

Work-life: Policy and Practice Impacting LG Faculty and Staff in Higher Education

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The work-life policies and benefits practices of public universities and the extent to which lesbian and gay (LG) faculty, staff and families receive different work-life benefits than their heterosexual married counterparts are examined. The analysis was conducted by searching university work-life benefits websites. Major benefits for domestic partners and dependent children of LG employees have been extended. Yet there continues to be discrepancies between benefits awarded to married versus LG couples.

Keywords: Work-life, Lesbian/Gay, Policy

This paper examines the work-life policies and benefits practices of ten Midwestern public universities, all members of the Committee on Institutional Cooperation (CIC), and the extent to which lesbian and gay (LG) faculty, staff and families receive different work-life benefits than their heterosexual married counterparts. Work-life is a set of practices adopted by an organization to provide supportive work environments and benefits to help employees manage the competing demands of family and work. Work-life issues exist in higher education (Johnsrud, 2002) as many institutions have initiated new work-life programs and services.

Why be concerned about LG equity issues regarding work-life benefits in higher education and in CIC institutions in particular? First, institutions of higher education are major employers with a great deal of impact on their surrounding communities and organizations. Second, we are interested in public CIC institutions for a number of reasons. We have studied and worked at two member institutions. CIC institutions share practices, benchmark each other, and compete against each other for talent; as a result, we expect to find similar practices among the CIC institutions. All are public universities and as such, contribute to the evolution of public policy. All are members of the Association of American Universities (AAU); membership in this organization is by invitation only and is coveted and respected. Member institutions often serve as benchmarks for research institutions aspiring to improve their performance. Hence, these institutions may serve as guideposts to other institutions.

Over the past decade there has been increasing competition between universities, greater emphasis on ratings and rankings, closer scrutiny of higher education by legislative bodies and the public, decreased state funding, and cuts in federal grant funding. There is greater attention to the business side of the academy in such areas as fiscal accountability, performance based budgeting, grant acquisition, compensation and benefit packages. Faculty quality effects institutional evaluations, grant funding, and access to prestigious publications; all of which significantly impact the resources an institution can marshal to achieve its mission.

Stellar faculty are recruited between institutions of higher education, therefore the ability to recruit and retain excellent faculty is crucial. Equitable and progressive benefit packages and attention to employees' work-life needs contribute to an institution's ability to retain and recruit. LG employees are among those that institutions desire to employ. They are also members of families, albeit families not recognized by law in most states. LG families suffer a loss of society-sponsored benefits bestowed upon their heterosexual married counterparts, thus differences in institutional benefits packages may have a greater impact on recruitment and retention for the LG population.

Employee benefits packages are valued at 29-33% of an employee's earnings (U.S. Department of Labor, 2007); LG couples who do not receive health and retirement benefits experience a real loss of compensation. This loss, combined with tax policy (e.g., income tax domestic partner's (DP) medical insurance cost, no flexible spending account for DP's expenses, etc.), lack of social security survivor and dependent benefits, and the inability in many states for LG individuals to adopt their partner's children (Badgett, 2001), results in a significant income disparity. Disparities in retirement and survivor benefits economically disadvantage LG couples and will become more significant as baby boomers retire.

HRD practitioners and researchers must be concerned about such disparities in work-life benefits because (a) employees who are distracted by discrimination, economic disadvantage, and the denial of benefits crucial to quality of life may be less productive; (b) employees who are alienated by the denial of such benefits may have less potential for development at the present and over the course of their careers; and (c) it is right, just, and humane to

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be concerned about such discriminatory treatment even beyond its workplace productivity and employee development implications.

Research Questions

This study seeks to answer two questions: (a) What is the status of state and local laws that impact the extension of work-life benefits at CIC institutions and the extent to which lesbian and gay couples can seek legal relief from differential benefits? (b) What work-life benefits have been extended to lesbian and gay faculty and staff at CIC institutions?

