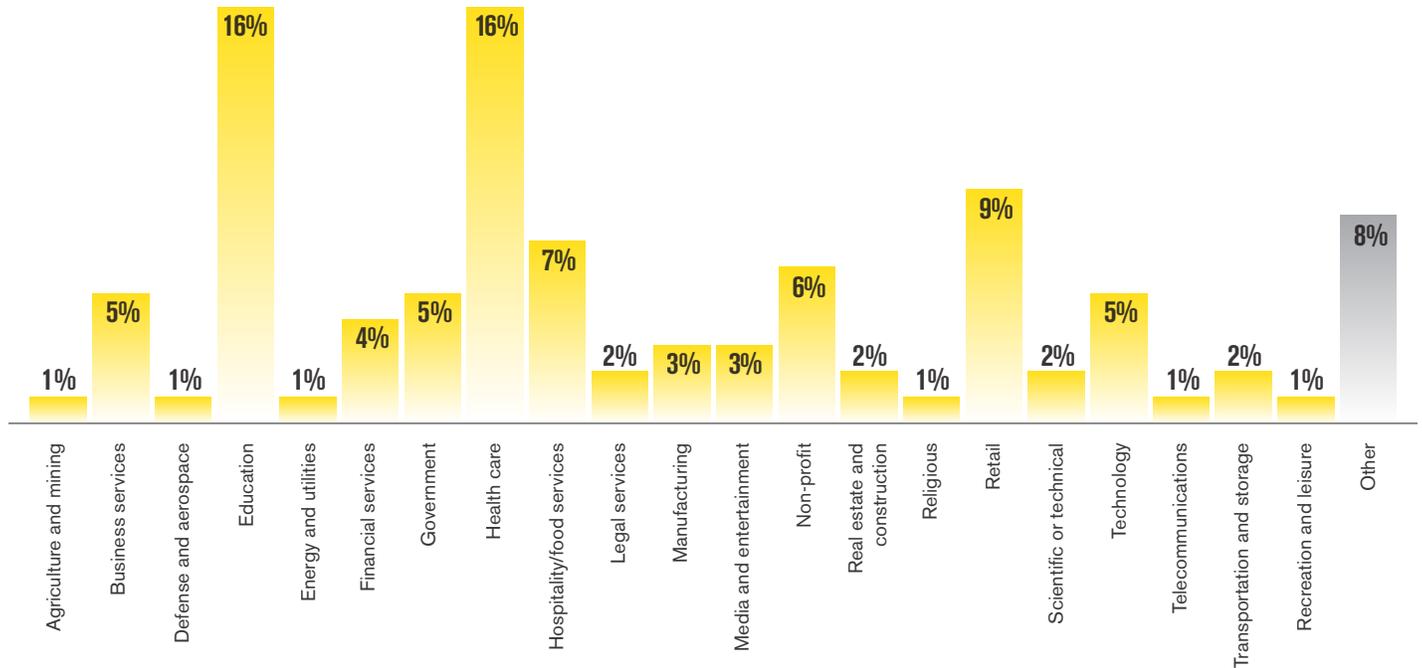
## Employment Status



## Sector of Employment

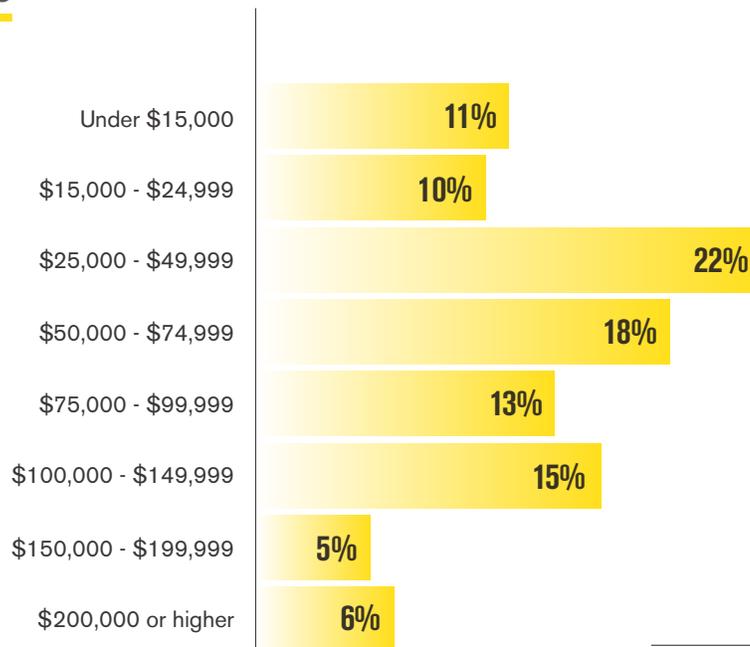


## Industry



Percentage of respondents, n=4,370. Percentages may not add up to 100 due to rounding.

## Annual Household Income



Percentage of respondents, n=5,324. Percentages may not add up to 100 due to rounding.

# APPENDIX

## I. Concerns about requesting leave (Borda count)

*"If you were to request paid or unpaid leave (e.g., to welcome a child, care for a loved one, or manage a serious health condition), what concerns would you have? Please drag the concerns to rank them (with "1" being the most serious), only ranking options which are concerns to you."*

	Count per rank								Total	Borda Count
	1	2	3	4	5	6	7	8		
Financial concerns due to taking unpaid time off	1,692	686	280	119	60	42	19	1	2,899	21,018
Being sidelined at work	390	565	526	194	103	68	31	2	1,879	11,881
Losing my job	564	536	321	178	69	67	50	2	1,787	11,659
Colleagues being upset that I am taking leave	189	335	310	242	135	103	85	1	1,400	7,947
Boss not seeing my relationships/family as valid as non-LGBTQ relationships/family	277	269	254	169	156	96	45	2	1,268	7,472
Colleagues treating me differently than they would non-LGBTQ people who took leave	181	248	263	230	188	97	32	2	1,241	7,021
Fearing that I might out myself as LGBTQ	170	141	119	91	59	82	168	6	836	4,340
Other concerns	17	6	10	7	1	5	1	9	56	303

Ranked by Borda count, n=4,461. Respondents did not have to rank every choice.

The chart above shows rankings and total scores for respondent concerns using the Borda count method, where each answer choice earns points based on the order in which respondents ranked it. Each respondent's top answer choice (the most serious concern) receives a maximum score of n points, where n is equal to the total number of options (in this case, n=8). Each subsequent choice receives one less point than the one ranked ahead of it. Unranked answer choices receive zero points.

For instance, if a respondent's ranked choices were 1) being sidelined at work, 2) losing my job, and 3) financial concerns due to taking unpaid time off, those answer choices would receive eight, seven, and six points, respectively. These points would be added to the Borda count score for each answer choice.

