

## Case 7: How Gay-Friendly Should Your Workplace Be?

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Scott pulled into the parking lot, found a spot, and then pointed the rearview mirror toward his tie. Not perfect, but it never would be. IT guys don't do ties that often. "No matter," he thought as he gathered his interview materials. "These guys aren't going to judge me on my tie anyway."

Inside the building, the corporate headquarters of Master's Software Solutions, the group preparing to interview Scott for the software engineer position assembled in the conference room. Adorning the walls was an assortment of industry awards and Christian artwork. The photo of Jesus at a computer terminal was particularly intriguing and usually provided a nice icebreaker for the interviews.

Master's is a company of 53 employees, proudly run on Judeo-Christian values. It had always been run this way, ever since its founding 20 years ago by Walt DeVries, a seminarian turned entrepreneur and self-described "geek for God." And although the company's commitment to those values had never wavered, today's events would test something even deeper than the commitment – they would test what the company values actually mean.

Walt had been part of every interview since establishing the firm. From vice president to office clerk positions, Walt was central to the hiring process. He even insisted on having input into which interns Master's would accept from the local university. But otherwise, Walt was no micromanager and certainly no autocrat. Rather, he saw himself as a shepherd, caring for his employee flock, wanting to know each "sheep" personally. He also wanted to ensure the quality of the flock, so to speak, and the corporate culture of Master's; hence the meticulous attention to the staffing process.

As Walt walked into the conference room, there sat the three other members of the selection committee: two software engineers in their late 20s, Dave Anderson and Jeanie Thompson, and the firm's chief operating officer, Bill Maxwell. Self-effacing but brilliant, Bill was Walt's first employee and the only M.B.A. in the firm. In fact, Walt credited Bill with having saved Master's on a number of occasions from

making unwise business decisions, some of which could have sunk the once-fledgling firm.

Walt closed the door and smiled at his team. "Thanks for coming, everyone," he began with customary genuineness. "And a special thank you to Jeanie for boiling down the resumes to these five candidates. As you know, we're going to do a group interview with each one this morning and then do individual interviews later today. Anything you want to discuss before Theresa shows in the first guy?"

Dave spoke right up. "Well, his resume shows he's qualified for the job – he practically got a 4.0 in college and he's worked three years for Microsoft. But what's with all this gay stuff at the bottom of the resume? President of the Gay-Lesbian-Bisexual Club in college? Member of GLEAM: the Gay and Lesbian Employees at Microsoft? Member of Digital Queers? *Digital Queers*? I don't understand why we're wasting our time. This is a company run on Christian values. It's in our mission statement. It's how we operate. It's even in the artwork on the walls. This seems like a no-brainer to me that we shouldn't even be interviewing this guy."

Dave was not one to mince words. But neither was Jeanie. "You can't be serious," she replied with a set of non-verbals that punctuated her irritation. "That's the same as saying that we think it's acceptable to discriminate against African-Americans or women!"

"Excuse me, but it's not even *close* to the same thing," Dave shot back. This was getting uncharacteristically emotional for a Master's discussion, but Jeanie had touched a sensitive chord. "You didn't choose to be female, and I didn't choose to be black!"

"And they don't choose to be gay," Jeanie returned calmly, considering it checkmate.

Gloves off, Dave raised his voice a half-notch. "No way. *No way*. You can't compare their struggle for acceptance with ours. And regardless of the choice issue, there's nothing in the Bible that says it's a sin to be black or a sin to be a woman. But there's plenty in there that says the practice of homosexuality is a sin."

Bill interjected in the interest of focus. "Look, we're getting a little off track here. This is just about whether we should be hiring this one guy."

"But actually, Bill, it's not," explained Dave. "It's about what inevitably follows when we compromise our principles. If we don't take

a Christian stand on this, then we're letting a secular society drive our decision-making and ultimately our corporate policies. And when we do that, we lose our distinctives."

"Oh, so now bias is a Christian distinctive?" winced Jeanie. "I swear, Dave, you've gotta listen to yourself sometimes. This is why people stereotype us Christians the way they do."

Walt finally reeled them in. "Folks, I understand that you have some strong opinions about this, but we should have a more reasoned discussion here. Now, Jeanie, I've always admired the depth of your faith. So help me to understand why you *don't* think this guy is a problem for us."

"Sure, Walt," Jeanie answered, regaining her composure. "Here's how I see it. This company operates on Christian values, right? We consider God in every decision we make. And that's as it should be. So we need to do that here as well. My read of the Bible tells me that God doesn't play favorites – that non-discrimination is a Christian value. Everyone's created in the image of God, and so everyone's entitled to be treated with love, respect, and fairness. In business, then, I think we just need to consider people on their merits. We have absolutely no place judging people the way Dave is judging them."