Methods

Primary and secondary legal sources were found using LexisNexis and Westlaw databases. Primary sources included: (a) state marriage/family statutes; (b) state statutes and state constitutional amendments prohibiting same-sex marriage; (c) Title VII of the Civil Rights Act of 1964 and key case law; (d) Family Medical Leave Act; (e) state non-discrimination statutes, executive orders and associated case law; and (f) local non-discrimination ordinances, policies in localities housing CIC institutions and associated case law. Secondary sources included legal journals, other legal publications, texts, and academic publications. Key search terms include: domestic partner, domestic partner benefits, same-sex marriage, gay marriage, gay and lesbian marriage, heterosexual marriage, marriage, higher education, sexual orientation discrimination. Work-life issues at CIC institutions were identified through a review of each CIC institution's human resource and benefits websites and associated publications. We also reviewed institutional policies available on the web or by request to the institution, and analyzed the institutional affidavits of domestic partnership available on the web. Phone and e-mail conversations with benefits staff occurred when needed to clarify benefits and policies.

Theoretical Framework and Literature Review

Stroh (2005) contends that "society has evolved far from that anachronistic notion of just one family form and the worker's role within this structure" (p. xvii), but some work-life practices demonstrate otherwise. Even with the rise in non-traditional heterosexual and LG families, work-life issues, benefits and policies continue to focus on women and the traditional family unit. Organizationally and politically, policy typically represents work-life issues by excluding LG individuals. This is demonstrated by gaps in work-life literature, which fail to mention anyone but heterosexual women and men (Perry-Jenkins, Repetti & Crouter, 2000; White & Rogers, 2000). Society must recognize that sexual orientation discrimination exists due to policies that do not consider the needs of LG workers and because of the stigma associated with "coming out".

Our argument is based on the following three premises. First, work-life practices scarcely provide for the "non-traditional" family. In this paper the "non-traditional" family is represented by LG families. Second, if work-life benefits were equally provided to LG families as they are to heterosexual families, the productivity and contributions of employees in the workplace and perhaps beyond the workplace would increase. Third, current law makes it difficult for organizations, especially public-sector organizations (such as institutions of higher education) to provide equal work-life benefits to LG families.

Work-life: Balance, Policy and Benefits

Work-life issues emerged in the 1970s when white middle class women entered the U. S. labor market (Kanter, 1977). Changes in traditional family structure resulted in updated organizational and social policies, originating with childcare. Subsequent policies have gone beyond the worker to consider the worker's spouse, children and parents.

"The way work itself is organized – around stereotypical [heterosexual white] male employees with no significant responsibilities outside of the workplace – is often a major obstacle for people trying to combine work and family" (Rapoport, Lotte, Fletcher, and Pruitt, 2002, p.183). Work-life programs broadened in the 1980's to include a range of family and personal life issues, an expanded definition of family, and benefits such as parental leave and flex-time but did not include LG couples. (Galinsky & Johnson, 1998; Perry-Jenkins et al., 2000).

In the 1990's work-life programs added a focus on creating a more supportive organizational culture. The work environment is a significant source of employee stress. The interrelatedness of manager effectiveness, organizational effectiveness, and the employee's sense of balance and well being is important (Galinsky & Johnson, 1998). Employees who use work-life policies report being more engaged and having more supportive supervisors (Bond, Galinsky, & Swanberg, 1998).

Galinsky and Johnson (1998) predict a move away from a benefits orientation towards management effectiveness. Their assumption is heterosexist (Rocco & Gallagher, 2006) – assuming that all employees have equal access to important work-life benefits to the extent that the benefits themselves are no longer barriers. Unfortunately, there are still many LG employees lacking basic work-life benefits that married couples take for granted.

Employees who make greater use of work-life benefits and programs are higher performing and less likely to leave the organization (Galinsky & Johnson, 1998; Fredriksen-Goldsen & Scharlach, 2001). However, work-life benefits are often differentially granted to heterosexual versus LG employees. These may include: paid or unpaid leaves (family medical, sick, bereavement, parental/adoption); health insurance or related programs (medical, dental, vision, COBRA, employee assistance); other insurance (employer-provided supplemental life for a partner, legal); retirement (joint and survivor annuity for DP, qualified pre-retirement survivor annuity for DP, retiree health care benefits); financial assistance or program provision (adoption, child care); and educational institution fee discounts/waivers (partner, partner's children).