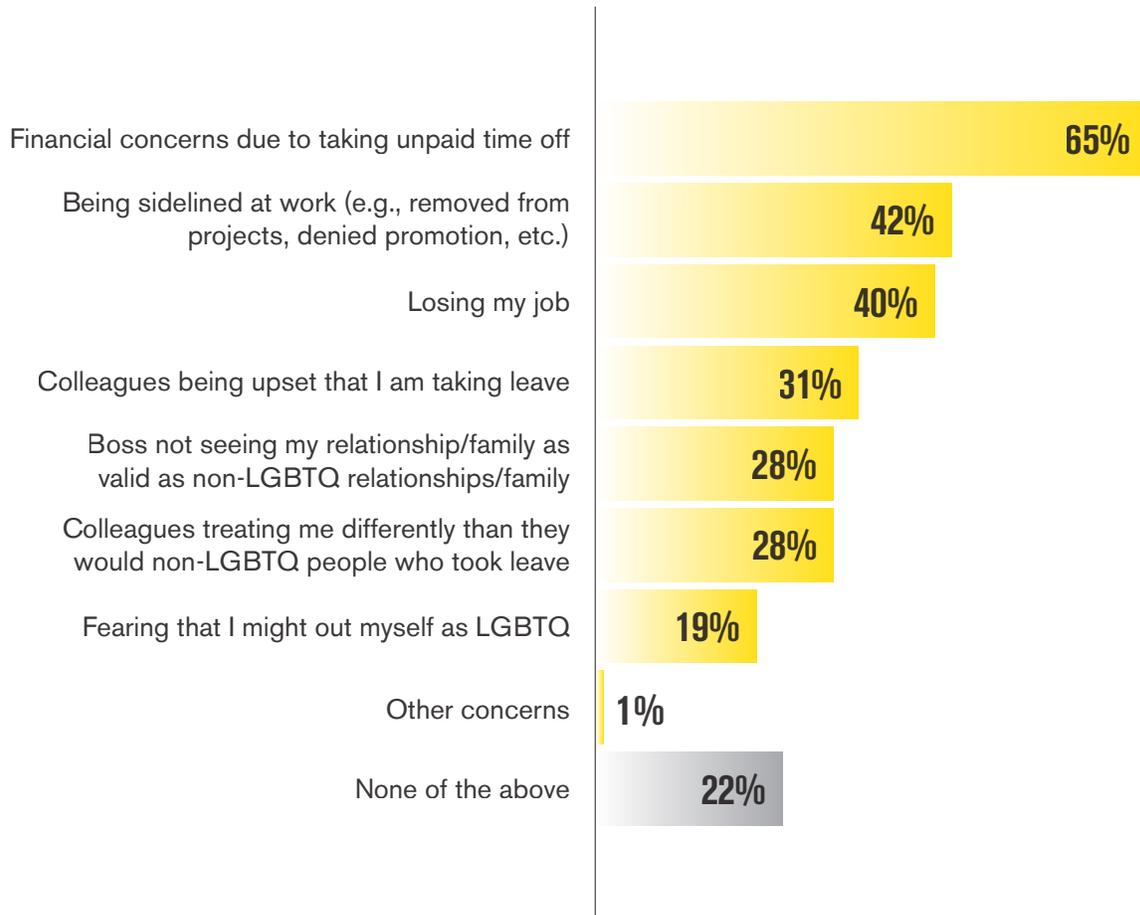
A total of 3,604 valid respondents ranked at least one concern. Respondents also had the option of selecting "None of the above are concerns to me regarding requesting paid or unpaid leave" in a question directly following the ranking. 981 respondents selected that option. Respondents who both ranked a concern and selected "none of the above" in the following question were removed from the analysis (n=124).

With a total of 4,461 valid respondents and eight answer choices, the maximum score possible for any option (e.g., if every respondent ranked the same answer choice as their number one concern) is equal to 35,688 points (4,461 x 8).

## II. Concerns about requesting leave (percentage of respondents)

Because respondents only ranked answer choices that concerned them, it is also possible to calculate the percentage of respondents who indicated each answer choice was a concern.

**If you were to request paid or unpaid leave (e.g., to welcome a child, care for a loved one, or manage a serious health condition), what concerns would you have?**



Percentage of respondents, n=4,461.

### III. Detailed responses to opinion questions

Percentages may not add up to 100 due to rounding.

Question	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	n
My employer's leave policies for welcoming a child cover parents of all genders equally (e.g., equal time off for maternity, paternity, and other parental leave).	26%	22%	12%	10%	29%	4824
My employer's leave policies are equally inclusive of the many ways families can welcome a child (e.g., same coverage for childbirth, adoption, foster care, or other placement).	25%	24%	11%	8%	32%	4828
My employer has LGBTQ-inclusive leave policies.	21%	24%	13%	10%	32%	4526
Given my current financial situation, it would not be possible for me to take time off from work without pay.	41%	30%	17%	7%	6%	4523
I would be afraid to request time to take care of a loved one because it might disclose my LGBTQ identity.	8%	12%	27%	45%	8%	4528
Having the ability to take paid leave would positively impact my life.	65%	26%	2%	1%	5%	4531
I would feel more supported at work if I knew I could take paid leave to welcome a child, care for a loved one, or manage a serious health condition.	51%	31%	6%	3%	10%	4519
I feel increased responsibility to care for certain loved ones due to their lack of support from their families/friends due to their LGBTQ identities.	20%	28%	25%	11%	17%	4529
Without paid leave, I fear that someday I may have to choose between my loved ones and my job.	31%	32%	17%	9%	11%	4527
I believe the United States should guarantee paid leave for all Americans.	75%	18%	3%	1%	4%	4543
I am aware of the specifics of the laws regarding paid leave in my state.	17%	33%	23%	9%	18%	4535
I worry that taking leave would have a negative impact on my job or career.	28%	38%	20%	8%	7%	4527
Because my options for paid leave are limited, I am forced to rely on other friends or family members to care for my loved ones in times of need.	17%	33%	24%	11%	15%	4527

## **IV. Select all that apply questions**

Select all that apply questions were utilized throughout the survey to capture a diversity of experiences while being mindful of survey length and participant fatigue.

