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UNIVERSITY OF TWENTE.

LGBT-EQUALITY IN THE GLOBAL WORKPLACE.

*ORGANIZATIONAL RESPONSES TO ADMINISTRATIVE
CHALLENGES AROUND LGBT-WORKPLACE EQUALITY.*



**Workplace
Pride**

International platform for LGBT inclusion at work

Master Thesis Public Administration | J.J. Boerties

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Universal Declaration of Human Rights, as passed and proclaimed by the General Assembly of the United Nations on the 10th of December 1948.

Article 10: Organizations should visibly support the improvement of working environments for their LGBT employees in all the countries where they are active.

Declaration of Amsterdam, as announced on the 1th of July 2011 at Workplace Pride's 5th International LGBT Business Conference in Amsterdam.

We can compromise our political positions, but not ourselves.

John F. Kennedy, Profiles in Courage, 1956

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Preface

While public administration is my chosen field of interest, 20th century history is also a great passion of mine. In the process of conducting research for this study I happened to stumble on a particularly interesting piece of history that I would like to reflect on for a moment. It was a poster from the mid sixties, a time when the call for social justice and minority emancipation was at an all time high. This poster, distributed by the US government, was meant to inform federal employees that equality at work was a priority of the Johnson administration. I quote; *“All Americans have the right to equal employment opportunity (...) If you feel you have been discriminated against because of race, color, religion, national origin or sex, you should contact your agency’s Equal Employment Opportunity Officer.”*

While at first glance these anti-discriminatory categories seem to cover all the bases, a more careful reading will show that sexual orientation was not included at that time. Fifty years down the road it is clear that the struggle for workplace equality on this front has not been as revolutionary as the civil rights and feminist movements. Although federal LGBT-employees were finally extended equal legal protection in 1998, a great number of LGBT-employees in the private sector are still at risk of being fired simply because of their sexual orientation. The federal laws required to protect them have consistently been voted-down or log jammed since 1974.

Considering that the US government is actually based on the premise that *“all men are created equal”*, it can be discouraging to imagine the challenge of breaking administrative barriers to LGBT-workplace equality in many other countries around the globe.

However, the fact that in recent years an increasing number of multinational organizations have taken on the responsibility to provide equality provisions for their LGBT-employees could mean that we are now turning a corner.

Encouraging as this may be, during the 2012 Workplace Pride Conference in Amsterdam key note speaker and IBM executive Claudia Brind-Woody made it clear that corporate initiative alone is not enough; *“We need the non-profits, we need the public sector and we need the academic studies. Yes we can lead the way and we can have an economic impact. But it helps us when we’ve got an academic study saying (...) it’s a workplace issue and not just a social justice issue.”*

This study is important in that respect because it illustrates not only how several multinational organizations deal with the administrative barriers to their equality policies but also what the perceived implications are for their policy’s effectiveness. In light of this I feel confident that the findings can indeed be of value for those people and organizations that are willing to make a difference and try to improve the quality of life of so many.

Jos Boerties - June 2012

1. Introduction

In July 2011, Forbes Magazine published a human interest article laying out the challenges of India's gay and lesbian workers struggling with anti-gay sentiments at their workplaces. The article (Chopra, 2011) stated that, while several multinationals operating in this country had implemented diversity & inclusion policies, these policies were handicapped by the fact that up until 2009, consensual same-sex relations were a criminal offense by Indian law.

The example clearly illustrates that for multinational organizations starting up operations in another country implies more than just crossing national borders. In the long run cultural and administrative differences might be even more difficult barriers to overcome.

In that light, the great variation in administrative attitudes towards Lesbian, Gay, Bisexual and Transgender (LGBT) employees can prove to be especially challenging for those organizations that dare to take a principle stand on LGBT-equality. How do these organizations respond to the various administrative environments they find themselves in? Is it simply a matter of legal compliance? And if not, what are their options in practice? Up to what point can workplace equality be provided for LGBT-employees in an organization with global operations? These are the kind of questions I will reflect on and answer in the course of this study.

Besides discussing these practical issues in more detail, this thesis also aims to contribute to a broader academic discussion regarding the way multinational organizations (as the most prominent exponents of globalization) aim to address social problems cross-nationally. Whereas in the past, multinational organizations have been criticized for invoking an economical, political and cultural 'race to the bottom', this image would apparently need some readjustment if we look at the increased ethical accountability that a growing number of these global operators have subjected themselves to in their daily operations.

For as Reidenbach & Robin (1991) explain in their frequently cited model of moral development, many of these organizations went from a basic 'grab all you can' mentality to a more balanced concern for ethical and economical outcomes. For LGBT-friendly organizations, workplace equality is, in that sense, not so much an isolated issue but a new frontier of (Corporate) Social Responsibility.

From both the social and academic perspective we could ask the question why (of all things) importance should be placed on LGBT-workplace equality in order to describing these interactions between multinational organizations and their social environments. The answer to that is actually quite simple. We should consider that most people spend the larger part of their lives working in a setting with others.

Throughout a working life, social relations with co-workers might actually be more frequent and intensive than relations with family or friends. On the most personal level we even define ourselves by the work we do. As US Senator Robert F. Kennedy once said; *"To be without work, to be without use to one's fellow citizens, is to be in truth the Invisible Man of whom Ralph Ellison wrote."*

While Kennedy clearly referred to the unemployed, these words also have implications for those who can only work by making themselves 'invisible'. Imagine the pressures faced by LGBT-employees around the world who are forced to hide an essential part of their identity in order to keep their jobs (and in some cases their lives).

However, getting an overview of the extent of the global problem is difficult because essential data is often not available in the 81 countries where being gay is still illegal. In spite of that, we can perhaps read something of the overall severity in data from the Dutch situation: In the same month the Forbes article was released, the Dutch research institute Movisie (Dankmeijer, 2011) published an overview of results from Dutch studies related to LGBT-workplace equality in the last two decades.

It showed that, even in a liberal country like The Netherlands, up to 30% of LGBT-employees are still hiding their sexual orientation from their employers and colleagues. At the same time, 25% of open male-to-female transgenders have reported experiencing direct discrimination at their workplace. One in ten have been threatened with getting fired, have been refused a promotion or have been taken out of their job. The same seems to apply to female-to-male transgenders but there is yet insufficient data to support it.

In September 2011, the Dutch scientific advisory agency Centraal Plan Bureau (CPB, 2011) issued their latest report on the state of workplace conditions for LGBT-employees. It concludes that gay and transgender employees are suffering more from health issues than straight employees. This in turn is said to be caused by minority stress and gender identity issues, both of which can be amplified by gay-negativity at the workplace.

Given that The Netherlands is considered to be one of the most LGBT-inclusive countries, we can only assume that the situation for LGBT-employees in less inclusive countries is indeed concerning.

This study, based on my analysis of six multinational organizations, is able to shed some light on the way LGBT-friendly organizations respond to workplace equality barriers in their various administrative environments when implementing their equality policies globally.

I have interviewed several top-level HR-executives within these organizations to get more insights into the impact of the administrative environments on LGBT-workplace equality and the way these organizations respond to it. These in-depth interviews were conducted in groups and on an individual basis. Combined they form the primary source of information for this study.

The study itself was requested and funded by the Amsterdam-based Workplace Pride Foundation in their continuing effort to improve (knowledge of) LGBT-workplace equality. This organization, composed of 26 multinational organizations, was responsible for drafting the 'Declaration of Amsterdam' last year (Workplace Pride, 2011). A declaration that comprises 10 action points that should be embedded in organizations to create safe and comfortable workplaces for LGBT employees. Given that 13 of Workplace Pride's members have already signed it, it can be seen as a symbolic and substantive sign of increased awareness for this issue.

This study comes as a logical next step for Workplace Pride; It is part of a broader feasibility study to see if it is possible to create a universal benchmark for LGBT-friendly workplaces based on the outlines of the Declaration of Amsterdam. By clarifying how LGBT-friendly multinational organizations interact with their administrative environments I hope this study can be a valuable contribution to accomplish that goal.

1.1. Main research question

As discussed, the primary goal of this study is to explain how multinational organizations deal with differences in administrative conditions that affect their LGBT-workplace equality policies. Our standard assumption would therefore be that local administrative conditions (X_1) lead to a certain level of local LGBT-equality (Y). However, given that multinational organizations are not bound to one specific administrative environment and have intrinsic power that allows them to wield influence, we can further assume that this additional variable (X_2) might interfere with the original causal relation. As of yet it is however unclear exactly how and in what way this presumed causal relation is affected. Although much research has been done with regard to homosexuality as a social (equality) issue and the role of multinational organizations as governance actors in the global market, I have not been able to find any previous studies on this particular subject. In part this can be attributed to the lack of specific LGBT-related corporate equality policies; Only in recent years has LGBT-equality received awareness as a specific Human Resource-issue. The six selected organizations are frontrunners in that respect.

I expected that, especially in the LGBT-context, it would be interesting to see how these organizations respond to the variety of administrative environments they operate in. What is the effect of those responses on the implementation of local workplace equality policies? And perhaps more importantly, are these organizations able to meet essential conditions for effective LGBT-workplace equality globally?

To do so I have had to analyze how this selection of global organizations with prominent LGBT-equality policies responds to administrative differences, why they respond in the way they do and what the implications of these responses are for the policy outcome.

This led me to adopt the following main research question:

How do Multinational Organizations (MO's) respond to variations in their administrative environments with regard to the implementation of organizational LGBT- workplace equality policies, how can these responses be explained and what are the perceived implications of these responses?

1.2. Sub-questions

In order to focus on the separate elements of this main question I have broken it down in three sub-questions listed below:

- 1. How do multinational organizations respond to variations in their administrative environments with regard to the implementation of organizational LGBT-workplace equality policies?***
- 2. How can these organizational responses be explained?***
- 3. What are the perceived implications of these responses for local organizational LGBT-workplace equality policies?***

Each of these three sub-questions relate to a specific aspect of the field of interest: organizational responses, the causes of these responses and the perceived effect of these responses on organizational LGBT-equality policies. By focusing on these three elements I expected to maximize both the academic and practical value within the limitations in time and resources of a master thesis. Throughout this thesis, the sub-questions are used to structure the research and ultimately to answer the main research question.

2. Theoretical framework

This chapter combines relevant literature from the fields of public administration, business administration, organization management, human resources, sociology and psychology in order to create a comprehensive model of theoretical expectations. The combination of such a wide variety of research fields is important considering that my main research question touches on all of these aspects.

Based on this model I predict that global organizational LGBT-policies are increasingly affected by administrative conditions. A combination of the administrative LGBT-inclusiveness of a particular environment and the organizational power to respond to these administrative conditions are discussed as the primary factors shaping the organizational responses.

In terms of policy implications it is expected that essential policy attributes are most difficult to meet in LGBT-exclusive administrative environments where organizations are unable to respond forcefully to LGBT-exclusive conditions. In the next few pages I will discuss these predictions in more detail.

2.1. Globalization and social responsibility

If we start by looking at the bigger picture of social responsibility in the context of multinational organizations, we see that a gradual evolution has taken place in academic and public debate. As Muchlinski (2001) says, over the last decades the traditional notion that only states and state agents could be held accountable is being publically challenged. This is due to the fact that both the economic and social power of multinational organizations has gradually increased in the process of economical and cultural globalization that they themselves have helped to bring about.

This transformation process from 'economic animals' to 'moral agents' is however far from easy; In their application of organizational policies, MO's have often been accused of either 'ethical imperialism', when imposing their Western-based ethical framework on countries that are far from receptive, or 'moral relativism' when alternatively adapting their practices to host country norms that do not fit this particular framework (Mayer & Cava, 1993). It would imply that MO's need to tread carefully to avoid getting labeled as culturally insensitive or morally corrupted.

Prahalad & Lieberthal (2003) identified imperialistic, cultural insensitivity as the main reason why corporate multinationals were often ineffective in their efforts to establish themselves firmly in certain countries and communities. This realization apparently led to a shift in organization's global strategies to a more sensitive approach of moral relativism in recent years. Currently, many multinational corporations model their global human resource policies on the cultural and administrative conditions of host-countries (Ferner, Almond, Clark, Colling, Edwards, Holden & Muller-Carmen, 2004).

However, given that LGBT-workplace equality is a difficult issue to find compromise on, we cannot yet predict how LGBT-friendly MO's generally address this part of their global policy goals. Considering the potential misalignments and clashes between organizational and country-dependent normative principles, it is also hard to say with any certainty what the outcomes of their pursued course might be.

In the broader context of academic and public debate, the main contribution of this study is therefore that it could potentially tell us something new about the way multinational organizations and administrative environments affect each other's attempts to govern or manage controversial social issues like LGBT-equality. Do LGBT-friendly multinational organizations use their economical and social power as ethical imperialists or do they approach it as moral relativists? This is a point of interest I will reflect on in the presentation of my findings.