Legal Landscape

In the absence of federal legislation prohibiting sexual orientation employment discrimination, some states and municipalities have extended protection. This patchwork of laws makes the legal landscape difficult for organizations that span many cities and states. Individuals may live in a city that prohibits sexual orientation discrimination and work in a township where such discrimination is publicly supported and legal.

Many organizations have adopted policies against sexual orientation discrimination and extended a variety of benefits to LG employees, including 82% of Fortune 500 firms (HRC, 2006a). Progressive policies and practices are a result of lobbying by employee groups (Raeburn, 2004), pressure to recruit and retain talent, and industry trends. As of 2005, 551 colleges and universities include sexual orientation in their equal employment opportunity or non-discrimination policies (HRC, 2006a).

Title VII of the Civil Rights Act of 1964. Title VII prohibits employment discrimination on the basis of race, color, sex, religion and national origin in public and private employment; sexual orientation discrimination is not explicitly prohibited. Successful Title VII claims involving sexual orientation discrimination or same-sex harassment have argued gender rather than sexual orientation discrimination (e.g. *Price Waterhouse v. Hopkins*, 1989). *DeSantis v. Pacific Telephone & Telegraph Co.* (1979) states that “Title VII should not be judicially extended to include sexual preference such as homosexuality” (Capers, 1991). Since 1994, Congress has failed to pass federal legislation necessary to prohibit sexual orientation discrimination; courts cannot enforce non-existing law.

Family Medical Leave Act (FMLA). The FMLA's (1993) purpose is to “promote the stability and economic security of families, and to promote national interests in preserving family integrity” (Glassman, 2004). The FMLA mandates unpaid leave of up to 12 weeks per year to care for a spouse (husband, wife), son, daughter, or parent with a serious health condition and allows employees to return to their job (previous or equivalent) at the same pay. The FMLA is strictly construed; if a child's biological parent is involved with the child, another individual who is not a parent yet responsible for the child's care may not be able to use FMLA (Bornstein, 2000; Littleton, 1991). Given that LG individuals cannot marry in the vast majority of states, unless an employer voluntarily extends FMLA to DPs and their children, LG employees are denied the ability to care for their family.

State Non-discrimination law. In 35 states it is legal to discriminate against LG individuals in private employment. Fifteen states and Washington D.C. have statutory prohibitions against discrimination based on sexual orientation; ten states have an executive order, administrative order, or personnel regulation prohibiting sexual orientation discrimination against public employees (HRC, 2006e). Thirteen states and Washington D.C. have a law, policy, court decision, or union contract(s) that provide(s) state employees with DP benefits (HRC, 2006b). Taken together, 29 states and Washington D.C. have provided some legal protection or DP benefits for LG employees.

Even states with progressive laws have not always achieved desired results. The Minnesota Human Rights Act (MHRA) declares the public policy of the state is to secure freedom from discrimination based upon sexual orientation. The MHRA also states that nothing in the statute should be construed to mean that Minnesota condones homosexuality, authorizes or permits the promotion of homosexuality in educational institutions, or authorizes same-sex marriage (MHRA, 2005). The inclusion of anti-LG language allows courts to narrowly construe the statute, inhibiting its stated purpose (Harvard Law Review Association, 1996).

The Wisconsin Employment Relations-Fair Employment Act (2006) states that employment discrimination based on sexual orientation substantially and adversely affect the state's general welfare. A Wisconsin Court of Appeals' decision that restricting insurance coverage to married couples and their children does not discriminate based upon marital status, sexual orientation (applying equally to LG and heterosexual employees), or sex, raises questions about the law's effectiveness (*Phillips v. Wisconsin Personnel Commission*, 1992). If a state that prohibits

discrimination based upon sexual orientation, marital status, and gender can justify awarding substantively better benefits to married state employees than LG employees who are prohibited from marriage, what use is the anti-discrimination law?