When reporting these questions, many charts add up to well over 100 percent due to each participant's ability to select multiple answer choices. In these instances, the percentages shown are equal to the number of respondents who selected a certain answer choice divided by the total number of respondents who answered the question.

## **V. Additional stories**

In addition to the stories featured above in this report, the HRC Foundation heard from thousands of survey respondents who recounted their experiences taking parental, family care, and medical leave. Some of the accounts below have been edited slightly to provide clarity. All of them – whether positive or negative – demonstrate how important access to paid leave can be for LGBTQ families.

### **Parental Leave**

#### **When my wife and I adopted our two children, neither of us were able to claim maternity leave.**

My employer requested that I use sick days or unpaid FMLA leave, even though I had been with the company for six years. My son has special needs and I recently had to quit my job to care for him because I didn't have any time left that I could use to care for his needs.

*Lesbian-identified survey respondent living in the South*

We did not have any paid parental leave available to us when we started our family through foster care. Welcoming a child into our home was extremely challenging due to this.

*Gay-identified survey respondent living in the South*

My wife had a hard time at work when she went to her supervisors to request parental leave. She's a police officer and they kept asking her if she was adopting or how she could possibly be having a child without being pregnant. Meanwhile, many of her male coworkers took leave when their wives gave birth and didn't get questioned in the same way.

*Bisexual-identified survey respondent living in the Northeast*

When I sought time off for parental leave, my HR manager let me know right away what our policies were and printed them out for me.

#### **She also helped me submit my leave request and made sure I felt that this was in no way a detriment to my position in the company or in any way viewed negatively.**

*Lesbian-identified survey respondent living in the West*

## **Family Care Leave**

In 2017, I needed to take time off from work for 12 consecutive weeks to care for my husband who had foot surgery. He was unable to bear weight on his right foot. I was able to fund the first four weeks of my unpaid FMLA leave with vacation, personal, and holiday time which I had accumulated. During the last eight weeks, however, I had to rely on savings and credit cards to meet my expenses since I was not working.

*Gay-identified survey respondent living in the Northeast*

I have had to take FMLA for my child several times. It helps me keep my job, but it does not guarantee pay while I'm out of work.

### **Living paycheck to paycheck, it is difficult to afford to do so.**

*Pansexual-identified survey respondent living in the South*

When my father was sick in the hospital, I was forced to work or else be terminated. My father passed away a few days later and I ended up losing my job for missed shifts while at his bedside. Meanwhile, another employee lost her mother in the same week. She was given paid leave and complete support from our colleagues. They even asked me to donate money to put in a card to help her with any lost wages she might have. I gave without hesitation but couldn't help to feel like it was a slap in the face. Not one person cared that I was also grieving.

It might sound petty, but I know that I was treated completely differently because of my sexual orientation. This was one of many employers to "let me go" based on my sexual orientation. This happens every day in America and I am proud to stand up for others and never silence myself in fear of bigotry.

*Gay-identified survey respondent living in the Midwest*

I am fortunate; my husband is paid well and I am self-employed. When I needed to take time away from my self-employment to be with my sister who had a stroke, I immediately flew to be by her side. She lived only 10 days.

If I had to seek permission from work or ration my time off from work, I might not have been able to be with her for those last 10 days. Those are days I never would have gotten back.

### **None of us should have to make the decision to go or not go based on our employment.**

*Gay-identified survey respondent living in the West*

Prior to my retirement from employment with my state government, my spouse suffered a traumatic brain injury that required several months of in-patient hospital care before he was well enough to return home. I was able to take as much time off as I needed to be with him, and consequently was away from my job for three months.