2.1. Concepts

While the previous pages have already coined terms like 'LGBT' and 'workplace equality' it is important to establish the exact meaning of the central concepts in this thesis before we turn to a detailed discussion of administrative challenges, organizational responses and policy implications. The next few paragraphs will be used to further clarify these central concepts and the connections between them.

Lesbian, Gay, Bisexual & Transgender

Despite being the subject of many scientific articles, according to Boehmer (2002) the grouping term 'Lesbian, Gay, Bisexual & Transgender' (LGBT) does not have a uniform academic definition. This is due to differences of opinion regarding the fundamentals of such a definition: Should it be based on behavior, identity, desire? The range of the definition is also up for debate. Some definitions include transvestites, cross-dressers or hermaphrodites where others do not. Boehmer points to these differences of opinion as a cause for interpretation bias of the concept and differences in sampling in scientific research.

For this thesis I will simply accept self-identification as the guiding principle for defining the concept. In effect this means that any person who identifies himself or herself as an LGBT-individual is included. This self-identification can both be outspoken (disclosed) and unspoken (undisclosed). These differences in interpretation of the definition are however also present in many corporate diversity policies. Some do not pay specific attention to LGBT-employees for the very reason that it is (too) hard to define who exactly to target. Some only address LGB-employees and leave out transgenders as specific policy beneficiaries. For reasons of comparability this is a potential complicating factor in academic study.

A central goal of current equality recognition for LGBT-individuals is based on the possibility of voluntary disclosure. As Richardson (2004) argues, claiming the right to public visibility is the means by which lesbian and gay men seek to protect the possibilities of having private lives of their own choosing. This arguably applies just as much to transgenders for whom disclosure is often inevitable due to the physical effects of a sex-change operation (Dankmeijer, 2011).

Workplace equality

Just as LGBT is hard to define, so is the concept of workplace equality. Does it imply equal rights? Equal opportunities? Equal treatment?

To begin with, equality is at its most basic a moral, normative principle with theoretical and practical applicability to social issues. According to Cornelius (2002), the application of this principle in the workplace has gradually become an important element of legal conditions (in certain countries) and practical policies for employers. At first by government emphasizing in a top-down approach the need for equal employment rights and equal opportunities, in recent years often joined by a more bottom-up approach of organizational diversity management.

As mentioned by Colgan, Creegan, Wright & McKearney (2009), a recent UK survey of diversity in business found that public sector organizations are more 'pioneering' in their approach to equality and diversity management than the private sector. However, in recent years a growing number of 'good practice' public, private and voluntary sector organizations have come to the realization that a commitment to equality and diversity would have to include the needs of LGB employees.

From the viewpoint of social justice it would be easy for an outsider to see why governments would emphasize equal opportunities and as such, why employers would (be forced to) comply to these laws. However, it does not explain why, especially competitive private sector organizations would go beyond legal minima by means of employee diversity management.

According to Cornelius (2002), one of the drivers for diversity management is that the demographic profile of organizations has changed in such a way that traditionally disadvantaged groups are increasing their share in the workforce. Simultaneously, the need to increase organizational support for this diversified workforce is felt more strongly.

Within multinational organizations, importance is placed on diversity management due to its contribution to cross-cultural interactions and communications. Thus, the competitive motive for diversity management is often based on organizational self-interest: To maximize employee potential and increase organizational efficiency (Cornelius, 2002).

If we turn again to the Dutch Movisie report, we can see where advocates from the social justice perspective and the organizational self-interest perspective find common grounds for specific LGBT-workplace equality policies. According to Dankmeijer (2011), one of the overall findings states that people who do not completely fit the heterosexual standard experience more negative effects in their workplace due to a negative work environment. Consequences are shown in stress, emotional exhaustion, depersonalization (of work), more sick leaves and health problems.

Finally, another study by Button (2001) showed that affirmative sexual diversity policies are indeed effective; The more prevalent these policies are, the less likely sexual minority members are to experience treatment discrimination. In addition, a higher perceived level of fairness of these policies is said to lead to a higher level of job satisfaction and commitment among lesbian and gay employees.

Multinational organizations

As Steiner & Steiner (2003) put it, Multinational corporations are central forces of globalization. In the wake of WWII they have increased in numbers up to the point that, at the start of the 21st century, there were 63.000 parent companies with approximately 700.000 affiliates. Simultaneously, multilateral organizations have also gained in numbers and importance.

Broadly defined as Multinational Organizations (MO's), I include both multinational corporations (MNC) and multilateral organizations (governmental & non-profit) in my analysis. All of them selected primarily based on the presence of prevalent LGBT-equality policies in these organizations.

Administrative environments

Having discussed MO's, their workplace equality policies and their policy beneficiaries, we can turn our focus to the administrative environments where these policies are being implemented. Steiner & Steiner describe seven key environments affecting business today. Even though the scope of my thesis covers more than just business organizations, we can argue that two of these environments do apply to all multinational organizations and are relevant in this light.

The environments I am referring to are the Legal and Governmental Environments. The Legal Environment covers legislation, regulation and litigation. All three are on the increase and are globally trending towards more restrictive policies regarding multinationals.

As organizations grow and become increasingly international, so does the legal framework in which these MO's need to operate. Laws and regulations have grown in numbers and complexity. Employers have had to widen their protection of stakeholders rights and globalization has exposed them to foreign and international law.

Advocacy groups (like Workplace Pride), are also weighing in on the Legal Environment by persuading the adoption of soft laws and voluntarily adopted codes of conduct. This often means having to exceed national laws and requirements.

Soft laws and voluntary codes of conduct can however at any moment become actual laws, turning good intent into enforced compliance. Partly as a result of these constant changes and additions in laws, organizations always need to anticipate changes in liability (Steiner & Steiner, 2003).

The Governmental Environment is shaped largely by two global trends. In the first place, governments are increasing their activities. This trend is shown both in developed and underdeveloped countries, although arguably a little less strong in the latter. We recognize these expanded activities especially in social welfare and protection of citizens. Generally this leads to more government restriction of multinational organizations. However, at the same time an increase in open and democratic economies has been positive for multinational organizations and multinational corporations in particular. This openness and democratization also leads to more government enforcement of popular/democratic demands regarding corporate social responsibilities (Steiner & Steiner, 2003). A factor that has surely contributed to the before mentioned shift of MO from economic animals to moral agents.

When we combine these central elements of the Legal and Governmental Environments we get a general idea of the types of challenges MO's face in their administrative environments. In terms of LGBT-workplace equality we can expect to see that this dimension has a fundamental impact on the way organizations need to operate globally. The question remains, how do these MO's respond to those administrative challenges?

2.2. How do multinational organizations respond to variations in their administrative environments?

The cross-national implementation of Human Resource Management has led in the last decades to the need for MO's to deal with varying conditions in the administrative environments they operate in. In general there are two approaches to address these differences: Going universal or going local. Placed in the broader context we can argue that the former is definitely linked to ethical imperialism whereas the latter requires a high level of moral relativism. As Briscoe & Schuler (2004) state, the parent firm either applies its parent-country HRM practices directly to its foreign subsidiaries, or it tries to merge workplace policies with those that are common in the host countries.

However, when we consider the use of either the imperialistic approach or the relativist approach to LGBT-workplace equality it becomes clear that both have serious potential drawbacks for MO's. On the imperialistic approach, Cooke & Saini (2010) argue that several studies of multinational diversity management have shown that attempts to implement US-based diversity programs globally often meet with strong resistance in host-countries. This is said to be caused by MO's not taking into account the legal, historical, political and cultural contexts of equality in these countries. On the other hand we can ask the question if an alternative relativist approach would be more effective. LGBT-equality is after all one of the most culturally controversial and value-driven elements of diversity policies. Consequentially, it cannot always be dealt with in mutual consensus or compromise. The danger of a moral relativist approach would therefore be that implementing LGBT-workplace equality policies in certain countries can become effectively impossible. It is arguably the most interesting part of this study to see just how MO's with prevalent LGBT-equality policies act in the face of those LGBT-excluding conditions. When we elaborate on the two options stated by Briscoe & Schuler, while keeping in mind that consensus or limited compromise is not always a viable option, a prediction can be made as to how these organizations might respond in various administrative environments.

To begin with, I argue that based on the level of LGBT-inclusiveness in any given administrative environment, organizations will often have the option of full implementation of their LGBT-workplace equality policies, especially so in countries that share the (corporate) equality values of the organization.

However, as mentioned, in less LGBT-inclusive administrative environments the organizations might have to agree on a local compromise of their desired workplace policies, and thereby a compromise on their values. In light of the prevalence of their LGBT-policies it is unclear to what extent they are willing to do so.

As a third option we should consider the possibility that these organizations might simply decide not to implement their LGBT-policies in a given situation because local administrative circumstances do not allow for it. If this is the case it would be interesting to see why they would choose to act in opposition to their desired workplace policies. Although this option might seem somewhat unlikely in light of prevalent LGBT-policies, it is certainly an option to keep under consideration if only for that fact that deliberations from a social justice perspective or an organizational self-interest perspective do not always lead to the same outcome.

A final option would be for organizations to decide not to start operations in certain administrative environments when those administrative conditions do not allow for the implementation of LGBT-workplace equality policies. This other end of the spectrum might also seem rather unlikely given that LGBT-workplace equality is arguably not the main (or only) criterion for any MO's decision to start operations in a given administrative environment. Still, there are many examples of organizations that have terminated operations or decided not to start up operations in countries that violated human rights.

2.3. How can these organizational responses be explained?

The level of LGBT-inclusiveness of a given administrative environment seems to be one of the most prominent variables to determine the response of MO's with regard to their local LGBT-workplace equality policies. This assumption is based in part on findings in a recent publication by Tilcsik (2011). His study showed that in the US, significant discrimination exists against job applicants who are perceived to be gay. More importantly for this study, The geographic variation in the level of discrimination reflected regional differences in (sub)cultural attitudes and anti-discrimination laws. This confirms that dominant cultural attitudes towards defiant sexual orientation are often encoded in the administrative systems of cultures they represent.

This conclusion is in line with an earlier study by Ragins & Cornwell (2001) which found that gay employees are significantly less likely to report either experiencing or observing sexual orientation discrimination in organizations operating under protective legislation that prohibits workplace discrimination against gay employees as opposed to organizations that do not operate under such protective legislation. The obvious implication is that certain administrative environments are more favorable to LGBT-workplace equality than others. While levels of administrative LGBT-(in)equality may vary we can easily identify the two ends of the scale:

- LGBT-inclusive administrative environments: These types of environments have anti-discriminations laws that include sexual orientation. LGBT-employees have equal legal protection inside and outside of the workplace.
- LGBT-exclusive administrative environments: The type of environment where homosexuality is legally outlawed. LGBT-employees can potentially face prosecution if their sexual orientation is disclosed.

Of course there are gradations of LGBT-inclusiveness in terms of legal settings but it is often not difficult to label an environment as being either inclusive or exclusive. For instance, a country that does not prosecute LGBT-individuals but lacks legal protection is still exclusive. After all, a person's sexual orientation can be a valid reason for firing someone in these types of environments. Given that MO's have to operate within the margins of these environments we can assume that they would have to react differently when confronted with different levels of administrative LGBT-inclusiveness.

It would however be wrong to say that the relationship between MO's and the administrative environments they operate in is merely reactive, it is undoubtedly interactive. According to Rodriguez (2006), multinational organizations, particularly competitive ones, often use proactive strategies to affect the public policy environment in a way favorable to the organization. Therefore, it is clear that an MO's response (and with it the potential success or failure of its workplace policy implementation) also depends on organizational conditions. More specific: The power (as a capacity) and influence (as a practice of using power) a MO has to respond to administrative differences regarding LGBT-workplace equality (Lucas & Baxter, 2012).

With that in mind we should look to conditions of power and influence as described by Hague & Harrop (2004). They suggest that the underlying power and consequential influence of any interest group (explicitly including MO's), is based on four features: The ability to invoke sanctions, the degree of achieved legitimacy, the size & density of membership and the availability of organizational resources.

MO's are often believed to have a great ability to invoke sanctions, the ultimate one being that they can take their investment (economic or otherwise) elsewhere. However, as mentioned earlier, we can wonder to what extent a country's LGBT-exclusiveness is a decisive factor in an MO's decision to move operations. After all, it is arguable not the only criterion in a country assessment.

The level of legitimacy for the pursued goal is linked to the perception of legitimacy of that goal by stakeholders (primarily authorities) in the administrative system. As discussed, the legitimacy of a goal like LGBT-workplace equality can vary greatly between countries.

It would suggest that MO's would need to make a greater effort in certain cultures in order to achieve the desired level of legitimacy for their workplace policies. This is related to the fact that (Western-based) LGBT-equality policies can sometimes be seen as imposing on local norms and values.