State prohibitions on marriage. As of July 2006, 45 states prohibit LG marriage (HRC, 2006d). Of the states housing the public CIC institutions, Michigan and Ohio have state constitutional amendments that restrict marriage to one man and one woman; both use broad language that may impact legal relationships such as domestic partnerships or civil unions. Illinois, Indiana, Iowa, Minnesota, Pennsylvania, and Wisconsin have state statutes restricting marriage to one man and one woman (HRC, 2006d).

Second-parent/stepparent adoption law. An employee's ability to obtain work-life benefits for their DP's children is influenced by state statutes and case law on second-parent or stepparent adoption by LG couples. LG employees allowed to adopt their partner's children, without the partner relinquishing parental rights can obtain benefits for those children even when DP benefits are not extended.

Second-parent/stepparent adoption law varies across and within states housing CIC institutions. Michigan prohibits LG couples from jointly adopting; Illinois, Indiana, and Wisconsin allow it; Iowa, Minnesota, and Ohio have no explicit prohibition and Pennsylvania is unclear. Second parent adoption is allowed in Illinois and Pennsylvania; allowed in some jurisdictions in Indiana, Iowa, and Minnesota, not explicitly prohibited in Michigan, and prohibited in Ohio and Wisconsin (HRC, 2006c). LG marriage prohibitions and the status of LG adoption have critical implications for benefits available to LG employees and their families.

Findings: Work-life at CIC Institutions

The CIC is a consortium of ten public and two private universities in the Midwest. This analysis uses the ten Midwestern public universities: University of Illinois, Indiana University, Purdue University, University of Iowa, University of Michigan, Michigan State University, University of Minnesota, Ohio State University, Pennsylvania State University, and University of Wisconsin. The analysis was conducted by searching university websites for work-life benefits and policies, with follow up e-mail communication to the institution's benefits offices. Many institutional policies conflict with statements on domestic partner benefits, benefits literature, and actual practices. It often took multiple requests to get accurate information. Employees may not have easy access to accurate benefits information; if working in a non-LG affirmative department, it may be difficult to find a safe and reliable information source.

Leave, Health and Education Benefits

Work-life benefits and policies of the CIC institutions are reported in table 1. For universities with multiple employee categories that receive different benefits, policies relevant to faculty and academic staff are reported. Given a Michigan Court of Appeals ruling on same-sex domestic partner benefits, such benefits have been discontinued at the University of Michigan and Michigan State University. Both universities have implemented work-life benefits for one "Other Eligible Individual" or "Other Qualified Adult" and their qualified children. It appears that this change was made in response to the court decision, to ensure that domestic partner-like benefits could continue in the face of a constitutional challenge.

Emerging Issues: Differential Benefits and Non-Inclusive Language

University of Wisconsin has not extended the most significant benefits (family medical leave, medical, dental, COBRA) (UW, 2007). Pennsylvania State University extends educational benefits for LG dependents, but the policy refers only to spouses. The language throughout the FMLA policy cites "spouse" without referencing partner; in no place does it explicitly refer to caring for one's partner's children (PSU, 2007).

The Indiana University Employee Assistance Program (EAP) covers employees and their household members (undefined). The website refers only to married examples; domestic partnership is not mentioned. Specific mention of "marriage" and "divorce" without analogous LG partnership language may discourage LG employees' use of benefits (IU, 2007).

Purdue's FMLA Policy references "spouse" without "partner." A footnote on page 6 states that same-sex domestic partners are deemed spouses. Bereavement leave was extended in 2002 to employees' domestic partners and their eligible family members; the current Leaves of Absence Policy (revised 8/1/2006) makes no reference to domestic partners or their analogous relatives (PU, 2007).

University of Iowa employees are entitled to use FMLA for their partner's adopted, biological, or foster child, however, the policy language does not specify this (Iowa, 2007). Ohio State University's literature is not clear that employees' domestic partners' children are eligible for COBRA benefits; an e-mail to benefits personnel clarified that they are (OSU, 2007).