Thankfully, I was a long-time state government employee and working in a state that had a robust domestic partner law at the time, so there was no problem with taking the time off.

### **I recognize my experience has probably been significantly better than others facing a similar medical challenge who are not living or working in areas where such benefits are the norm.**

We still have much work to do to even the field for LGBTQ people who may need to take time away from work to care for their spouse or partner.

*Survey respondent living in the West who identifies as a transgender man*

## **Medical Leave**

My employer offers several health insurance plans that cover transition-related health care and a very generous short-term disability policy that allowed me to take four paid weeks off to recover from top surgery.

However, our HR personnel in charge of granting my leave didn't handle my request with as much sensitivity as I had expected. My surgeon's office intentionally didn't disclose the exact nature of the surgery I was having, just that I was undergoing intensive surgery and would have limitations that would prevent me from doing my regular job duties. Our HR personnel initially denied my request for medical leave because they needed to know the "exact procedure" I was having.

**I had no intention of outing myself as transgender to our HR office and I felt that their request was inappropriate as my surgeon's office had provided all of the necessary details regarding my limitations that would affect my job.**

The initial denial occurred roughly one week before I was scheduled to have surgery and start my medical leave and did not leave me enough time to 1) figure out why they needed what I felt were unnecessary details about a very personal surgery and 2) communicate that I felt this request was inappropriate and attempt to have my leave approved without disclosing personal details about my upcoming surgery.

**I was left feeling powerless and just had my surgeon's office give them the details they were requesting even though it made me feel deeply uncomfortable.**

*Survey respondent living in the Northeast who identifies as a transgender man*

My husband is trans and has been unable to effectively manage his transition due to work. He is hesitant to take time off because he works in a small office and thinks he will be scrutinized by his coworkers. He recently switched offices and his new insurance doesn't cover transgender health care. This causes him a lot of frustration, sadness, and stress. That stress, in turn, causes his chronic illnesses to flare-up which causes even more issues at work.

*Survey respondent living in the West who identifies as a queer woman*

I took two months of leave when I was initially diagnosed with AIDS in 2012. My company was very supportive of my need to take the time off. They did not ask why and all they needed was my doctor's word.

**It was a very positive experience for me and I feel fortunate to have had the opportunity to take the leave I needed.**

I am also fortunate to live in a state that provides short-term disability.

*Gay-identified survey respondent living in the West*

My employer has been incredibly understanding regarding taking time off for trans-related health and mental health care.

**I had a very difficult time accessing this type of care locally and have had to travel to get consistent access to hormones (I'm FTM) and to competent counseling from a provider conversant in trans-related and specifically transition-related issues.**

My boss has been so kind and understanding about this; I can't even express my gratitude.

*Survey respondent living in the Midwest who identifies as a transgender man*

# ACKNOWLEDGMENTS

## Human Rights Campaign Foundation Public Education & Research

The HRC Foundation's Public Education & Research Program spearheads a wide variety of LGBTQ advocacy and outreach campaigns, working to ensure that the HRC Foundation's resources and programs are timely, impactful, and inclusive. In addition to publishing resource guides, informational materials, and reports, the team conducts original quantitative and qualitative research exploring the lived experiences of LGBTQ people. The program also collaborates with academic researchers and provides guidance to other HRC initiatives in support of efforts to advance LGBTQ equality and well-being.

### Mary Beth Maxwell

*Senior Vice President for Programs, Research, and Training*

A longtime leader in social justice movements, Mary Beth (M.B.) Maxwell leads the HRC Foundation's public education and programmatic initiatives covering a wide range of issues affecting LGBTQ people in the United States and around the globe. Her portfolio includes the programs focused on the workplace, children and youth, LGBTQ families, health and aging, HIV and AIDS, religion and faith, and LGBTQ issues abroad.

M.B. previously served in the Obama Administration as the Principal Deputy Assistant Secretary for Policy at the U.S. Department of Labor where she was a key figure in shaping the Administration's policy agenda for working families, including raising the minimum wage, expanding paid leave, ensuring labor standards for home care workers, and advocating for collective bargaining rights and workers' voice in the workplace. She played a lead role in the Administration's many accomplishments for LGBTQ workers. Prior to joining the Obama Administration, M.B. was the Founding Executive Director of American Rights at Work, a leading voice for modernizing and reforming our nation's labor laws. She has also served in various other senior-level positions at Jobs with Justice, NARAL Pro-Choice America, and the United States Student Association.