Density of membership refers to the possibility to exercise power as a team as opposed to individual responses. A good example would be the fact that 48 companies (including Nike, Time Warner and Xerox) have recently petitioned successfully to the US government, arguing that a federal ban on gay marriage negatively affected their businesses (Phillip, 2012) This example also illustrates that the size of group membership matters; The US government would by all accounts be sensitive to the expressed needs of so many major employers.

Regarding the use of organizational recourses, money is an obvious one. However political recourses are also important. Consider for instance the types of resources needed to set up an effective political lobby. Besides money it would at the very least require manpower, information and a political network. In case of MO's, these recourses are often present to a certain degree.

In conclusion, we can assume that the overall power of MO's on the issue of LGBT-workplace equality and their ability to exert influence (applied power) over administrative environments in this respect, depends on their ability (and willingness) to invoke sanctions, their efforts to achieve a level of legitimacy for LGBT-equality, their ability to address administrative inequalities as a group and the allocation of available organizational resources to support this cause.

Based on the theoretical assumptions we can expect beforehand that an organization's response is shaped largely by two main features: The organization's power position in a given administrative environment and the level of LGBT-inclusiveness of that particular environment.

2.4. What are the perceived implications of these responses for local organizational LGBT-workplace equality policies?

In the final analysis it is probably most interesting to see what these interactions between administrative environments and multinational organizations result in. What exactly are the implications of the chosen organizational responses to varying administrative conditions? What outcomes might we expect for LGBT-employees?

For this we can make another deliberated prediction based on previous academic findings. After analyzing a great deal of relevant literature I have been able to identify four essential attributes needed to implement effective LGBT-workplace equality policies. These attributes are: Role Models, Anti-Discrimination, Voice & Agency and Social Support. Figure 1. illustrates how these policy attributes are placed in the theoretical model we discussed up until now.

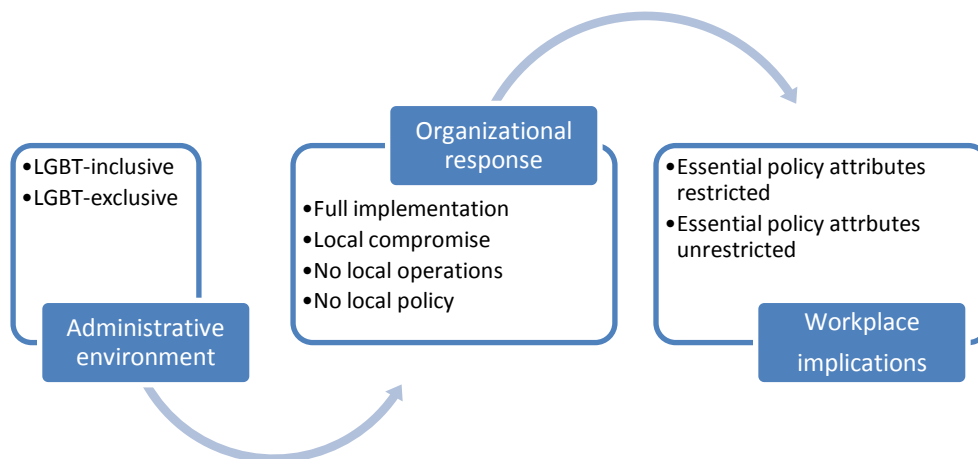


Figure 1: Organizational response model

Role models

The possibility of individual disclosure (In other words; The possibility to hide or be open about the minority stigma) is, as mentioned in my discussion of the concept of equality, a central goal of LGBT-workplace equality policies. According to Ragins, Singh & Cornwell (2007), US studies have shown that the decision whether or not to come out at work is one of the most difficult career challenges for LGB-employees.¹

They go on to say that this fear for negative consequences can, regardless of actual negative outcomes, in itself lead to psychological distress and decreased job performance. On the other hand, employees are found to report less fear and more disclosure when working in teams that are perceived as supportive.

¹ Transgenders were not included in these studies.

Unfortunately, the individual nondisclosure (due to fear of consequences) sometimes leads to a paradox: According to Ragins et al. the invisibility of LGBT-minorities at the workplace is generally mistaken for a purely heterogeneous workplace environment where special attention for LGBT-employees is not required. We can assume that an absence of problem perception is a real obstacle for equality policy effectiveness. This would be especially so in the context of LGBT-exclusive environments as described earlier.

This is the reason why many organizational diversity policies encourage individual disclosure; It is hoped and believed that increased visibility helps to change negative perceptions and will simultaneously lead to more LGBT-disclosure. The conclusions from Ragins et al. support this course of action: For those employees that have not disclosed their sexual identities at work, the very presence of an LGB-supervisor or coworker helps to facilitate the disclosure process.

While this might be so, it is interesting to see if MO's with prevalent LGBT-policies are also stressing individual disclosure in the context of LGBT-exclusive administrative environments. And if so, (how) can these MO's guarantee privacy and workplace safety under those circumstances? This aspect will be discussed in my presentation of findings.

Anti-discrimination

Another essential attribute for LGBT-workplace equality is the level of anti-discrimination and legal protection an organization can offer its LGBT-employees. When discussing the US situation, Ragins et al. argue that one of the reasons why disclosure is complicated centers around the fact that discrimination based on sexual orientation is legal in most workplaces in the United States. Consequentially, this is a great obstacle for organizational LGBT-equality and the possibility of individual disclosure.

The necessity for legal protection as a part of LGBT-workplace equality is further emphasized by Tilscik (2011) who, as mentioned previously, found that the geographic variation in the level of US sexual orientation discrimination reflected regional differences in (sub)cultural attitudes and anti-discrimination laws.

It would therefore seem that without a certain amount of LGBT-legal protection, the possibility to lay out an effective LGBT-workplace equality policy is severely restricted.

As Button (2001) states: When there are no organizational guarantees of nondiscrimination, gay and lesbian employees will always be wary for the possibility that their contracts be terminated or that they will be otherwise discriminated when identified as a sexual minority.

Voice & Agency

According to Bell et al. (2011), studies have shown that heterosexual environments can foster organizational climates where it is felt, from an LGBT-perspective, that speaking up as an LGBT-employee is futile or dangerous. The former 'Don't ask, don't tell' policy of the US Army is used as an example for this claim.

Providing the means to overcome this obstacle is what Voice & Agency boils down to. Using the definition of Cornelius (2002), Voice refers to the opportunity for individuals and groups to express their needs and give input on organization policies that apply to them. This is an important aspect due to the fact that minority opinions are less likely to be routinely heard, even when it comes to designing equality policies on their behalf.

For the same reason it is of key importance that an organization can provide means for organizing minority influence to collectively address feelings of inequality and weigh in on equality policies. The freedom to do so is what Cornelius refers to as Agency.

Social support

The final attribute is probably also the most challenging: The provision of a climate of LGBT-inclusion and supportiveness at the workplace. More to the point, it relates to the establishment of inclusive treatment and supportiveness of LGBT-employees by colleagues and management. (Griffith & Hebl, 2002).

The challenge stems from the fact that this touches the heart of (organizational) culture, meaning that it often requires a change of (organizational) mentality: Bottom-up compliance to equality principles by the workforce as opposed to top-down enforcement by management.

The importance of this attribute cannot be overemphasized. According to Griffith & Hebl, self-acceptance (in terms of equality feelings) and individual disclosure for gay men relies heavily on employer policies, perceived employer gay-supportiveness and co-worker reactions.

These findings are supported by the general conclusions from the Dutch Movisie report (Dankmeijer, 2011) which states that, based on several studies, the most important element of gay-friendly workplace policies is social support from peers and superiors. This is of equal importance to Gay, Lesbian, Bisexual and Transgender employees alike.

The identification of the four attributes mentioned above has theoretical implications for LGBT-workplace policies of MO's across the board. The requirements laid out are not universally present and would seem to be especially difficult to foster in LGBT-exclusive administrative environments. I would expect that organizations need a great deal of organizational power, both as an intrinsic capacity and applied as influence in their environments, to overcome these administrative barriers and implement effective equality policies locally.

2.5. Chapter conclusion

Based on the theoretical model of administrative challenges, organizational responses and workplace policy implications we can expect to find that in country specific situations, MO's without a high level of influence and/or operating in LGBT-exclusive administrative environments, are generally less capable of meeting the requirements for effective LGBT-equality policies than organizations with a high level of influence and/or operating in inclusive environments.

More specifically it would suggest that the implementation of essential LGBT-equality attributes like role models, anti-discrimination, voice & agency and social support is restricted in cases of LGBT-exclusive environments where MO's cannot (or are unwilling to) use their power to impact administrative conditions.

Obviously, although these predictions are grounded in theory and previous academic findings, it does not guarantee that they provide an accurate description of MO responses in practice. In the following chapter I will discuss how I have operationalized these predictions and lay out the strategy used to match them against practical observations.

3. Methodology

In this chapter I will lay out the steps taken to get from the theoretical predictions laid out in the previous chapter to the measurable data required to answer the main research question. In the first place I will discuss the cases I have chosen and the way the variety in cases strengthen the external validity. As a next step I will discuss how using HR-executives within these organizations as units of observation has led to general conclusions on the organizational level of analysis.

A large part of the chapter is dedicated to the fine-tuning of the instrument for data collection, in-depth interviews. I will show how the theoretical elements in the previous chapter have been applied within the interview-format to produce the type of data we were looking for. Finally, I will discuss how the data was organized and linked back to my research question.

3.1. Research design

3.1.1. Case selection

Because this study is based on a comparative case study design, six multinational organizations were analyzed and compared based on their responses to administrative environments regarding the implementation of LGBT-equality policies.

This means that my units of analysis are internationally operating organizations with, as a main criterion, specific LGBT-employee equality policies in place. After all, the central question is not *if* but *how* they respond to varying administrative environments in the context of LGBT-equality. For comparison based on this variable, a random selection of MO's would clearly not have sufficed. Other case selection criteria stemmed from the goal to maximize external validity and allow generalization of findings. In order to do so, I have aimed to include organizations with as great a variety in countries of operations as possible. For the same reason I have selected organizations in different sectors and included both public and private sector organizations.

A limitation on my method of case selection was that I was mainly dependent on the contacts of Workplace Pride to get cooperation at the desirable operational level. It meant that, for practical reasons, I have had to limit the scope of selection to Workplace Pride's 22 partner organizations. This was simultaneously a benefit considering the unique position Workplace Pride holds within the global network of LGBT-friendly multinational organizations.

After careful consideration I decided to include, for analysis, no more than six separate cases. My initial intend was to include almost double that number. However, due to the fact that MO's vary greatly in size and structure, I had to take into account that it might require several interviews per organization to draw overall conclusions regarding the policy responses of a particular MO.

This brings us to the cases I have chosen. As mentioned, the main selection criterion was the presence of a specific LGBT-equality policy in these organizations. Secondly, because I aimed to include a large variety of countries of operation, these are all organizations of a certain size with instant name recognition.

Finally, none of these organizations operate primarily on the same market or in the same policy field. This was also a result of external validity requirements and a precaution to prevent case contamination. To be clear, the possibility of sporadic inter-organizational contacts, customer/seller relations or cooperation on joint projects could not be fully excluded due to this research not taking place in an experimental setting.

Accenture

With over 244.000 employees operating in more than 120 countries, Accenture (www.accenture.com) really is one of the lead players in the fields of consultancy, technology services and outsourcing. Accenture is a spin-off of the former Arthur Anderson accounting firm. Being independent for little more than 11 years, the firm is now one of the world's largest multinationals and serves most of the other ones. Their HQ is in Dublin, Ireland. The company has specific programs targeting minorities in their workforce and actively pursues LGBT-equality as a part of their corporate values. Accenture is one of the co-signers of the Declaration of Amsterdam and a member of Workplace Pride.

The Dutch Defense Ministry

As the ministry of Defense states in their own description (www.defensie.org), the organization has many characteristics of a major company. This includes a prominent gay-friendly workplace policy that has been established and expanded since 1986.

The organization has almost 68.000 employees spread over several departments. At the start of 2012, the Dutch military was operational in Afghanistan, Bosnia-Herzegovina, and Somalia. They are currently also involved (all be it on a smaller scale) in joint NATO or UN operations in Kosovo, Burundi, Congo, Kenya, Sudan, Lebanon, Syria, Bahrain and the Palestinian Territories. Besides this, the Dutch Defense Ministry employs all Dutch security personnel on Dutch embassies and consulates abroad. Because this diplomatic representation extends to nearly 150 posts, the global reach of this MO is substantial. The Dutch Defense Ministry is also a member of Workplace Pride.

IBM

IBM (www.ibm.com) is one of the oldest companies in the field of information technology. Founded in 1911, the organization currently has almost 400.000 employees worldwide and operates in 170 countries. It is (still) one of the key players in the IT sector, focusing on hardware, software and a full range of professional customer services. IBM is also one of the frontrunners in the field of LGBT-equality, getting consistent top ratings in LGBT-equality indexes. IBM was the first signing party for the Declaration of Amsterdam and is also a member of Workplace Pride.

