

Knowledge About Federal Employment Non-Discrimination Protections on the Basis of Sexual Orientation

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Online Appendix

Appendix A. Additional Details on Data. Protected State versus Not Protected State Classification

The following states did not have any explicit statewide laws that would protect sexual minorities from discrimination in both public and private employment before June 2020 and thus we classify them as “Not Protected State”:¹ Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Wyoming, West Virginia.

It is important to note that some of these states that are classified as “Not Protected State” offered employment non-discrimination to sexual minorities before the Supreme Court decision in *Bostock* but only in public employment, not private employment.

Additionally, states that adopted interpretive statements that define sex discrimination as including sexual orientation and gender identity only after the Supreme Court decision in *Bostock* are still classified as “Not Protected State” since our classification is based on employment protection laws before June 2020. These states include Alaska, Arizona, Florida, Kansas, Kentucky, Nebraska, North Dakota, Ohio, Texas.

Wisconsin state employment non-discrimination law enumerated sexual orientation, but not gender identity, as a protected category before the Supreme Court decision in *Bostock*. However, since the focus of our analysis is to measure knowledge of non-discrimination laws for sexual minorities, we categorized Wisconsin as “Protected State”.

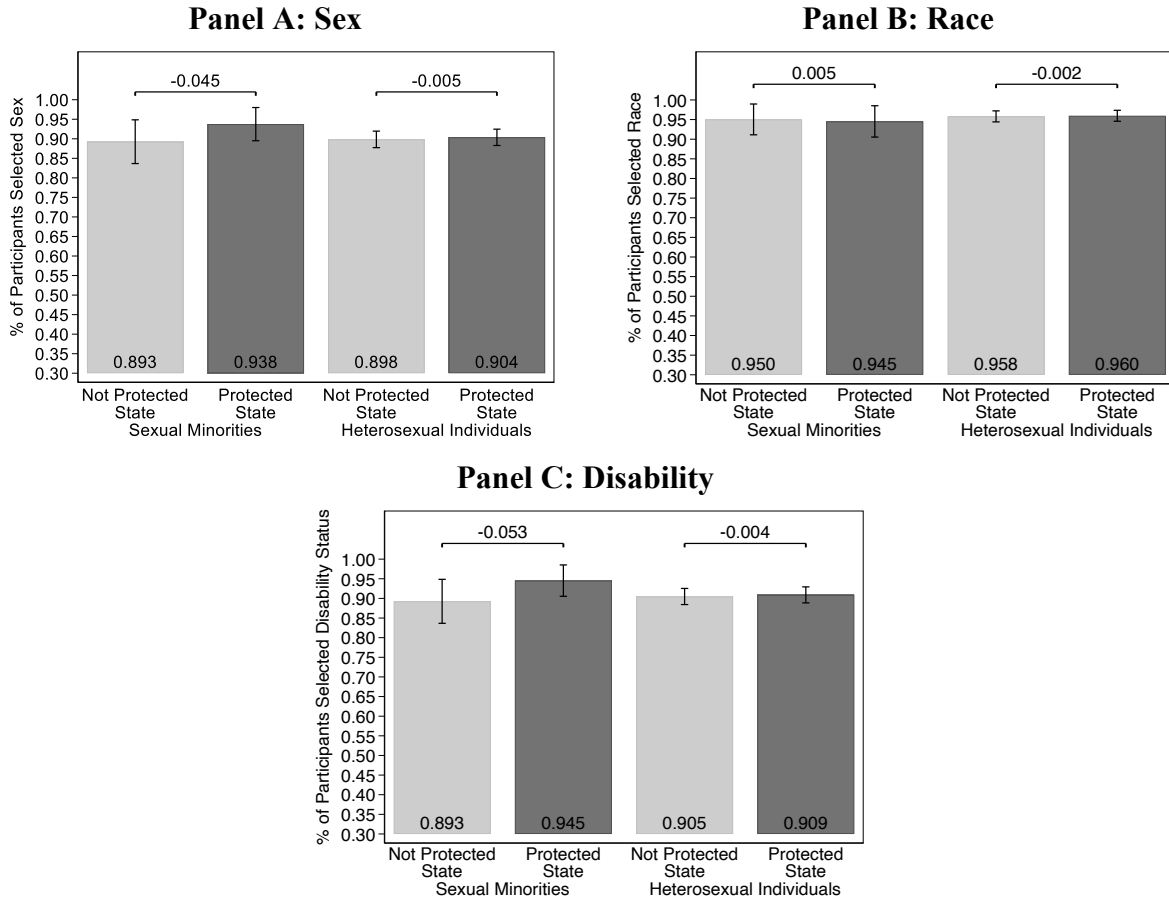
Finally, even though Michigan and Pennsylvania do not explicitly enumerate sexual orientation as a protected class against employment discrimination, both states adopted interpretive statements that define sex discrimination as including sexual orientation and gender identity before the Supreme Court decision in *Bostock*. Thus, we classify both Michigan and Pennsylvania as “Protected State”.