### Ashland Johnson, Esq.

*Director of Public Education & Research*

As Director of Public Education & Research, Ashland Johnson shapes HRC's approach to generating research and educational campaigns. As a civil rights advocate, she focuses on the intersection of law, policy, and public education with an emphasis on engaging underserved communities. Several key issue areas include health equity, sports equality, economic justice, trans inclusion, reproductive justice, and racial justice.

Ashland is a graduate of Furman University where she played Division I women's basketball. She graduated with a J.D. from the University of Georgia School of Law as

a National Point Scholar and a Bill and Anne Shepherd Equal Rights Scholar. In 2016, she was named as one of the best LGBTQ lawyers under 40 by the National LGBT Bar Association. Ashland currently serves on the Board of Directors of the Point Foundation.

### Mark Lee

*Senior Writer, Public Education & Research*

Mark Lee serves as project manager, content strategist, and editor for a wide range of LGBTQ-focused public education campaigns and research studies within the HRC Foundation, including surveys, polls, op-eds, blogs, reports, guides and other resources. Prior to joining HRC, Mark was the Manager of Research & Strategic Insights at Government Executive Media Group, leading a team that studied policy implementation and federal agency management. He has authored governmentwide workforce studies on diversity & inclusion and telework initiatives, presenting at major conferences and for agency leaders within the U.S. Office of Personnel Management, Department of Labor, and General Services Administration. Mark holds a degree in business administration from the UC Berkeley Haas School of Business.

### Liam Miranda

*Senior Research Manager, Public Education & Research*

Liam Miranda conducts, synthesizes, and collaborates on research and data analysis that helps shape and strengthen the HRC Foundation's public education and programmatic work. Liam was formerly the Research and Program Manager at Athlete Ally — where he designed, led, and organized around research initiatives exploring the intersection of sports and LGBTQ equality. He is also involved in principal data analysis and/or collection for a variety of projects — ranging from assessing the FDA's LGBTQ public health campaigns to increasing diversity and equity in nonprofit leadership. Liam is a former student-athlete and holds a degree with distinction in psychology with minors in both neuroscience and philosophy from Duke University.

## Acknowledgments

This project reflects the collaborative efforts of various HRC team members and builds upon the work of paid leave advocates fighting to advance inclusive policies for all families.

Thank you to Breanna Diaz, Andrea Levario, Robin Maril, David Stacy, and Sarah Warbelow who provided critical legal and policy expertise. Thank you to Beck Bailey and Deena Fidas for their guidance on workplace equality and inclusive best practices for employers. Thank you to Liz Halloran, Sarah McBride, Hayley Miller, and Carolyn Simon for their communications and digital strategy efforts.

Additional thanks to Jay Brown, Hillary Hearn, Carmen Miller, and Ashley Taylor for their contributions and efforts leading up to this report.

# ABOUT THE HRC FOUNDATION

The Human Rights Campaign Foundation improves the lives of lesbian, gay, bisexual, transgender, and queer (LGBTQ) people by working to increase understanding and encourage the adoption of LGBTQ-inclusive policies and practices.

We build support for LGBTQ people among families and friends, co-workers and employers, pastors and parishioners, doctors and teachers, neighbors, and the general public. Through our programs and projects, we are enhancing the lived experiences of LGBTQ people and their families, as we change hearts and minds across America and around the globe.

The HRC Foundation is a nonprofit, tax-exempt 501(c)(3) organization.

To learn more about the HRC Foundation's efforts in paid leave, please visit [hrc.org/campaigns/supporting-paid-leave](https://hrc.org/campaigns/supporting-paid-leave).



As the largest civil rights organization working to achieve equality for lesbian, gay, bisexual, transgender, and queer Americans, the Human Rights Campaign represents a force of more than 3 million members and supporters nationwide — all committed to making HRC's vision a reality.

HRC envisions a world where lesbian, gay, bisexual, transgender, and queer people are embraced as full members of society at home, at work, and in every community.