Royal Dutch Shell

Shell (www.shell.com) is, and has been for many years, one of the largest firms in the oil and gas industry. They operate in over 90 countries and employ more than 93.000 people worldwide. This Anglo-Dutch energy giant aims for LGBT-workplace equality within their elaborate diversity and inclusion program. Shell is one of the co-signers of the Declaration of Amsterdam and a member of Workplace Pride.

Sodexo

Offering a wide array of 'quality of life services', the originally French company Sodexo (www.sodexo.com) is difficult to define in terms of their global operations. Twente University is no stranger to Sodexo considering that the campus catering is completely outsourced to them. Few people on campus will realize that Sodexo also specializes in healthcare services, prisoner rehabilitation programs, weapons & ammunition storage and managing corporate fitness centers. Sodexo currently employs 391.000 people in 80 countries. LGBT-inclusion has recently become a key issue in their workplace policy and corporate values. Sodexo is currently considering membership of Workplace Pride.

British Council

The final case to be included was British Council (www.britishcouncil.org), a non-governmental organization (NGO) that aims to maintain and expand Britain's cultural relations abroad. Their range of activities is too wide to discuss in full but includes offering English language courses, opening libraries, hosting science competitions and art exhibits in the 110 countries they operate in. Officially a charity, British Council operates under Royal Charter and has Her Majesty, The Queen as its patron. They are funded primarily by the income of their English language courses and through British government subsidies.

The Council employs over 7000 people worldwide. With their focus on promoting cultural understanding, diversity is an obvious issue for the organization. Sexual orientation is one of the seven specifically defined areas of importance in their workplace policy. While British Council is not a member of Workplace Pride they operate in the same policy networks.

3.1.2. Discussion of cases

At first glance, an obvious point of critique in selecting these particular organizations would be that they are all founded in Western countries-of-origin. Thereby ignoring the possibility that country-of-origin value systems might play a role in levels of organizational gay-friendliness and their responses to this issue.

In the first place I should emphasize that country-of-origin factors are not the focus of this study. This study only focuses on MO's that are, as a default position, LGBT-friendly in one way or another. Why they hold this position is not my concern, a choice required by the forced limitations on scope and depth that unfortunately comes with conducting a master thesis.

However, I have not disregarded this point for analysis without some initial inquiries due to my own concerns on the matter. Studies have shown that the Western (US) system of HRM is dominant regardless of country-of-origin factors. A study by Hartzing & Pudelko (2007) has shown that Japanese and German multinational subsidiaries generally adopt these US practices. Moreover, the dominance of Western HRM is so strong that reverse application of these subsidiary practices are felt in Japanese and German HQ's.

While obviously interesting in light of ethical imperialism versus moral relativism, these findings reassured me that country-of-origin factors are not of vital importance in the context of case selection. To be clear, if the opportunity to include non-Western MO's had been available to me by contacts of Workplace Pride, I would have surely acted on it to rest any doubt that may still exist. In that light, I should add as a final comment on this issue that Western-based MO's clearly take the lead on LGBT-equality and are therefore in any case more prominent.

Furthermore I would like to comment briefly on the build-up of these cases. As we can see it includes one governmental organization, one NGO and four private sector organizations. At first glance this might seem to lean too heavily on the private sector.

However, considering that internationally operating private sector organizations greatly outnumber the other two types in reality, this is quite representative. In fact, the inclusion of public sector organizations was based in this case mostly on my interest in seeing if the theoretical predictions have universal value for all types of MO's.

Finally, this selection of cases could potentially lead to interesting outcomes in light of the theoretical model. Considering the scale of their operations, all of them are established in both LGBT-inclusive and exclusive environments. Moreover, we could assume that some have high levels of intrinsic power in their countries of operations whereas this power might be very limited for other ones. Although all of them specifically mention LGBT or the concept of sexual orientation as a prominent feature in their workplace policies, I expected to see great differences in the policy outcomes in local operations.

3.1.3. Units of observation

With my units of analysis being such an abstract concept as ‘multinational organizations’, it is important to discuss how we could expect to make generalizations on this level based on the observations in this study. In other words, who or what could we observe within these organizations that would give us a clear idea of their behavior in this matter? As mentioned, my chosen units of observation were the HR-executives and other staff involved in the creation and implementation of specific LGBT-equality policies within these organizations.

In order to achieve comparability, the individuals needed to have a certain level of authority within the organizations and specific knowledge about the implementation of their policies across several countries.

There are several reasons why HR-executives were expected to be the most useful primary source of information. In the first place, while reviewing CSR-reports and other publically available information about workplace equality as a lead-up to this study, I found that these types of sources often appear ‘colored’ for marketing purposes.

The suspicions were confirmed when I spoke informally with an HR-executive from a Dutch multinational. He told me he was frustrated that, while the company publically emphasized its gay-friendliness as a global policy, there were actually no LGBT-initiatives beyond Dutch borders. Another problem of relying on these CSR-reports as a primary source of information is that they are often superficial. They do not reflect internal guidelines or procedures, especially regarding the way an organization deals with the administrative dimension of LGBT-equality. While this type of information would probably be available internally I deemed it unlikely that organizations would be willing to share it publically for the purpose of this study.

Therefore, the substantive information I was looking for could best be found by shifting our focus from the official documentation to the people who are actually responsible for designing and enacting LGBT-equality policies globally.

With regard to my last sub-question (dealing with the perceived policy implications at the workplace) it might be worth noting that I have considered getting data from LGBT-employees as well as HR-executives. However, it soon came to mind that this is extremely difficult to do, especially in terms of representation, construct-validity and privacy considerations.

Considering the total number of (LGBT) employees of the selected MO’s, quantitative samples would have had to include so many employees that it would reach far beyond the size of a master thesis.

In addition, it is fair to assume that any such sample would paint a distorted picture for the fact that it would only include openly LGBT-employees. This is due to the fact that asking random employees of an MO if they are gay in a survey or interview is problematic to say the least. It would even be downright impossible to expect reliable information from employees in countries where homosexuality is illegal and punishable.

As a result of being unable to use first-hand information from LGBT-employees to discuss policy implications, I have deliberately specified the before-mentioned sub-question as *perceived* implications to avoid any misinterpretation. The results related to this sub-question will thus be primarily based on the expert perceptions of my interview subjects.

3.2. Data collection

3.2.1. In-depth interviews

Considering that my units of analysis were top-level HR-executives in a variety of multinational organizations, the next important question was how to obtain information from them that would be relevant in light of my research questions? Given that the legal dimension of LGBT-workplace equality was largely uncharted territory, my means of data collection needed to accommodate the descriptive and explanatory nature of the study. Therefore I decided to base my data collection on semi-structured in-depth interviews.

In (qualitative) studies with small samples, in-depth interviews have great benefits. According to Goldstein (2006), if the research goal is to collect specific factual information, elite interviewing in a variety of organizations can confirm that the output of information is balanced and unbiased.

While the use of questionnaires might have been an alternative, survey research was in this case more likely to result in 'politically correct' replies due to uncontrolled self-reporting. As a matter of fact, for a multi-layered topic like this, in-depth interviews were likely to produce more reliable findings than a survey would on a larger sample. In addition, I expected response rates to be significantly higher when using pre-scheduled interviews as opposed to surveys.

Finally, Babbie (2004) argues that in-depth interviews allow for more flexibility and can be used in these situations as an advantage. The reason for this is that, as opposed to surveys, this instrument allows for more flexibility in question formulating and choice of follow-up questions based on the context of the organizations and their administrative settings. This is something that a pre-constructed list of questions would not have been suitable for.

Interviewing 'elites' is in itself a separate field in data collection. When using the definition of Harvey (2011), it refers to interviewing those who occupy senior management and board level positions within organizations. It is challenging because, according to one of the expert elite interviewers Kenneth Goldstein (2006), some elements are more art than science, requiring the kind of skills that political scientists are not particularly well-known for. In light of this I devised a specific strategy of preparation and conducting the interviews that I will discuss in the next paragraphs.

3.2.2. Interview participation

Getting in the door was the first challenge I needed to address. As Goldstein said, it would be foolish not to use any points of access one might have. In that respect I am positive that my internship in Workplace Pride and the purpose of this study as a lead-up to a universal LGBT-workplace equality benchmark allowed me more access than I would have had in any other case; Workplace Pride is a central actor in this policy field with great connections to all of my selected organizations.

Because of this I have relied on introductions by Workplace Pride's executive director Mr. Pollard in order to get organizational participation at the required level. I expected to conduct one or two interviews per case which would have made for a total of six to twelve interviews. In practice I conducted seven interviews², on location or by telephone, with eight HR-executives in Paris, London, Manchester, Amsterdam and The Hague.

² The bulk of the data came from six hour-long interviews. A brief telephonic follow-up interview with Sodexo was required in order to get a complete overview of the organization's LGBT-policies and practices.

| | | |
|---------------------------------|------------------------|--|
| Accenture | Ms. Cécile Rochet | Manager Inclusion & Diversity, Global LGBT Program Manager |
| Accenture | Mr. Matthew Coates | Senior Executive, Global LGBT Program Sponsor |
| British Council | Ms. Jane Franklin | Deputy Head of Equal Opportunity and Diversity |
| Dutch Defense Department | Lt. Col. Jan Stinissen | Beleidsadviseur Hoofddirectie Personeel |
| IBM | Mr. Marijn Pijnenburg | Business Development Executive for Diversity & LGBT |
| Shell | Mr. Jules Croonen | Vice-President HR for Benelux & France |
| Sodexo | Ms. Marion de Jaquetot | Diversity Coordinator (LGBT) |
| Sodexo | Mr. Jean-Michel Monnot | Vice-President Group Diversity & Inclusion |

Participation requests were drafted by me and send by Mr. Pollard. In line with Goldstein's emphasis for clarification about mutual expectations and ground rules for the interviews I included the following basic information in all introductions directed at the selected organizations and potential interview participants.

Introduction format

"As a lead-up to developing the International LGBT Workplace Benchmark, Workplace Pride is currently conducting a study with Twente University to examine how organizational LGBT-policies are implemented across borders.

To support this effort we have selected six of our members and partner-organizations, all of them frontrunners on LGBT-equality in different sectors, to participate in this study. [name organization] is one of the organizations we pre-selected based on the strong stand you take on LGBT-equality and the wide range of countries you operate in. Your help in this is most important and highly appreciated.

Our goal is to gain academic insight in the challenges faced by organizations like [name organization] in their commitment to improve workplace conditions for LGBT-employees. With your help, we hope that others might learn from your example.

For this study we need to conduct interviews with the person (or persons) in your organization that is responsible for a) creating and b) implementing your organization's LGBT workplace policy globally. Topics of discussion will range from the organizational default policy on LGBT, global implementation of this policy, administrative barriers and policy outcomes.

Time required for one interview is approximately one hour. If available we would appreciate the inclusion of official LGBT-policy documents as secondary sources for this study to insure an accurate reflection of your policies. With that in mind we would like to add that all interviews will be recorded and transcribed. The transcription will be made available to you after the interview.

The results of this study will be used for publication by Workplace Pride and Twente University. All information provided by the participating organizations will be used freely as an academic requirement for reliability.

If you are OK with this [name person], I will ask our researcher, Jos Boerties from Twente University to contact you directly to set up the interview with you or the person(s) within (name organization) you feel best fits the description above."

3.2.3. Interview structure

The second challenge was centered around structuring the interviews. The key problem here was that I needed to combine a high level of structural flexibility while safeguarding reliability and validity requirements. The importance of this is emphasized by Berry (2002), who suggests that the 'error term' in elite interviewing can easily cross an unacceptable threshold.

Flexibility was primarily a practical requirement. While recognizing that face-to face interviews would be preferable, my interview subjects work in multinational organizations and therefore might not live or work in The Netherlands. In these cases the interview would probably have to be conducted by phone instead of on-site.

In addition, while individual interviews are traditionally most common, I believed it might be beneficial to conduct group interviews instead of individual interviews in certain cases. The option of group interviews is a potential way to boost participation and reliability. This is due to the fact that, while responsibility for LGBT-workplace policies in organization A might rest with a single person, the same responsibility might be shared (regions, departments, etc.) in organization B.

If I were to use individual interviews in these cases of shared responsibility, it would be difficult to see exactly what value should be placed on individual responses. As described by Berry, this could potentially lead to a serious error in reliability, namely an undiscovered credibility problem on the part of an interview subject.

Alternatively, by conducting group interviews in these situations I had the possibility to validate individual statements and clarify any contradictory information immediately. The overall reliability of the information would therefore be strengthened.

This essentially meant that I needed to be prepared to conduct individual interviews and group interviews both on-site and by telephone. This preparation relied on the creation of specific guidelines which would allow for flexibility while ensuring overall construct validity.