Table 1. *Work Life Benefits at Public CIC Institutions*

Benefits Extended to LG Family Members of Faculty and Academic Staff Members (All analogous family members)										
Benefit	Indiana			Michigan						
	Univ. of Illinois	Indiana Univ.	Purdue Univ.	Univ. of Iowa	Univ. of Michigan	Michigan State Univ.	Univ. of Minnesota	Ohio State Univ.	Penn. State Univ.	Univ. Wisconsin
Leaves										
Family Medical Leave	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Sick Leave	Yes	Yes	Yes	Yes	Yes	Yes	Yes (DP's children only; not DP)	Yes	Yes	Yes
Bereavement /Funeral Leave	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes (sick leave)	Yes	Yes
Paid Parental Leave	?	Not a benefit	Not a benefit	For biological mother only	Yes	Yes	Yes	Yes	Not a benefit	Not a benefit
Adoption Leave	Not a benefit	Not a benefit	Not a benefit	Yes	Not a benefit	Not for partner's child	Yes	Not for DP's child	Not a benefit	Not a benefit (sick leave)
Health										
Medical	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Dental	Yes	Yes	Not a benefit	Yes	Yes	Yes	Yes	Yes	Yes	No
Vision	Yes	Not a benefit	Yes		Yes	Yes	?	Yes	Yes	Yes
COBRA	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Employee Assistance	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes	Yes
Education										
Fees for Partner	Not a benefit	Yes	Yes	Not a benefit	Yes	Yes	Yes	Yes	Yes	Yes
Fees for Partner's Children	Yes-if adopted	Yes	Yes	Not a benefit	Yes	Yes	Yes	Yes	Yes	Yes

Many university benefits websites are organized by “life events,” believing that individuals will easily identify their life events (e.g. marriage, divorce, retirement, etc.). Unfortunately, most states do not allow for LG couples to have life events such as marriage and divorce making websites organized in this manner inapplicable. The University of Wisconsin includes “Domestic partnership initiation or termination” in their list of life events. Two other listed events on the Wisconsin website are: “Death of you, your spouse or dependent child”; and “increase or decrease in your employment or that of your spouse”; no mention is made of partners in regarding these life events.

Certainly LG employees are grateful to have benefits extended to them. However, using terms such as “spouse” without “partner,” make it difficult to determine which benefits have been extended, especially for new employees, LG employees who are just coming out or those working in non-supportive departments. Positive practices do exist; for example, University of Michigan’s tax worksheet and imputed tax tables to assist employees covering their domestic partner and their children. Penn State employees are allowed to define family for purposes of sick leave (PSU, 2007).

Establishing Proof of Family Ties

Many inequities are reflected in the differences between state marriage requirements for heterosexuals, and state university requirements to establish an LG partnership to receive a *portion* of the work life benefits awarded to married couples. Affidavits of Domestic Partnership (ADPs) are required at all institutions to establish benefits-eligible domestic partnerships and marriage certificates are not. University of Illinois employees must annually “recertify” the partnership; no such requirements are imposed on married couples (Hornsby, 2005).

Eighty percent of ADPs require that individuals certify they intend an indefinite relationship, whereas all state marriage statutes address terms of ending the marriage, implying that marriage is not “indefinite.” With the exception

of the University of Michigan, all institutions require a shared residence; state marriage laws cannot require cohabitation (Hornsby, 2005).

CIC institutions require various legal documents including partnership agreements, powers of attorney (general durable, finances, property, health care), and wills. The cost of such documents can be prohibitive and adds an economic burden to LG couples not required of married couples. LG couples are doubly burdened - denied many economic benefits freely bestowed on married couples and paying for legal documents to demonstrate their relationship.

