

# Building with Pride: LGBTQ+ Issues

By Richard F. Vitarelli &

June 24, 2019

## Meet the Authors



### Richard F. Vitarelli

Principal

860-331-1553

[Richard.Vitarelli@jacksonlewis.com](mailto:Richard.Vitarelli@jacksonlewis.com)

## Related Services

Construction

Workplace Training

Every year, June is “Pride Month,” but LGBTQ+ issues challenge the construction industry year-round.

According to the Department of Labor’s Bureau of Labor Statistics, approximately 5.5 million individuals over the age of 16 did not have, but wanted, a job in May 2019. In addition, the Williams Institute reported that approximately 4.5% of Americans affirmatively identify as LGBT, and a similar percentage were not willing to identify one way or another. That suggests that somewhere around 250,000–500,000 unemployed LGBTQ+ individuals want a job right now.

If your company is in need of employees, does it foster an inclusive environment that is inviting and welcoming to LGBTQ+ candidates?

About half of all construction workers reportedly admitted to hearing homophobic comments on the jobsite in 2014. More than 1-in-10 reportedly heard such comments at least weekly. Another survey, from 2017, found almost 60% of respondents heard the word “gay” used as an insult at work. Not surprisingly, *Construction News* reported that 54% of respondents did not feel comfortable being open about their sexual orientation or gender identity on construction jobsites.

Homophobic “jokes” are nothing to laugh at. They signal intolerance instead of inclusiveness. They shut the door on all those wishing to “come out” and discourage an entire pool of workers from ever even applying for a job or push current employees to leave. Such “jokes” also may give rise to disruptive and costly litigation.

Employers in the construction industry can take steps to be more inclusive. For example, update workplace policies to include prohibitions on discrimination based on sexual orientation and gender identity. Train officers, managers, supervisors, and employees on implicit and overt biases, in addition to the company’s prohibitions on discriminatory, harassing, and retaliatory behavior. Witnesses to unwelcoming comments can be encouraged to report such behavior, instead of being silent bystanders. If the leaders make clear that intolerance itself will not be tolerated, and managers and supervisors are held to these same standards, then, over time, more inclusive and productive workplaces can proliferate. The construction industry should be proud of what it is building.

Our law firm is proud to celebrate Pride Month through a series of firmwide events, including a fundraiser with The Trevor Project, the leading national organization providing crisis intervention and suicide prevention services to LGBTQ+ young people under 25.

Please contact a Jackson Lewis attorney with any questions.

©2019 Jackson Lewis P.C. This material is provided for informational purposes only. It is not intended to constitute legal advice nor does it create a client-lawyer relationship between Jackson Lewis and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this material. This material may be considered attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.

Focused on labor and employment law since 1958, Jackson Lewis P.C.'s 1000+ attorneys located in major cities nationwide consistently identify and respond to new ways workplace law intersects business. We help employers develop proactive strategies, strong policies and business-oriented solutions to cultivate high-functioning workforces that are engaged, stable and diverse, and share our clients' goals to emphasize inclusivity and respect for the contribution of every employee. For more information, visit <https://www.jacksonlewis.com>.