3.2.4. Interview guidelines

In reference to Babbie (2004), conducting in-depth interviews is based on a general plan of inquiry but not a specific set of questions. This essentially meant that, while I needed to direct the interviews in terms of (sub)topics and line of questioning, the interviews might flow onto a different path than expected at the outset. An answer to a question could be a reason to 'dig' deeper with follow-up questions or move to a different subject entirely.

A first requirement would therefore be a good preparation. General or specific topics of discussion needed to be decided in advance, also in light of time limitations. These topics would have to be based in the first place on operationalizing the theoretical framework as described in the previous chapter. In addition it was important to be familiar with case-specific information on LGBT-workplace equality policies that was publically available beforehand.

A second requirement, in terms of preparing and conducting the interviews, was the avoidance of so-called double-barreled questions and the use of relevant, clear and neutral formulations. This is especially important while conducting interviews as opposed to survey research due to the lack of a specific set of questions. As Babbie points out, in-depth qualitative interviewing relies almost exclusively on open-ended questions. This meant I needed to be constantly watchful for question bias.

Regarding the semi-structured set-up of the interviews it was important to probe and specify after general questions in order to get a complete overview of administrative challenges and organizational responses to them. According to Babbie probing can be useful as a request for elaboration on a topic. To give an example in the practical setting, I was bound to include the following general question:

Looking at your organization's global operations, what would you say are the most difficult countries to implement your LGBT-workplace equality policies in?

Based on the response, a useful probe would be: *Why are these the most difficult countries to implement these policies in?*

A final requirement for the in-depth aspect of the interview format was the use of specifications. As Babbie states; When a question can potentially be interpreted in several ways, it is important for the researcher to use specifications as clarification. Here a practical example would be asking about the overall scope of an organization's LGBT-workplace policy and specifying it to the scope in terms of departments, subsidiaries, countries of operations and such.

Finally, for both on-site and telephonic group interviews it was important to recognize that I should not just act as interviewer but also as moderator. Especially in telephonic group interviews this is challenging because body language, as a dimension in interviewer/respondent communication, is invisible. The use of this format is therefore subject to several additional requirements:

- (1) In order to maintain a sufficient level of control over the interview process the maximum number of participants in group interviews had to be limited to four. I recognize that four people make up a rather small group but I took into account that I had no experience with conducting group interviews in this type of setting.
- (2) During the interview I would need to indicate clearly which participant I was addressing a question to. In cases when it would be unclear who to address the question to, I would leave it up to the participants to decide who should answer.
- (3) The other participants should be given the opportunity to respond to the original question or the reply of the originally addressed participant. This would not just produce a richer set of data due to group dynamics but also helps validate individual statements.
- (4) These rules needed to be established clearly with the participants before the start of a group interview.

3.3. Operationalization

The process of operationalizing the central concepts and theoretical expectations was conducted within the format of in-depth interviews and the guidelines laid out in the previous paragraph. As a starting point for this process I listed the main elements discussed in the theoretical framework. Based on this I was able to construct a general outline for the types of questions required to produce the data needed to answer the research questions. This outline is presented in Figure 2 on page 25.



Figure 2: Main topics for MO's LGBT-workplace policy interviews

This outline could then be structured further based on the various dimensions and indicators of the central concepts in this model. To give an example, the concept 'administrative environment' has two dimensions: LGBT-inclusiveness and LGBT-exclusiveness.

By specifying all these subtopics this way, I ended up with a checklist of the essential points in the interview format. This checklist was my reference point for two things: Directing probes and/or specifications of questions and making sure that all relevant (sub)topics were discussed in the limited timeframe of a one-hour interview. The checklist is shown in Figure 3 on page 26.

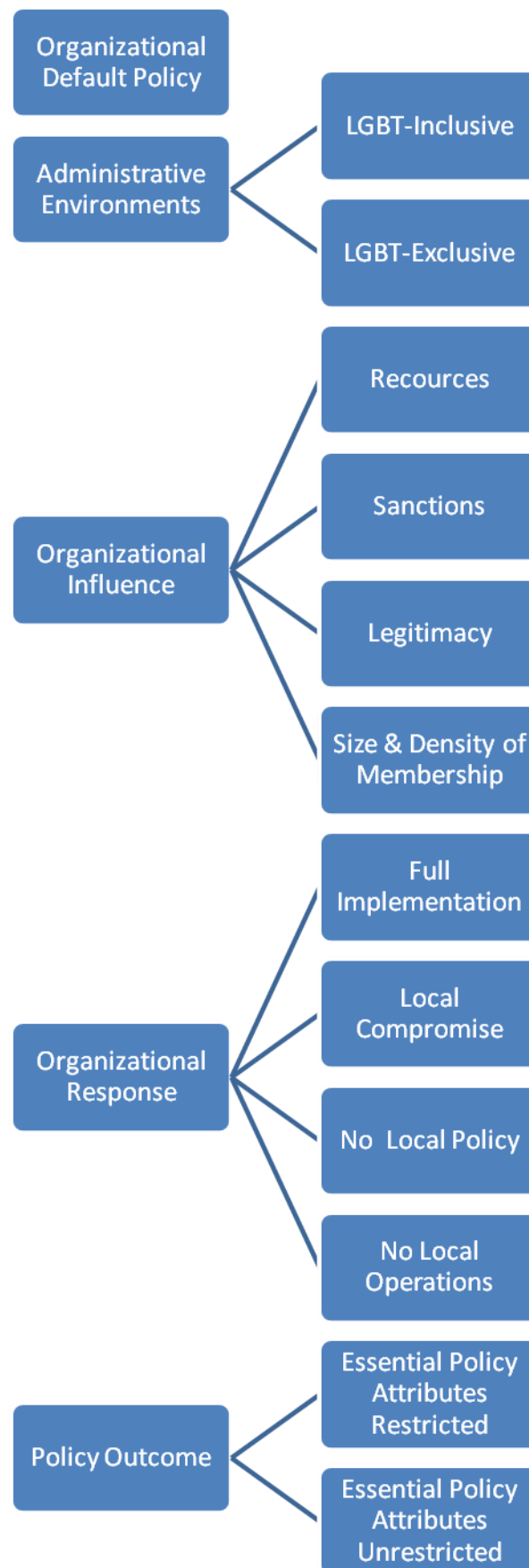


Figure 3: Interview topic checklist

In order to get from abstract concepts to specific questions it was also important to apply the information acquired during preparation. As mentioned I used publically available information about the organizations LGBT-workplace policies to direct my line of questioning.

For example, IBM is referring to their diversity policies in terms of stages, leading from (what they call) Diversity 1.0 up to Diversity 3.0. I believed It would be interesting to ask if this up scaling is conducted in a similar trend of increased legal protection for LGBT-employees. In other words, is IBM's policy ahead of the law or is it a matter of legal compliance?

I recognized however that the preliminary documentation regarding workplace policies provided little or no information on administrative environments. I ultimately solved this by matching the MO's countries of operations with the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA, 2012) world map of global Lesbian & Gay rights. This map is part of an annual report by the association on the legal status of LGBT-people per country.

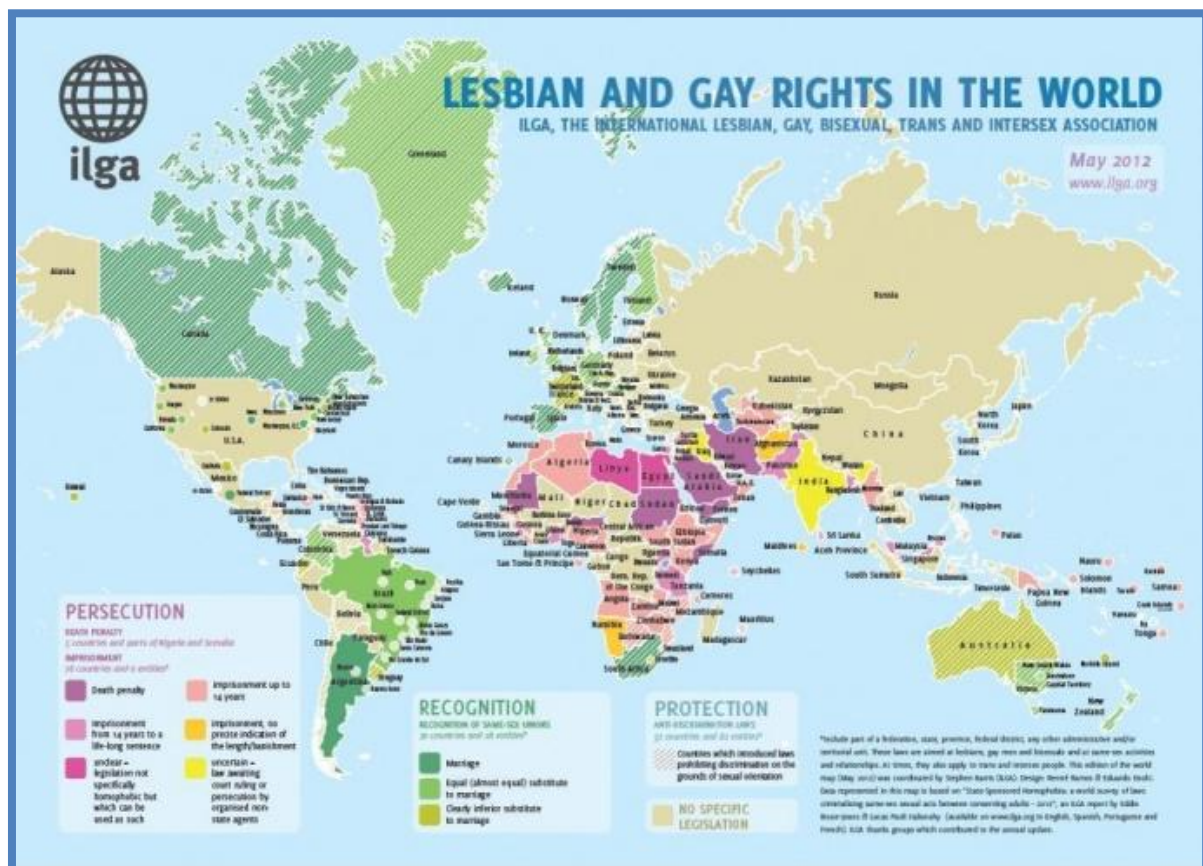


Figure 4: ILGA map 2012

By doing so I could establish beforehand if LGBT-individuals could face legal prosecution or count on legal protection in certain countries where the organizations operate in. The expected benefit of having this information is that it could help move the line of questioning from abstracts to specific administrative settings: Nigeria for instance is an LGBT-exclusive country because homosexuality is legally outlawed. Russia is a semi-exclusive country because (employment) rights protection does not cover sexual orientation. The Netherlands is an inclusive country because LGBT-individuals have full equal rights and legal protection.

As a final point on operationalizing theoretical elements it was important to stay as close to daily practices and experiences as possible. By drawing the discussion into their professional comfort zone, my participants would in all likelihood be more cooperative and informative. This meant I would have to rely to some degree on (hypothetical) examples of individual employees in specific countries. For instance, a gay employee in Nigeria who might be looking for some sort of support from his employer because of fears for his safety.

Taking such an extremely LGBT-exclusive setting could potentially help determine the edges of the playing field any organization might have in responding to an individual request for support. This in turn could say something about the level of organizational power and perhaps about any other factors that might shape the organizational response when faced by legal inequalities.

3.4. Data analysis

To avoid any perception of bias I recorded and transcribed the interviews (literal transcripts when possible) and included these transcripts as attachments to this thesis. Furthermore, to improve the analysis of the data, I have relied on the process of coding as described by Boeije (2005).

Coding essentially means that the researcher labels all meaningful pieces of data in the interview transcriptions with individual code words. In this case these codes were mostly based on key elements in my theoretical framework such as 'Organizational Response' or 'Policy Outcome'. The process of coding was essentially a funnel that allowed the range in codes to start out broad and end up narrow. For instance if a participant said that the organization had certain recourses to respond to legal inequalities this would initially be classified as 'resources'. At the final stage this code was generalized to 'power position'.

After working my way through these transcriptions several times, specifying codes at each turn, the result was a set of code-comparisons on all key issues that could be linked back to the original research questions for causal analysis.

Coding and transcribing were expected to increase the overall validity and reliability of the data. Fact-checking was also important in that respect. I did so in the first place by reviewing the publically available organizational reports after concluding the interviews.

Unfortunately the before mentioned scarceness and superficiality of this documentation matched up poorly against the in-depth information acquired during the interviews on specific issues. Apart from confirming the broad outlines of organizational policies this documentation did not contribute substantially in terms of supporting specific findings or pointing out discrepancies between individual responses and organizational policies.

A more effective fact-checking instrument was the inclusion of a round of feedback on the interview transcripts by the participants themselves. This option was presented to them under the agreed condition that all information provided during the interview and during the feedback rounds were to be used freely. This meant that, while participants were given ample possibility to clarify their individual responses it did not affect my ability to use the original data.