Married employees can immediately add their spouse to their medical coverage. The domestic partner benefit waiting period ranges from three months (Michigan) to six months (Illinois, Indiana, Michigan State, Ohio State) to one year (Purdue, Iowa) (Hornsby, 2005). Using the amount one institution reimburses employees for buying their partner's insurance, an LG employee with a partner will pay \$5,294.16 for twelve months, \$2,647.08 for six months, and \$1,323.54 for three months; adding one child, the employee will pay \$6,754.56 for twelve months, \$3,377.28 for six months, and \$1,688.64 for three months. Waiting periods exact a high cost on LG couples.

Conclusions

We expected that work-life benefits would be minimally provided for LG families. Work-life literature continues to be presented in a manner which only represents traditional families, addressing mainly issues of the working married mother. The analysis of CIC benefits showed that if benefits are extended to the LG community they are not explicitly stated in policies. LG families wishing to use these benefits often must personally contact an HR representative, as demonstrated by the Ohio State example, to determine their eligibility. Heterosexual couples do not have to take these extra steps.

We also expected that the equitable provision of benefits to all employees in the workplace would create a more productive workforce. Our analysis of the CIC institutions does not provide explicit evidence of this. A question worth exploring is whether when obstacles such as worrying about the provision of healthcare benefits etc. for your DP and children are removed, does the individual become a more engaged and loyal employee? The literature supports this notion; when work-life policies are in place and usable organizations are more likely to have a more productive workforce (Galinsky & Johnson, 1998; Fredriksen-Goldsen & Scharlach, 2001).

We found that current state legislation takes a mixed stance, but most often is discriminatory against LG families. When legislation is not supportive of all families, it is more difficult for public sector organizations to be supportive of all family types. If discrimination based on LG family status is prohibited by law, equitable work-life practices within organizations could be ensured.

Finally, we found that significant progress has been made in extending major benefits for domestic partners and dependent children of LG employees at CIC institutions. Yet there continues to be discrepancies between benefits awarded to married versus LG couples. There are also many contradictions between the web-based information, university policy language, and practice. Language use sets the tone in an institution; what employees read in policies influences their impressions of who belongs and who does not; who is valued and who is an afterthought; who is "us" and who is "other." Given the state of the "law", it is increasingly important that work-life literature use LG inclusive language, such as domestic- or same-sex partner, and to define family to include LG couples and the analogous relatives of LG partners as are included for spouses.

Recommendations

Given issues of differential benefits and incongruencies in language use within work-life policy, we recommend that employers and human resource practitioners take the following actions to ensure work-life benefits are extended equitably to LG employees:

Policy Equity

- Examine *all* benefits and *mandate* their extension to LG and other non-traditional families.
- Use the same level of scrutiny with all employees; require similar documentation of heterosexual and LG couples (i.e. ADP and marriage certificate).
- When federal law impacts a benefit (e.g. taxability of health benefits for domestic partners and their dependent children), provide compensation to cover the increased tax cost.
- Include sexual orientation (and gender identity or expression) in non-discrimination policies.
- Extend FMLA to non-traditional families.

Policy Implementation

- Ask for guidance from well-informed LG employees. Include an out LG person on leadership and advisory committees.
- Examine each policy, benefit, or program to eliminate LG and other biases.
- Reinforce policy changes with training for HR professionals, leaders, and managers; expand thinking about training to include frequently asked questions, tip sheets, news about success stories, and inclusion in e-magazines.
- Allow employees to define family to include individuals for whom they are responsible and consider family.
- If work-life training and educational programs are offered for employees, include issues relevant to LG individuals (e.g. legal planning for LGTQ families).
- Apply for inclusion on HRC's Corporate Equality Index.

Language

- Inventory and change all policies to include LG-inclusive language. Use language consistently for ease of understanding. Examples are: partner/spouse, domestic partner/spouse, same-sex domestic partner/spouse.
- If "family," "immediate family," "household," or other such terms are used, define to include domestic partners, children of the partnership, and relatives of the partnership that parallel relatives of married couples (parents-in-law-, brother/sister-in-law, daughter/son-in-law, etc.). Locate the definition at the *beginning* of documents using these terms, or footnote on each page where the term is used (Hornsby, 2006).
- Inventory benefits literature for LG inclusive language.