Despite the insult, Dave gently offered his best rejoinder. "Can I interject something here? I'd be the last person to advocate arbitrary discrimination. It's ugly, and I know firsthand how much it hurts. But there is such a thing as *legitimate* discrimination. We do it all the time if an applicant or employee doesn't embrace our corporate values. And there's real urgency to do it here, too. If we follow the path that Jeanie's suggesting, we're helping normalize a lifestyle that God condemns. In my mind, that's more wrong than 'discriminating' against this applicant."

With a slight raise of his hand, soft-spoken Bill came at it from another angle. "Can I jump in here really quick? I don't know about the Bible issues and all that, but what I can tell you is this. Although it's technically not illegal in this state to consider sexual preference in personnel decisions,<sup>1</sup> it would be pretty unwise in our industry to maintain a hiring policy that intentionally screens out gays and lesbians. There are a lot of homosexuals in the IT industry. *A lot*. And if word gets around that we discriminate, we could lose some of our top commercial customers. What I'm saying," he clarified, "is that gay-friendly has become an industry norm. Just look at the gay affinity

groups in IT companies and how pervasive domestic partner benefits have become. Like it or not, we have to recognize that if we don't become gay-friendly too, over time we're going to be at a competitive disadvantage. So maybe we should just hire the best and brightest we can find."

"That a good point, my friend," Walt said with a smile. "But I have to admit, I think I'm with Dave on this one. And if our business has to take a hit to do what's right in God's eyes, well, that's a cost of doing business God's way."

Jeanie was incredulous. "So that's it?!" she asked rhetorically. "We tell Mr. Superstar Applicant – a guy with unbelievable potential to move this company forward – to take a hike because we don't like who he sleeps with? And on top of that we risk losing some of our B-to-B customers? That makes no sense at all to me."

"Look, Jeanie," Walt responded, now provoked by her tone, "non-discrimination might sound innocuous – even godly to some – but the bottom line is that a 'neutral' non-discrimination stance on the issue is not really neutral at all. It implicitly validates the lifestyle. And if homosexuality is a lifestyle that's equally valid, then as a company and as a society we proceed down a very slippery slope."

Walt continued, but now in a more didactic tone. This was turning into a quintessential shepherding moment for him. "What I mean is this: non-discrimination implies there's nothing wrong with the lifestyle. That leads to demands for equal treatment, which in turn leads to insistence on things like domestic partner benefits and sensitivity training for employees. It's how gay marriage and gay adoption are becoming 'civil rights' in parts of this country. Ultimately, we end up with a culture that condones what God condemns. As Christians and a Christian company, I don't think it's wise to take even one step down that road, whatever the cost to our business."

As she saw it, much was at stake here. So Jeanie made one last attempt. "Quite frankly, Walt, I don't understand your theology on this at all. Or yours, Dave. What about the Christian calling to be witnesses, to actually introduce people to God? If we Christians are so exclusive that we never come into contact with people who are alienated from God, how will we ever bring more people into God's family? We just isolate ourselves in this little Christian bubble: we go to a Christian church, we send our kids to Christian schools, we run Christian

companies dealing with a lot of Christian clients, all of our friends are Christians, we read Christian books and magazines. We're becoming separatists. We've developed our own comfortable subculture that insulates us from engaging people God might want us to reach."

"That's not what Jesus did," Jeanie continued, now as confident as she was entrenched. "In fact, he did just the opposite. He associated freely with all people, regardless of their lifestyle or their past, and through those relationships, he pointed people to God. What I think is that we should open our doors – and our minds – and do the same."

Walt was thoughtful, his eyes reflecting the conflict in his heart. "That's a valid point, too, Jeanie," he conceded. "I'm left wondering, though, where Jesus would draw the line in business. At non-discrimination? At equivalent benefits? And what about the customer side of things? What happens if a gay rights group wants us to develop some software for them? Do we just do it? Wouldn't we be advancing their movement by creating something for them?"

Nobody spoke for a several seconds. Finally, Walt broke the silence, framing the challenge ahead. "This is a hard issue," he said with a slow shake of his head. "From a Christian perspective, just how gay-friendly should a company be?"

A knock at the door interrupted their deliberations. Theresa stuck her head in. "Scott Mitchell's here for his 9 a.m. interview. Are you ready for him?" she asked.

"That's a good question," Walt replied, chuckling at the timing of her query. "I'm not sure ... but show him in anyway."

A few moments later, Scott walked in. Clean cut. Professional. Smartly dressed (except for his crooked tie). He extended a cheerful "Good morning!" to the group. Walt stood, smiled, and shook Scott's hand. The group then proceeded to interview Scott, offering no hint of the seeming dilemma that his presence created for the company.

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## ENDNOTES

<sup>1</sup>As of the writing of this case, there is no federal law in the United States that prohibits companies from considering sexual preference when making personnel decisions. However, 13 states and the District of Columbia, as well as approximately 200 U.S. cities, have enacted workplace anti-discrimination laws that apply within their jurisdiction. This case is set in a state and city where the employment-at-will doctrine prevails on such matters; that is, Master's Software would not be violating any federal, state, or local law by refusing to interview Scott on the basis of his sexual preference.

**JBIB**