



Commission on Sexual Orientation and Gender Identity

A comprehensive and customizable toolkit on how to create a supportive work environment for LGBT coworkers that can be utilized by employers, human resources, and the general public.

Discussion Guide for Scenarios

Toolkit Objectives

- Increase awareness of issues that both Ally and LGBT employees face on a daily basis in both legal and professional work setting.
- Suggest strategies for law firms to retain and advance LGBT employees
- Cultivate effective dialogue about inclusiveness within law firms and/or corporate legal departments
- Equip law firms and corporate legal departments with the tools necessary to integrate LGBT inclusive practices into the organization's professional and social fabric.
- Increase awareness by prompting discussion about issues that LGBT attorneys face.
- Foster an open dialogue about critical areas that affect LGBT attorneys/employees such as parental leave during adoption process and healthcare coverage for alternative conception measures.
- Teach ways to recognize and address explicit and implicit biases that affect diversity and inclusion initiatives.

Scenario Objectives:

- Facilitate a robust discussion of each scenario.
- Equip participants with the tools to address each real-world scenario from multiple viewpoints.
- Present a format that is flexible enough to allow a group to focus on a particular issue within any given scenario.
- Serve as a self-contained study kit for individuals.

**Discussion areas**

- Dealing with open LGBT discrimination in the workplace
- The 'coming out' process
- Creating a more 'gay-friendly' work environment
- Job satisfaction
- Helping LGBT
- Marriage and family
- Gender Stereotypes
- Physical appearance
- Perceived Harassment

Audiences

- All attorneys
- HR departments
- Supervising attorneys
- Managing partners at law firms
- General Counsels

Instructions for Group Discussions:

Select the scenario(s) you plan to discuss. Divide into small (2-4) person groups. As a small group read the scenario together or have each person read individually. Everyone should consider the discussion questions for 2-3 minutes on their own. Then discuss the questions in your small groups. Each group should select one person to summarize and share their answers with the larger group. Each scenario has some direct or indirect correlation to a specific discussion area.

These classifications are merely suggestions as to how one might approach selecting a scenario that most closely represents the composition of his or her workplace. For optimal outcomes, the composition of each sub- group should be as diverse (i.e. sexual orientation, gender, race, job function, etc.) as possible.

Remind the importance of this activity is active participation of each participant. There are no wrong answers as the scenarios have been intentionally drafted to have more than one viable outcome.

During each sub-group's report, you should consider the following general questions: (i) What did your group decide? (ii) What happened when the group tried to agree? (ii) Did the group disagree at all?



Scenario # 1: You overhear another colleague or co-worker making derogatory remarks about LGBT people. What should you do?

DISCUSSION QUESTIONS:

- Have you ever experienced a situation similar to the one in this scenario? What happened and how was it handled? What was the outcome?
- Have you ever witnessed a co-worker experience a situation similar to the one in this scenario? What happened and how did your co-worker handle it? What was the outcome?
- What are some other ways the scenario can be handled?
- What questions do you have when reading the scenario?
- What are other ways to engage co-workers on a daily basis to be allies?
- What are ways you can help if a co-worker looks to you for guidance or feedback on handling a scenario?

ALLY ACTION ACTIVITY:

You are at a deposition with two other attorneys. During a break, you hear them joking about the gender identity and sexual orientation of the secretary at the front desk. You could say,

- "I overheard you talking about the secretary at the front desk. Your jokes make me uncomfortable and I am sure they would be hurtful if overheard. I hope that we can stick to the case at hand, instead."
- "I'm sorry to interrupt, but your remarks are inappropriate and I felt that I should say something. In fact, I bet a lot of the assumptions you are making are wrong, and I think that we should be respectfully of everyone, despite any of our assumptions about his/her/their personal life."



Scenario # 2: A coworker you know to be LGBT comes to talk with you about having missed several days of work. The coworker tells you that they have recently “come out” to their parents. The parents now threaten to cut all ties with them unless they “changes their ways” and refuses “to be gay”. The coworker is feeling hopeless and despondent. What can you say or do?

DISCUSSION QUESTIONS:

- Have you ever experienced a situation similar to the one in this scenario? What happened and how was it handled? What was the outcome?
- Have you ever witnessed a co-worker experience a situation similar to the one in this scenario? What happened and how did your co-worker handle it? What was the outcome?
- What are some other ways the scenario can be handled?
- What questions do you have when reading the scenario?
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ALLY ACTION ACTIVITY:

- “Thank you for sharing that with me; I know it must be a really difficult time for you. How can I help?”
- “I am really glad you chose to reach out to me. Do you want to talk further outside of work? I actually know a few great places that have resources you might find helpful.”
- “I am sure that was really difficult for you, and I am hopeful that you know there is a world full of hope and support out here! Do you want to get coffee after work on Thursday? It will give us something to look forward to and we can catch up on how things are going.”