The necessity of allowing feedback was based on the recognition that the flexibility of the interview-format would not just bring challenges for the interviewer but also for the participants. Even though they are at the top-levels of their organizations, it would be foolish to assume that their individual responses would always be representative for the organization in general. Clearing up these discrepancies was of great importance considering that my overall goal was not to analyze individual opinions or behaviors but organizational responses in general.

3.5. Chapter conclusion

In order to get from theory to observations and ultimately to answering the research question there were several steps that needed to be discussed. This chapter has served the purpose of laying out these steps and the measures taken to accommodate them.

In the first place I made sure that my case selection was based on clear criteria that fitted the overall indicators of my units of analysis. Case contamination and other factors that could interfere with causes and effects were avoided as much as possible.

Furthermore, by transforming the theoretical elements of my framework into instruments for collecting measurable data, as shown in figure 2 and 3, I was able to safeguard construct validity.

While I recognized at the outset the potential challenges of conducting interviews that are both flexible and offer reliable data, I believe that my preliminary guidelines for these interviews were indeed very helpful to steer clear of potential pitfalls and maximize the interview data output.

Finally, my use of coding, transcribing and participant feedback has boosted the overall reliability of the research process and its findings. In my next chapter I will show how the process of data collection and analysis has led to these findings and ultimately to the answers on my research questions.

4. Findings

One of the great pleasures of social studies is that, in spite of theoretical assumptions, reality often proves to be so much richer and varied than expected. This study is no exception; Even when we focus on just one dimension (the administrative environment) of LGBT-workplace equality policies, we see that it is indeed a multi-layered topic with considerable variations cross nationally.

In the first place I have found that the administrative challenges encountered by organizations often have a great impact on the policy effectiveness. This is due to the fact that, contrary to my expectations, MO's responses are usually not based on a direct application of influence over administrative authorities. Instead, when MO's choose to respond to administrative LGBT-inequalities it is mostly done by dealing with the 'de facto' situation as best they can.

Second, I have found that, besides the levels of administrative LGBT-inclusiveness and organizational power, an organization's responsibility perception is another primary factor that explains why MO's respond to administrative differences in the way they do. This essentially means that the decision whether or not (and how) an LGBT-friendly MO is going to help LGBT-employees overcome specific administrative inequalities that might affect them, does not just depend on the size of these inequalities or the organization's power to address them, but is also based on the organization's perception of its responsibility as an employer towards employees.

The implications of these interactions will be discussed as a final part of my presentation of findings.

4.1. Administrative challenges

Differences in LGBT-inclusiveness of administrative environments result in differences in the kind of challenges MO's face in light of LGBT-workplace equality. When applying their equality policies in (more-or-less) LGBT-inclusive countries like Canada, The Netherlands, France and the UK,³ the administrative challenges most common to the organizations are related to the HR areas 'compensation & benefits' and 'global mobility.'

For instance, due to the fact that same-sex marriage recognition is not universal, tax benefits can vary for straight and same-sex couples depending on the country they live in. As a result, when same-sex couples live in a country where same-sex marriages are not recognized, their net income might be lower than the income of straight couples.

The question if LGBT-friendly MO's should take on the responsibility to compensate for such administrative (in this case fiscal) inequalities is already relevant here. A question that also comes up in light of issues such as health insurance for transgender employees and partner migration restrictions: Should they be expected to provide additional coverage for transgender employees if sex-change operations and related care is not covered by state or private insurance? And should they compensate expatriates (in terms of alternative job postings, reimbursing travel expenses, additional vacation time or otherwise) when a host-country refuses residence permits to his/her same-sex partner?

However, even when a MO decides that this is indeed their responsibility it is not always legally permitted to offer financial compensation. The administrative attitude towards these types of bottom-up affirmative action initiatives varies greatly between countries. This essentially means that, while LGBT-inclusive countries might reflect the MO's views on LGBT-workplace equality in principle, on implementation these desired global policies still need to be tailor-fitted in order to comply with local rules and regulations.

³ These countries are listed as LGBT-inclusive because, although certain legal provisions might still be disadvantageous for LGBT-individuals, overall legal protection specifically includes them.

"I know that if you look at the US and France it amazes me how different the countries are in how they approach the topic. In the US, from a business perspective, it is so much more advanced. So much more qualitative and companies are really active. There are networks and all kinds of initiatives being launched. Whereas in France, it is not a topic that's being worked upon yet.

But the legal context is kind of reversed. In the US there are still a lot of laws that aren't in place. There are states where people can still be fired for being gay etc. But in France we have the laws in place to protect people. It's really key to assessing what we can do and how we should do it in each country." – Marion de Jaquetot, Sodexo

This clearly shows that legal compliance can be a challenge in itself. MO's need to consider constantly how administrative conditions might affect their desired equality policies locally. It is not surprising to see that legal compliance is such a challenge for organizations if we turn back to our earlier discussion of Steiner & Steiner (2003). There we found that multinational organizations have continuously expanding duties to protect the rights of their employees, which forces them to comply to a whole range of laws on a variety of work-related issues. Moreover, a failure to comply could potentially expose the organizations to liability.

In the context of LGBT-exclusive countries, the challenge of legal compliance can be even more dramatic. LGBT-friendly MO's might find themselves caught on the wrong side of the issue when, operating in certain highly LGBT-exclusive countries, they are legally obligated to report (suspected) same-sex activities to local authorities. It is therefore not surprising that these frictions between administrative expectations and organizational equality principles can actually grind to a point where the organization is forced to consider if it should commit to operating in such an environment in the first place.

In those countries where homosexuality is outlawed, but also in countries where legal LGBT-equality provisions are simply non-existent, the enforcement of LGBT-equality policies locally can also be a challenge. Consider the difficulties of enforcing non-discrimination principles in hiring, firing and promoting employees when the administrative environment does not provide a legal basis to power these principles. Or when the organization wants to sanction discriminatory behavior or bullying of LGBT co-workers at the workplace in these types of countries.

However, arguably the greatest challenge and the greatest concern in this respect is related to employee safety. This is not surprising considering that the criminalization and prosecution of LGBT-individuals (same-sex activities) in certain countries has fundamental implications for the ability of an organization to provide safe working conditions for LGBT-employees. When operating in LGBT-exclusive environments, the MO's constantly need to consider if local administrative conditions are sufficient to provide at the very least a minimum of required safety conditions. In those cases where this is not possible they are faced with tough decisions on whether or not to expose openly LGBT-employees to those administrative environments and on how to balance safety with equality.

4.2. Organizational responses

Our expectations were based on the idea that organizations would generally have four options to respond to these types of challenges: full implementation of their policies, a local compromise, not operating or not implementing their policies in a certain environment. Overall it is clear that the most common response to administrative challenges is based on compromise, both in inclusive and exclusive administrative environments.

As expected, LGBT-friendly organizations are able to respond more forcefully to legal inequalities in LGBT-inclusive than LGBT-exclusive administrative environments. This is due to the before mentioned fact that the legal setting in inclusive countries provides a more suitable foundation for implementing and enforcing workplace equality.

However, while we expected that organizations could implement workplace policies virtually without restrictions (full implementation) in LGBT-inclusive environments, this is clearly not the case in practice. Even among LGBT-inclusive countries there exists a variety of normative attitudes that determines to some extent the exact implementation of the local LGBT-workplace policies. Privacy issues, liability and the use of affirmative action are at the heart of these considerations.

As a consequence of these administrative variations, LGBT-friendly MO's often have to compromise in one way or another on their desired workplace policies.

Responding in compromise is further due to the fact that, for all organizations, legal compliance is the standard in both LGBT-inclusive and exclusive environments. However, as opposed to the other five organizations, The Defense Department is in the unique position to offer its employees working abroad a special legal status as Dutch government representatives.

While Defense employees often have to respect local laws and customs, they are primarily bound to Dutch and international laws. This means that when LGBT-employees are deployed or stationed abroad, their equality position is legally ensured as long as the host-country agrees to these conditions through treaties or bilateral negotiations. When engaged in fighting or peacekeeping missions, LGBT-equality is never a legal issue in the bubble of LGBT-inclusive Dutch laws, international laws and a UN or NATO mandate.

"Bilateraal, want daar gaat het dan vaak om, kun je met een heleboel landen heel veel regelen en afspraken maken. Dus in die zin is het ook niet zo dat wij daar immense problemen in tegenkomen, met uitzondering van zaken waar we het eerder over hadden. Maar gewoon als het gaat om bilateraal afspraken maken voor het sturen van mensen naar landen m.b.t. aanspraken e.d. valt dat reuze mee, dat is vaak wel te doen. Maar het zou natuurlijk nog mooier zijn als je dat structureel kunt regelen.

Maar als je kijkt hoe groot de NAVO inmiddels is en hoe divers de samenstelling ook is op dit punt, op dit beleid, is dat natuurlijk niet gemakkelijk om dat maar even in de NAVO-verdragen aan te passen. Dus kies je heel vaak voor de pragmatische oplossing waarbij je het gewoon per geval regelt, of niet indien het niet mogelijk is."

– Lt. Col. Jan Stinissen, The Dutch Defense Department

Surprisingly, responding with 'hard' measures (that aim to impact the legal setting directly) like lobbying or negotiating with administrative authorities is limited. Besides The Defense Department the only other MO to use such measures is Shell; They have lobbied in several countries on the issue of work and residence permits for same-sex partners.

In both cases the organizations only resort to lobbying or negotiating directly when a positive outcome is all but assured. This means that, on the issue of LGBT-workplace equality, the legal imprint of LGBT-friendly MO's on their administrative environments is often incremental at best. If we place this particular finding in Mayer & Cava's (1993) academic perspective of 'ethical imperialism' versus 'moral relativism' it is clear that, in spite of the fact that the organizations are LGBT-friendly in principle, they try to avoid being seen as imposing their values in an imperialistic way. In LGBT-exclusive countries like Saudi-Arabia or Nigeria, none of the reviewed MO's actually lobby or negotiate for (more) favorable LGBT-workplace conditions because the gap between their progressive equality principles and the conservative local administrative conditions is simply too wide to be bridged.

Interestingly enough we see that, while the exclusive LGBT-conditions in countries like Saudi-Arabia or Nigeria are often part of MO's country assessments, they are usually not a decisive criterion in the final decision. The result is that, even when administrative conditions are fundamentally opposite to their LGBT-friendly workplace principles (and they apparently have few possibilities to impact administrative conditions directly) they still have to operate within these constraints when the overall assessment is favorable.

"There's a whole lot of criteria, but there's not one of those criteria that's binary. So let's say we go through a major assessment and one of those things is, we'll look at the laws and cultural difference to inclusion of homosexuality. What would that mean?"

It may be that they don't score very well there. But maybe on the whole of the assessment it actually makes sense to do business there. Then we have to work within those constraints in that part of the system.

It's not a yes or no, it's not "Homosexuality is illegal, we won't do business in this country". It would be one of the factors that we look at, homosexuality is one of many factors that we look at. And it's quite contextual. (...)The way we reconcile that is like we said before: We don't actually agree at all with the country's laws, we don't have a legal impact, but what we can do is protect our employees." – Matthew Coates, Accenture

Under those circumstances, what we find is that the organizations generally choose to take a 'soft' approach in their responses. This refers to the use of measures that do not actually have a legal impact on the local administrative conditions, but do strengthen the organizations ability to provide safe and equal working conditions for their LGBT-employees locally. These measures are often proactive, protective and/or compensational in nature.

Examples of 'soft' measures are clearly visible in MO's responses to the before mentioned policy enforcement challenges. On that point, the lack of legal backing of equality principles is often addressed by investing heavily in LGBT-inclusion and awareness programs, mentoring, training, recruitment diversity standards and other measures that attempt to embed LGBT-equality in daily operations and ultimately in the minds of the local workforce.

Other examples can be found in the way some organizations respond to employee safety challenges. For instance, specific security risks around LGBT in certain host-countries can be a reason for some MO's to offer alternative country assignments or extensive preparation (do's and don'ts) for expatriates.⁴

A particularly resourceful example is the use of virtual country assignments by organizations like IBM and Accenture. The use of global IT-solutions that allow (among others) LGBT-employees to work internationally while residing in their own country of choice, is one way of limiting exposure to LGBT-exclusive legal conditions. By doing so, the organizations are able to comply with local laws without fundamentally compromising their LGBT-equality principles.

However, these solutions are not always available or applicable. In many other cases the organizations are forced to make more invasive decisions, often expecting a certain level of flexibility from their employees as well. In LGBT-exclusive countries this can result in some organizations implicitly or explicitly expecting their LGBT-employees not to disclose their sexual orientation for fear of legal/safety consequences.