The range of benefits extended to CIC institution LG employees' families is encouraging. Further work is needed to update institutional policies and to provide guidance and resources to supervisors and leaders to support effective implementation of these changes in practice. Continued research regarding equitable work-life practices and benefits for LG individuals is a must if human resource development professionals wish to create positive organizational change.

References

- Badgett, M. V. L. (2001). *Money, myths, and change: The economic lives of lesbians and gay men*. Chicago: University of Chicago Press.
- Bond, J. T., Galinsky, E., & Swanberg, J. E. (1998). *The 1997 national study of the changing workforce*. New York, NY: Families and Work Institute.
- Bornstein, L. (2000). Inclusions and exclusions in work-family policy: The public values and moral code embedded in the Family and Medical Leave Act. *Columbia Journal of Gender and the Law*, 10(1), 77-124.
- Capers, I. B. (1991). Sex(ual orientation) and Title VII. *Columbia Law Review*, 91, 1158-1187.
- DeSantis v. Pacific Telephone & Telegraph Co.* 608 F.2d 327, 329-330 (9th Cir. 1979).
- Family and Medical Leave Act (FMLA) of 1993, 29 U.S.C. § 2601 (2006).
- Fredriksen-Goldsen, K. I., & Scharlach, A. E. (2001). *Families and work: New directions in the twenty-first century*. New York: Oxford University Press.
- Galinsky, E. & Johnson, A. A. (1998). *Reframing the business case for work-life initiatives*. New York, NY: Families and Work Institute.
- Glassman, K. M. (2004). Balancing the demands of the workplace with the needs of the modern family: Expanding family and medical leave to protect domestic partners. *University of Michigan Journal of Law Reform*, 37(1), 837-877.
- Harvard Law Review Association. (1996). Statutory protection for gays and lesbians in private employment. *Harvard Law Review*, 109(May), 1625-1647.
- Hornsby, E.E. (2006). *Using Policy to Drive Organizational Change*. In R. J. Hill (Ed.), *Challenging Homophobia and Heterosexism: Lesbian, Gay, Bisexual, Transgender and Queer Issues in Organizational Settings* (pp. 73-83). In S. Imel and R. Gordon (Eds. in Chief) *New Directions for Adult and Continuing Education* No. 112. San Francisco: Jossey-Bass.
- Hornsby, E. E. (2005). *Marriage, Domestic Partnership, And Employment Benefits: What Does Equality Mean In Public Higher Education?* Unpublished manuscript, The Ohio State University.
- Human Rights Campaign (HRC). (2006a). *Corporate Equality Index 2006: A report card on gay, lesbian, bisexual and transgender equality in corporate America*. Retrieved May 27, 2006 from www.hrc.org