Scenario # 3: A “closeted” LGBT coworker confides in you that they perceive their department or work environment to be not very “gay-friendly”. The person would like to initiate Ally training but is reluctant to do so. How do you respond?

DISCUSSION QUESTIONS:

- Have you ever experienced a situation similar to the one in this scenario? What happened and how was it handled? What was the outcome?
- Have you ever witnessed a co-worker experience a situation similar to the one in this scenario? What happened and how did your co-worker handle it? What was the outcome?
- What are some other ways the scenario can be handled?
- What questions do you have when reading the scenario?
- What are other ways to engage co-workers on a daily basis to be allies?
- What are ways you can help if a co-worker looks to you for guidance or feedback on handling a scenario?

ALLY ACTION ACTIVITY:

-“I think that is a great idea and would love to hear about what you had in mind. Maybe I could help.”

-“That sounds like it would be helpful for everyone. Have you proposed it to administration, yet?”



Scenario # 4: A coworker complains to you that they believe his manager/partner has given them a poor review because of their sexual orientation. As a practical matter, how do you respond or address this?

DISCUSSION QUESTIONS:

- Have you ever experienced a situation similar to the one in this scenario? What happened and how was it handled? What was the outcome?
- Have you ever witnessed a co-worker experience a situation similar to the one in this scenario? What happened and how did your co-worker handle it? What was the outcome?
- What are some other ways the scenario can be handled?
- What questions do you have when reading the scenario?
- What are other ways to engage co-workers on a daily basis to be allies?
- What are ways you can help if a co-worker looks to you for guidance or feedback on handling a scenario?

ALLY ACTION ACTIVITY

-“That is too bad and I am sure it is immensely hurtful and frustrating for you. I would be glad to listen to what happened.”

-“I know you have been working really hard, so that must have been disappointing. What can I do to help?”

-“I know this is difficult, have you considered discussing this with HR?”



Scenario # 5: You are speaking with someone about a lesbian couple you know who just had their second child, and they say to you “You know, I have a hard time with gay people having kids. I think children need the influence of both genders – they need a mother and a father.”

DISCUSSION QUESTIONS:

- Have you ever experienced a situation similar to the one in this scenario? What happened and how was it handled? What was the outcome?
- Have you ever witnessed a co-worker experience a situation similar to the one in this scenario? What happened and how did your co-worker handle it? What was the outcome?
- What are some other ways the scenario can be handled?
- What questions do you have when reading the scenario?
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- What are ways you can help if a co-worker looks to you for guidance or feedback on handling a scenario?

ALLY ACTION ACTIVITY:

-“I have always thought it is a blessing to have the love and support of parents and family, whether it is a single-parent, two parents, grandparents, or an aunt/uncle.”

-“It sounds like that child is already head’s above the rest with two loving and attentive parents in their life. To me, the more dedicated adults in a child’s life, the better!”



Scenario # 6: A female coworker tells you that there's a new person at work who "dresses like a girl, and has a female name, but everyone thinks he's really a guy." Your coworker says "I'm ok working with him, but if he comes in the women's restroom, I'm talking to my supervisor."

DISCUSSION QUESTIONS:

- Have you ever experienced a situation similar to the one in this scenario? What happened and how was it handled? What was the outcome?
- Have you ever witnessed a co-worker experience a situation similar to the one in this scenario? What happened and how did your co-worker handle it? What was the outcome?
- What are some other ways the scenario can be handled?
- What questions do you have when reading the scenario?
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ALLY ACTION ACTIVITY:

- "I have no objection to any person who identifies as a woman using the bathroom.

- "I see no issue with all women using the bathrooms. Candidly, I do not think that a transgender woman would be any more likely to enter my stall than would any other women in the bathroom."



Scenario # 7: A LGBT coworker comes to your office and asks to talk. She is angry and tells you that she's going to quit the company. She won't tell you why but just goes on and on about how awful the company is and how mean the people are etc. Finally, she tells you that people in her practice group found out that she's bisexual and have been harassing her. She doesn't know what to do.

DISCUSSION QUESTIONS:

- Have you ever experienced a situation similar to the one in this scenario? What happened and how was it handled? What was the outcome?
- Have you ever witnessed a co-worker experience a situation similar to the one in this scenario? What happened and how did your co-worker handle it? What was the outcome?
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ALLY ACTION ACTIVITY:

-“I can tell something happened that has upset you greatly. Do you want to talk about it outside of work?”

-“It sounds like you are really upset by what happened. I have a friend who is a specialist in employment issues if you want to talk to him/her.”

-“I am sorry you had to endure something so upsetting! Is there anything I can do to help? I am not an expert in employment law, but I am glad to listen.”