Er zijn ook landen waar je zelfs verplicht bent om mensen aan te geven als ze homoseksueel zouden zijn. (...) Saoedi-Arabië niet, wat landen in Afrika wel. En dan zeggen we tegen die mensen; "We willen het niet weten." Maar ook daar gelden binnen ons kantoor onze IBM waarden voor gelijkheid en respect en zullen LGBT mensen zich veiliger voelen dan bij de meeste andere organisaties." – Marijn Pijnenburg, IBM

Considering that the option of individual disclosure without having to fear for negative consequences is a central element of LGBT-equality, this illustrates how fundamental a barrier administrative LGBT-exclusiveness can be to the effectiveness of workplace policies. As a result, some LGBT-friendly MO's choose not to implement any LGBT-equality policies in countries where local administrative conditions are deemed insufficient to uphold them. This decision not to implement the policy locally or, as others do, to keep emphasizing the principle in local codes of conduct and diversity training as a (mostly symbolic) reminder of the organization's values, again points to variations in responsibility perception of organizations.

⁴ Sometimes these don'ts include the warning not to disclose/come out.

In light of this it was especially interesting to see how MO's respond to safety incidents involving their LGBT-employees. As a part of the interview series, all participants were asked to elaborate on a hypothetical or real-life example of an LGBT-employee potentially facing legal repercussions (due to same-sex relations or disclosure/exposure as an LGBT-individual) in a country where homosexuality is outlawed.

What I found is that all organizations are quick in offering some kind of support to protect the employee's safety. Depending on the exact nature of the situation this can vary between extraction, legal assistance, confidential advice or other measures that are deemed appropriate and necessary at such a time. An interesting finding in this light is that none of the organizations seem to have an actual protocol or specific guidelines to handle these types of situations, instead it is often dealt with on a case by case basis and an assessment of individual needs.

"What stuck with me is a story that a colleague from one of the countries in The Middle East told me. This took place several years ago. There was some quiet hostility within the office about a British Council member of staff who had come to work in that particular country because the staff knew that this member of staff was gay. There had been some problems about it in the office as some of the local staff were unhappy about it because of the religious/cultural context. The member of staff did get into difficulty and was actually being chased by police in that particular country, because his sexual orientation had been found out. I don't know exactly what happened but there were quite serious problems and the police were actually after him. The same members of staff at the British Council who had been hostile actually rallied around to get him safely out of the country." – Jane Franklin, British Council

Based on the above findings we can now answer our first sub-question: How do multinational organizations respond to variations in their administrative environments with regard to the implementation of organizational LGBT-workplace equality policies?

Overall we find that the option of full policy implementation is often unavailable in light of specific variations in administrative environments. In addition, MO's are often reluctant (or unable) to take their principle stand on LGBT-workplace equality so far as to make it a decisive criterion in their country assessments. The most common type of response is a culturally sensitive compromise on the desired organizational equality policies in order to comply with local administrative conditions. Finally, some MO's decide not to implement LGBT-equality policies when local administrative conditions are perceived to be too great a risk for individual employees and the organization as a whole.

4.3. Underlying factors

My theoretical framework also offered some preliminary structure that helped identify factors shaping the organizational responses to administrative differences on LGBT-workplace equality. If we turn back to these predictions for a moment we see that, besides the level of LGBT-inclusiveness of an administrative environment, the other major factor shaping the organizational response was argued to be the level of organizational power an MO has to respond to these administrative differences. In practice we find that both factors are indeed explanatory to some extent but not exclusively so; The responsibility perception of organizations I touched on in the previous pages is also of primary importance.

4.3.1. Administrative LGBT-inclusiveness

If we focus on administrative LGBT-inclusiveness as an explanatory variable of the organizational response, we see a conformation in the fact that the six reviewed MO's experience very similar difficulties when operating in certain types of countries; The levels of acceptance and the interpretations of LGBT-equality vary greatly from one administrative environment to another. This in effect forces MO's to respond in order to guarantee effective policies (when possible) and simultaneously determines at least partly the kind of responses they can choose from.

"Obviously there are very different ways of dealing with the issue of sexual orientation depending on particular countries, different religions and cultural understanding. (...) So it depends where it is, what the issues are, what can be done and what can't be done." - Jane Franklin, British Council

4.3.2. Organizational power

Besides the level of administrative LGBT-inclusiveness, the organizational power to respond also plays an important part in practice. This is visible not just in the apparently limited power to directly influence local administrative conditions but also in the power to use 'soft' measures within these administrative environments to accommodate LGBT-employees, even when administrative conditions are challenging.

Our theoretical assumptions on this point were based on the conditions of influence (in terms of applied power) as described by Hague & Harrop (2004). Essentially we predicted to find that the organizational power position was based on the ability to invoke sanctions locally, the ability to legitimize LGBT-workplace equality claims, the ability to make LGBT-equality demands as a power block and the allocation of available organizational resources to support their cause.

If we look at these conditions individually we first find that the ability to invoke sanctions does not hold much value in the context of LGBT-workplace equality. I refer to our earlier finding that local LGBT-conditions are not a 'make or break' criterion in itself for LGBT-friendly MO's when it comes to starting or ending operations in a particular country.

It appears that even those organizations that are generally perceived to be influential are actually very reluctant to go as far as to invoke sanctions that are aimed to impact administrative equality constraints. This reluctance is quite logical if we consider that doing so could seriously affect their long-term relations with local authorities and could potentially put their local (LGBT) employees at risk.

Secondly, if we turn to legitimacy as a condition of influence we find that it is expressed in the organizational power to (successfully) lobby and/or negotiate more favorable LGBT-workplace equality conditions with administrative actors. While Shell and the Dutch Defense Department are the only organizations out of the six cases that use lobbying or negotiation on equality issues, they also illustrate exactly how varying levels of legitimacy can shape the organizational response in different ways.

As mentioned, the Dutch Defense department is often able to negotiate workplace equality conditions for their employees abroad bilaterally or through international treaties. Their bargaining power in this respect stems from their official status as a Dutch government body, which allows them to negotiate with most administrative authorities on an equal basis. The result is that these authorities are often willing to recognize the legitimacy of the department's requests for arranging suitable workplace conditions for Dutch military employees stationed within their borders, if only for the fact that diplomacy is a practical necessity in international relations.

Shell on the other hand occupies a far less comfortable position when it comes to power through legitimacy. As a natural recourse multinational, the organization often has to work through joint ventures with local authorities or state-owned companies due to ownership rights. Although the organization's business is tied to local government actors and their normative frameworks, the company is never in a position to make legitimate claims on workplace equality in countries where LGBT-equality is legally constrained.

Whereas the Defense Department's posting arrangements can be solved in a diplomatic 'agree to disagree' manner, this is not the case for an MO like Shell that is so much more dependent on working in mutual agreement with its local government partners. It is because of this administrative dependency that Shell can wield more influence to lobby for work permits and partner immigration in LGBT-inclusive countries like The Netherlands than to address even greater legal inequalities in LGBT-exclusive places like Russia.

"In many countries like China, those of the Gulf and Middle East, where LGBT rights are few if nonexistent, the commercial reality is that many operations require some form of joint venture or partnership with a local company / organization which often is a subsidiary of the government. Thus the dilemma faced by a MO is how to advocate for LGBT rights or civil liberties (as we would like them to) and at the same time not place a key partner in a position where they are forced to withdraw support or revoke a license to operate." – Mark Emdin, Shell

Thirdly, considering that most of the reviewed organizations do not have a legal impact on administrative inequalities in terms of sanctions or legitimacy, it is clear that they need other sources of power in order to facilitate their workplace equality policies globally. Organizational resources like money, facilities, manpower and experience are of major importance in that respect.

To illustrate, companies like IBM and Accenture have the option to financially compensate LGBT-employees for legal inequalities regarding benefits and immigration laws for same-sex partners because they have the financial means necessary to do so. These means are not always available to other organizations, especially NGO's like British Council.

In terms of facilities high-tech organizations like IBM can also bring a lot to the table. This is illustrated best if we consider their use of virtual assignments as opposed to the usual country assignments. While Shell and Accenture are also able to lean on virtual roles for certain skill pools, other MO's like Sodexo and British Council often do not have the option because they are more reliant on the physical presence of employees at local worksites.

Accenture is probably the best example of an MO using its global manpower as a means of influence to respond to administrative LGBT-inequalities. Like IBM and some of the other organizations, Accenture has a large and active LGBT-employee network that plays an active part in addressing local (administrative) issues from an employee perspective.

"You know, part of the secret here is about using the LGBT-network itself to actually bring about change. LGBT employees are across all parts of our organization. (...) We have a responsibility to challenge policy and also help shape it." – Matthew Coates, Accenture

If we compare IBM with Sodexo we see just how important experience is as a recourse: Whereas IBM has several decades of experience on dealing with administrative LGBT-equality issues globally, Sodexo has only recently started implementing LGBT as a specific area in their D&I program. This is why, even though their commitment to the LGBT-cause might be the similar, Sodexo cannot yet lay out a program as extensive as IBM's.

"We're not nearly as far as IBM. (...) We're at the start of our journey, we're looking at what they've accomplished and we're hoping to progressively accomplish our own objectives. (...) This topic is very new but we do have the opportunity to build upon what we already put in place around it. We are at the beginning of the journey but we have already done a lot of work around the other diversity dimensions." – Marion de Jaquelot, Sodexo

Finally, the prediction that MO's are better able to channel their powers collectively and/or as a part of a network is confirmed by the fact that many of the MO's are indeed facilitating their LGBT-equality policies by relying on the support of partner organizations. However, contrary to my expectations these partnerships are predominantly used to better address local circumstances instead of applying collective influence to overturn policy barriers.

Just as the Dutch Defense Ministry has a stronger diplomatic bargaining position because many other Western armies have similar LGBT-equality policies, so does IBM sometimes have better means of sheltering their employees from LGBT-exclusive conditions by outsourcing operations to local business partners. Moreover, IBM can actually use its economical power to demand from vendors or suppliers that they apply the same inclusion and diversity principles within their organizations as IBM does.

The one example of applied influence through collective action is illustrated by the public lobbying Accenture has undertaken as one of many co-signers of a petition to endorse the US Employment Non-Discrimination Act (ENDA) prohibiting LGBT-employment discrimination. So far without result. While these collective sizes and densities differ for each of these examples, they do illustrate that the MO's use group membership to increase their power position in order to address administrative workplace equality issues more forcefully.

4.3.3. Organizational responsibility perception

From what we've seen so far it is clear that the level of administrative LGBT-inclusiveness and the level of organizational power are factors that determine to some extent how the MO's address administrative inequalities that affect their desired policies. For instance, if a country is LGBT-exclusive and the organization has a low level of applicable power it is likely that the organizational response will be a combination of legal compliance and additional 'soft' measures to facilitate some sort of protection for LGBT-employees.

However, these two factors alone are not enough to explain exactly why some organizations decide to compensate for legal inequalities and others do not. Or why, in the context of LGBT-workplace equality and safety, some MO's place more responsibility on individual employees while others take responsibility as an organization. This is because a third factor is also clearly shaping their responses; The organizational responsibility perception towards LGBT-workplace equality.

While this factor was not part of my theoretical model there were indications along the way that this was indeed a factor of importance; As mentioned in the first pages of this thesis, the concept of LGBT-workplace equality is both hard to define and normative. Besides this, I already distinguished in my theoretical deliberations that the use of power depended not just on ability but also on willingness. In practice this means that there are different ways of approaching the task of facilitating LGBT-workplace equality as an employer.

These differences in responsibility perception seem to center around libertarian versus egalitarian equality. Essentially, the egalitarian approach is more substantive than the libertarian approach. It is best illustrated by the parallel example of a man stranded on an island. From a libertarian perspective the man's freedom is in no way compromised; If he wants to get off the island no one will stop him to swim to mainland. From an egalitarian perspective the man's freedom is compromised; As long as no one is willing to send a lifeboat he does not have an equal opportunity to enjoy the same freedoms as the rest of society.

Just as seas can be environmental blockades to equality, so can administrative environments. As a response, some organizations see it as their responsibility to send a lifeboat while others see it as an individual responsibility to either swim across or stay on the island.

When it comes to global mobility for example, British Council is clear in stating that (while sexual orientation is in no way a disqualifying factor for international job postings and advice and informal support can be sought) LGBT-employees have a mostly individual responsibility to make a risk assessment when applying for job postings in LGBT-exclusive countries. Alternatively, the Defense Department takes on a much greater role in these types of assessments and the decision process of international postings. They do so not only for the sake of the individual LGBT-employee but also in light of potential security risks for the organization as a whole.

This essentially means that the decision whether or not an organization is going to help an individual employee overcome certain LGBT legal inequalities that might affect them is also a matter of an MO's perception of its own responsibility as an employer.

Based on the findings we can now answer our second sub-question; How can the organizational responses be explained? The answer appears to be that the organizational responses to variations in administrative environments on the issue of LGBT-workplace equality are shaped by three combination factors; The actual level of administrative LGBT-inclusiveness, the organizational power to respond and the responsibility perception of organizations toward their LGBT-employees.