- Human Rights Campaign (HRC). (2006b). *Laws and Policies Affecting State Employees*. Retrieved May 27, 2006 from www.hrc.org
- Human Rights Campaign (HRC). (2006c). *Adoption Laws: State by State*. Retrieved May 27, 2006 from www.hrc.org
- Human Rights Campaign (HRC). (2006d). *State Prohibitions on Marriage for Same-Sex Couples*. Retrieved May 27, 2006 from www.hrc.org
- Human Rights Campaign (HRC). (2006e). *Statewide Anti-Discrimination Laws & Policies*. Retrieved September, 18, 2006 from www.hrc.org
- Indiana University (IU) (2007). *Benefits Plan Booklets*. Retrieved August 20, 2007 from http://www.indiana.edu/~uhrs/benefits/plan_booklets.html
- Johnsrud, L. K. (2002). Measuring the quality of faculty and administrative worklife: Implications for college and university campuses. *Research in Higher Education*, 43(3), 379-395.
- Kanter, R. M. (1977). *Work and family in the United States: A critical review and agenda for research and policy*. New York, NY: Russell Sage Foundation.
- Littleton, C. A. (1991). Does it still make sense to talk about “women”? *UCLA Women’s Law Journal*, 1(1), 15-52.
- Michigan State University (MSU) (2007). *Faculty & Academic Staff: Leave Programs*. Retrieved August 20, 2007 from <http://www.hr.msu.edu/HRsite/TimeOffLeave/Leave/Faculty/>
- Minnesota Human Rights Act (MHRA). (2005). Minn. Stat. § 363A.02 (LexisNexis 2005).
- Ohio State University (OSU). (2007). *Benefits for same-sex domestic partners*. Retrieved August 20, 2007 from <http://hr.osu.edu/benefits/dompa-ss.htm>
- Pennsylvania State University (PSU). (2007). *Guideline 11 Family and Medical Leave and Policy HR37 Grant-in-Aid for Dependents of Faculty, Staff, and Retirees*. Retrieved August 20, 2007 from <http://www.ohr.psu.edu/worklife/Policies.cfm>
- Perry-Jenkins, M., Repetti, R., & Crouter, A. (2000). “Work and family in the 1990s.” *Journal of Marriage and Family*, 62(4), 981-998.
- Phillips v. Wisconsin Personnel Commission*, 167 Wis. 2d 205; 482 N.W.2d 121; 1992 Wisc. App. LEXIS 104; 67 Fair Empl. Prac. Cas. (BNA) 639.
- Price Waterhouse v. Hopkins*. (1989). 490 U.S. 228.
- Purdue University (PU). (2007). *Purdue University Family and Medical Leave Act (FMLA) Policy (IV.10.1) and Leave for Faculty, Continuing Lecturers, and Administrative, Professional, Clerical, and Service Staff (IV.10.2)*. Retrieved August 20, 2007 from <http://www.purdue.edu/policies/>
- Raeburn, N. C. (2004). *Changing corporate America from inside out: Lesbian and gay workplace rights*. Minneapolis: University of Minnesota Press.
- Rapoport, R., Lotte, B., Fletcher, J. K., & Pruitt, B. H. (2002). *Beyond work-family balance: Advancing gender equity and workplace performance*. San Francisco: Jossey-Bass.
- Rocco, T. S. & Gallagher, S. J. (2006) Straight Privilege and Moral/izing: Issues in Career Development, In R.J. Hill (Ed.), *Challenging Homophobia and Heterosexism: Lesbian, Gay, Bisexual, Transgender and Queer Issues in Organizational Settings* (pp. 29-39). In S. Imel and R. Gordon (Eds. in Chief) *New Directions for Adult and Continuing Education*, No. 112. San Francisco: Jossey-Bass.
- Stroh, L. K. (2005). Forward. In E. E. Kossek & S.J. Lambert (Eds.), *Work and life integration: Organizational, cultural, and individual perspectives* (pp. xvii-xviii). Mahwah, New Jersey: Erlbaum.
- University of Iowa (Iowa). (2007). *Family Medical Leave Act*. Retrieved August 20, 2007 from http://www.uiowa.edu/hr/administration/policies_a_z.html
- University of Michigan. (2007). *Same-Sex Domestic Partnerships*. Retrieved November 8, 2007 from <http://www.umich.edu/%7Ebenefits/events/ssdp/index.htm/>
- University of Minnesota. (2007). *Employee benefits*. Retrieved August 20, 2007 from <http://www1.umn.edu/ohr/benefits/index.html/>
- University of Wisconsin (UW). (2007). *Domestic partner benefits*. Retrieved August 20, 2007 from <http://www.bussvc.wisc.edu/ecbs/bng-domestic-partner-benefits-uw1107.pdf>
- U.S. Department of Labor. (2007). *Employer costs for employee compensation – March 2007*. Retrieved August 20, 2007, from <http://www.bls.gov/news.release/pdf/ecec.pdf>
- White, L. K. & Rogers, S. J. (2000). Economic circumstances and family outcomes: A review of the 1990s. *Journal of Marriage and Family*, 62(4), 1035-1051.
- Wisconsin Employment Relations-Fair Employment Act*. (2006). Wis. Stat. § 111.31 (2006).