¹ Sources used in Appendix A:

MAP https://www.lgbtmap.org/equality-maps/employment_non_discrimination_laws (Visited 22/Nov/2022);
Freedom for All Americans <https://freedomforallamericans.org/states/> (Visited 22/Nov/2022)

Appendix B. Additional Figures and Tables

Figure B1: Knowledge About Sex, Race, and Disability Being a Protected Category. By State of Residence and Sexual Orientation.



* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. 95-percent confidence intervals reported with vertical range plots. The numbers on each bar represent the height of the bar. The numbers above the horizontal bars in each figure are the differences between the two groups at the base of each horizontal bar. The original survey question is “Based on your understanding, federal law prohibits employment discrimination on the basis of which of the following characteristics?”. Panels A-C analyze heterogeneity in knowledge of sex, race, and disability being a protected category, respectively. Sexual Orientation question: “Are you heterosexual/straight?”. See Online Appendix A for further information on Protected State versus Not Protected State classification. Number of observations: 1,806.

Table B1: Sample Sizes by Sexual Orientation and State of Residence.

	Sexual minorities	Heterosexual individuals	Total
	(1)	(2)	(3)
Resides in a Protected State	128	769	897 49.67%
Resides in a Not Protected State	121	788	909 50.33%
Total	249	1,557	1,806
	13.79%	86.21%	

Original question (columns): “Are you heterosexual/straight?”. See Online Appendix A for further information on Protected State versus Not Protected State classification.

Table B2: Knowledge About Anti-Discrimination Laws. Heterogeneity Analysis by Sex, Race, Disability, and Sexual Orientation.

	Characteristic Indicated as Protected			
	Sex	Race	Disability	Sexual Orientation
	(1)	(2)	(3)	(4)
<i>Panel A: Sex assigned at birth</i>				
Women (female at birth), N=928	0.894 (0.010)	0.957 (0.007)	0.912 (0.009)	0.690 (0.015)
Men (male at birth), N=878	0.912 (0.010)	0.958 (0.007)	0.905 (0.010)	0.729 (0.015)
Difference between women and men	-0.018	-0.001	0.006	-0.039
<i>Panel B: Race</i>				
White individuals, N=1,345	0.906 (0.008)	0.961 (0.005)	0.916 (0.008)	0.704 (0.012)
Other or multiple races, N=448	0.897 (0.014)	0.949 (0.010)	0.888 (0.015)	0.725 (0.021)
Difference by race	0.009	0.012	0.028*	-0.021
<i>Panel C: Sexual Orientation</i>				
Heterosexual individuals, N=1,557	0.901 (0.008)	0.959 (0.005)	0.907 (0.007)	0.712 (0.011)
Sexual minorities, N=249	0.916 (0.018)	0.948 (0.014)	0.920 (0.017)	0.691 (0.029)
Difference by sexual orientation	-0.015	0.011	-0.013	0.021

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. Standard errors in brackets. The original survey question is “Based on your understanding, federal law prohibits employment discrimination on the basis of which of the following characteristics?”. Sex at birth question: “What sex were you assigned at birth, on the original birth certificate?”. Race question: “What is your race? Choose all that apply”. “Other or multiple races” includes Black or African American, American Indian or Alaskan Native, Asian or Native Hawaiian or Pacific Islander, Some Other Race, and individuals who selected more than one race (including those who selected “White” as one of their race categories). 13 participants who did not select any race have been excluded from the analysis in Panel B. Sexual Orientation question: “Are you heterosexual/straight?”.

Table B3: Knowledge About Anti-Discrimination Laws. Heterogeneity Analysis by Employment Status and Managerial Experience.

	Characteristic Indicated as Protected			
	Sex	Race	Disability	Sexual Orientation
	(1)	(2)	(3)	(4)
<i>Panel A: Employment Status</i>				
Employed or self-employed, N=1,210	0.911 (0.008)	0.954 (0.006)	0.917 (0.008)	0.715 (0.013)
Unemployed or not in the labor force, N=596	0.888 (0.013)	0.965 (0.008)	0.893 (0.013)	0.696 (0.019)
Difference between employment groups	0.023	-0.011	0.024*	0.019
<i>Panel B: Managerial Experience</i>				
Has managerial experience, N=983	0.908 (0.009)	0.961 (0.006)	0.923 (0.009)	0.709 (0.014)
No managerial experience, N=749	0.907 (0.011)	0.957 (0.007)	0.904 (0.011)	0.717 (0.016)
Difference by managerial experience	0.002	0.004	0.019	-0.008

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$. Standard errors in brackets. The original survey question is “Based on your understanding, federal law prohibits employment discrimination on the basis of which of the following characteristics?”. Panels A and B analyze heterogeneity by employment status and managerial experience, respectively. In Panel A, “Unemployed or not in the labor force” includes homemakers, students, retired individuals, individuals unable to work, and individuals out of work. Managerial experience question (independently collected by Prolific before we conducted our survey, 74 missing values): “Do you have any experience being in a management position?”