4.4. Implications and outcomes

Now that we know that these three factors are dominant in shaping the organizational responses, we can turn to describing how these responses are perceived to affect equality conditions locally. I will do so by discussing the implications of responses in LGBT-inclusive and exclusive administrative settings. What are the perceived outcomes of these measures when it comes to providing role models, anti-discrimination measures, voice & agency and social support? Do MO's believe their responses to be effective in meeting these essential requirements of LGBT-workplace equality policies in their workplaces around the world?

To start with, in LGBT-inclusive environments we see that all the MO's believe they are able to meet the requirements of effective LGBT-workplace policies. The combination of an inclusive administrative environment and inclusive workplace policies allow for visible role models, anti-discrimination enforcement, voice & agency (often LGBT-networks) and supportive workplace climates.

I emphasize that it does not mean that MO's are always able to implement their policies exactly as they see fit (for instance in light of affirmative action regulations or legal restrictions to offer compensation). However, they are able to implement policies that are perceived to meet the necessary requirements.

The organizations are also quite positive about their ability to meet essential requirements of LGBT-workplace equality policies in most semi-exclusive environments.⁵ By using measures like mixed panels in hiring, LGBT-networks for voice and agency and globalizing best practices they often try to fill the void of legal protection by implementing their own equality codes and standards.

“Actually in the US they [LGBT-friendly organizations] can be a little bit more advanced because they don’t have in many cases the law backing up people. The companies are compensating and effectively take their own policies regarding advantages in taxes and also on policies that they don’t fire someone if they’re gay.” – Marion de Jaquetot, Sodexo

However, it should be noted that while all MO’s believe their global organizational culture and policies are enough to sustain equal treatment even in places where laws are unequal, we also see that they can never guarantee that their principles are always reflected in practice. This is not only due to a lack of legal enforcement but also a result of the frequent inability of MO’s to monitor their LGBT-policy effectiveness in these types of environments.

This finding is confirmed by the simultaneously conducted Workplace Pride study “Talent to Change for” (Zahi, Kaur & Holzhacker, 2012) which stated among other things that, in those cases when organizations do actually try to monitor, LGBT is often not a consistent element in employee surveys and diversity audits. Considering that their study was based on a selection of Dutch organizations, we can argue that it would be an even greater challenge for MO’s operating in countries like Russia and China. Effectively this means that the ability to meet essential requirements probably differs for each MO and for each workplace in these types of semi-exclusive environments.

The perceived implications of organizational responses in highly LGBT-exclusive environments are generally negative. Taken aside the unique legal position of the Defense Department, we see that all the other MO’s are struggling to create some minimum conditions that allow for both a safe and equal workplace. However, while the organizations do make efforts and their responses undeniably have positive effects, in most cases the minimal policy requirements cannot realistically be met.

Addressing LGBT workplace equality in countries where it is illegal to be gay is a secondary problem for the employee as they are not going to “out” themselves in the workplace, or society in general, because of the resulting consequences. In the majority of cases, the employee will simply not self-identify as LGBT.” – Matthew Coates, Accenture

Effectively this means that a high level of administrative LGBT-exclusiveness often puts such restraints on both the organization and the individual employee that the former is unable to guarantee a safe workplace and the latter is unwilling to risk disclosure for fear of legal consequences. Exceptions aside, in these cases the result will most likely be a symbolic and second-best compromise of working in an LGBT-inclusive organization without the ability of actual disclosure.

Under these conditions it is clear that policy features like role models, anti-discrimination and voice & agency are ultimately restricted. While several MO’s are able and willing to offer some type of social support in highly exclusive environments it is often limited in both scope and impact.

⁵ Administrative settings where employment protection laws do not include sexual orientation. Russia and certain parts of the US are a good example of such environments.

We should also consider that compensation for legal inequalities in these exclusive settings is usually not a viable solution due to the fact that the MO themselves are mostly unaware of their employees sexual orientation to begin with. This means that the toolbox of responses in terms of 'soft' measures is not sufficient to really make a difference in equality conditions for individual employees in these types of administrative settings.

This brings us to the answer to our third sub-question: What are the perceived implications of these responses for local organizational LGBT-workplace equality policies?

Overall what we find when we look at the implications is that organizations are generally perceived to meet their policy requirements in LGBT-inclusive administrative environments. In semi-exclusive environments it is perceived to be possible to implement effective policies , however this often cannot be effectively guaranteed nor monitored.

When operating in truly LGBT-exclusive administrative environments most organizations are generally unable to meet all the necessary requirements for effective LGBT-equality policies because disclosure is often perceived to be too dangerous by both the organization and the individual employee. While MO's can take measures to protect their employees it is ultimately impossible to offer full equal treatment in these types of environments.

The exception is The Dutch Defense Department due to their unique position of legal protection rooted in Dutch laws. However, even they encounter limits that sometimes make it necessary to compromise on full equality in favor of respecting local laws and customs.

5. Conclusions

From the start it was our goal to get some additional insights regarding the way multinational organizations with LGBT-specific workplace policies implement these policies globally, specifically in light of varying administrative conditions. Because of this I had adopted the following research question:

How do Multinational Organizations (MO's) respond to variations in their administrative environments with regard to the implementation of organizational LGBT- workplace equality policies, how can these responses be explained and what are the perceived implications of these responses?

Essentially a combination of the levels of administrative LGBT-inclusiveness, organizational power application and organizational responsibility perception explains the way MO's respond to administrative LGBT-workplace equality variations. Exactly how the three factors affect each other and ultimately shape the organizational response is very much context dependant.

What we can say is that, with the exception of the uniquely positioned Dutch Defense Department, LGBT-friendly MO's generally do not aim to respond to administrative LGBT-challenges by directly impacting legal constraints. Essentially it is clear that they are only willing and/or able to resort to such 'hard' measures (responding with the purpose of having a legal impact) when there is a high likelihood of a positive outcome. Consequentially, in those environments where LGBT-workplace equality is most constrained by the administrative conditions, the organizations often see the least possibilities to respond forcefully.

While this could have meant that MO's would avoid starting operations in these types of environments, it turns out that for none of them LGBT-equality conditions are a 'make or break' criterion in their country assessments. While it is often a part of the assessment all organizations are clear that they would have to operate within the constraints if the overall assessment is favorable.

As a result of having to mediate their desired workplace policies with country-based laws and regulations, MO's often have to resort to 'soft' measures; Responses that do not have a legal impact but do strengthen the organization's ability to provide safe and equal working conditions for their LGBT-employees. These measures are often proactive, protective and/or compensational in nature. The effectiveness of this type of approach depends in the first place on the organizational power position; Especially organizational resources and group membership seem to matter in that respect.

However, besides the ability there also needs to be the willingness to use 'soft' measures; Whereas some MO's see it as their responsibility towards their employees to compensate LGBT-employees (financially or otherwise) who are directly affected by administrative inequalities, others do not. While this varies per organization depending on the issue (benefits, partner migration, etc.), is the clearest indicator that the responsibility perception of MO's is an important factor in the organizational response.

Overall we find that the most common type of response is a compromise on the desired organizational equality policies in order to comply with local administrative conditions. This is not only the case in countries where the LGBT-inclusiveness has no legal foundation but also in countries where LGBT-equality is legally incorporated. The reason for this is that even countries that have progressive and protective laws on LGBT-equality have different normative perspectives on the exact implementation of workplace equality policies. We see this most clearly on issues like liability, privacy and affirmative action.

The fact that MO's tend to compromise on their principles and generally avoid using 'hard' measures, even in LGBT-friendly environments, leads us to the overall conclusion that they do not approach the issue of LGBT-workplace equality as ethical imperialists but more along the lines of moral relativism. This indicates that, while MO's seem increasingly willing to take on social responsibilities in their daily operations, they try to avoid administrative confrontations and moral activism on controversial social issues like LGBT-equality.

While this finding is in line with the general trend of MO's developing greater cultural sensitivity we also see that this 'soft' approach to translating policy principles to practices does have an adverse effect on the policy outcomes: While most organizations perceive their policies to be genuinely global it turns out that in countries where LGBT-exclusivity is greatest, the organizational policies are fundamentally constrained. As mentioned, LGBT-employees are often not expected to (be able to) disclose their sexual orientation.

In the hypothetical situation that individual employees do wish to disclose or seek some sort of support from their employer it is interesting to find that most organizations do not have a protocol or guidelines in place to address this. Instead, these types of situations would be handled case by case. From an outsiders perspective it can be argued that uncertainty about the procedure or the outcome does not embody trust for employees seeking assistance. We could ask the question if the fact that these types of support requests are rare if non-existent might be linked to this lack of clear procedures or guidelines.

In more inclusive administrative environments most organizations are perceived to meet the essential requirements of effective LGBT-workplace equality policies. This is especially so for progressive environments where sexual orientation is a part of legal protection for employees. In places where this protection is lacking, most organizations do make a serious effort to overcome this omission. Their general perception is that these efforts are effective in sustaining LGBT-workplace equality locally. It should be noted that this perception often cannot be supported by evidence because monitoring of policy effectiveness is usually restricted in these types of environments.

In conclusion this study finds that LGBT-friendly organizations face serious challenges to their workplace principles and practices on a daily basis. It shows how great the barriers of laws and regulations can be in a globalizing world. However, the organizational responses also show that resourceful solutions can indeed be found. While legal inequalities often cannot be overturned there are many ways in which the MO's can manage to level the playing field or lessen the burden for their LGBT-employees.

Overall it is important to consider that Accenture, British Council, The Defense Department, IBM, Shell and Sodexo are global leaders in a growing field of organizations that recognize the need for specific LGBT-workplace equality policies. For many of these organizations the path to LGBT-equality is an individual journey through rough terrain. Given what I found it is clear that for some it is perhaps more difficult to move forward than for others. In that respect the importance of Workplace Pride's unique vantage point and the commitment of its members cannot be overstated. By paving the way for others, the road less traveled might soon become a highway.

"You know, I got a note from somebody once somewhere in a small country in South-East Asia and that note said; 'I've been here for four years at Accenture and I've only just realized that we have all of this in place. It's absolutely wonderful. I just feel so proud to be part of this company.'" And that makes your year worthwhile with regard to what we do." – Matthew Coates, Accenture

6. Recommendations

As mentioned in the introduction to this study, its dual purpose was not only to generate new academic insights but also to serve as a lead-up to the possible creation of a universal benchmark for LGBT-workplace equality. Several of the findings in this study underline the importance of the creation of such a benchmark based on the action points laid out previously in the Declaration of Amsterdam.

In the first place I found that multinational organizations encounter very similar administrative challenges when operating in certain types of countries. In addition, I found that these administrative challenges often have a great impact on the policy effectiveness. Because organizational responses to these challenges are most often not political but instead proactive, protective and compensational, it can be beneficial to set an international standard based on academic study, best practices and workplace experience in order for MO's to address these issues the best way possible.

In order to translate the Declaration of Amsterdam's principles into practical measures, I strongly recommend that any such initiatives by Workplace Pride do take into account that MO's often perceive their own options to be limited in places where a legal basis for the LGBT-equality principle is lacking; While their commitment to LGBT-equality might be strong, a practical consequence of being 'multinational' implies that their primary commitment must be to the laws of the countries they (need to) operate in.

In addition we should consider that the variation in organizational power means that, while their intentions might be similar in principle, in practice some MO's are better equipped to address legal inequalities (both in terms of 'soft' measures and 'hard' measures) than others. I would again emphasize that a benchmark based on global best practices can be very helpful in this respect.

Having found that the organizational responsibility perception can also vary significantly, I would further suggest that Workplace Pride needs to be watchful not to alienate potential supporters when defining benchmark specifics. In order for it to be effective there needs to be enough bandwidth to allow organizations their own approaches towards policy implementation while simultaneously ensuring that commitments are indeed lived up to.

Finally I believe that in light of my findings, more emphasis should be placed on creating structural support for employees in LGBT-exclusive countries. The variations in organizational power and responsibility perception already creates high uncertainty risks in terms of expected outcomes for employees in need, this uncertainty only increases if the procedures for seeking support and the willingness of the organization to offer it are not clearly presented to them.

As a result of this, LGBT-employees working closeted in the most pressing situations are often left with few 'real' possibilities to seek support from their employers. The creation of a international benchmark can arguably do a lot to help organizations implement global procedures for supporting such employees.

In light of the above we can conclude that the lack of an international dimension in current LGBT-workplace equality indexes and measuring tools is a great omission considering that global administrative obstacles are found to have a great impact on the overall policy effectiveness. Workplace Pride's proposed benchmark can surely achieve a great deal by providing means to better address these issues. By signing the Declaration of Amsterdam, 13 leading organizations have already set a dot on the horizon and more will follow. Now is the time to guide them there.

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