

PERCEIVED DISCRIMINATION IN HIRING LGBT INDIVIDUALS IN THE ARTS & MEDIA SECTOR IN MALAYSIA: A QUALITATIVE STUDY

Dharshini Nelamagan

Asia Pacific University of Technology and Innovation

Subaashnii A/P Suppramaniam

Asia Pacific University of Technology and Innovation

Email: subaashnii@apiit.edu.my

Morakinyo Dada

Asia Pacific University of Technology and Innovation

Email: morakinyo@staffemail.apu.edu.my

Abstract

The purpose of this qualitative study is to explore the factors that contribute towards perceived discrimination in hiring LGBT individuals in the arts and media sector in Malaysia and how can organizations minimize such practices in their workplace. For the design/methodology/approach as this is a qualitative study, the research approach used is a basic qualitative research method. Furthermore, the inductive approach was used in this research to generate a deeper theoretical understanding than the current theory on the subject matter's context. This study used a semi-structured interview to obtain information from the respondents and participants. Moreover, on the findings, the study was primarily focused on the perceived discrimination faced by LGBTQ individuals during the hiring process in the arts and media sector in Malaysia. Besides that the findings are divided into two research questions what are the factors contributing to LGBTQ discrimination in the hiring process and how can organisations nowadays can minimize such practices or how can they provide support to these individuals to secure a job for themselves? Besides that, this research uncovered that several factors contribute to the discrimination in hiring LGBTQ individuals like the stereotype and stigma of society towards them. The findings also relate to law protection for LGBTQ individuals and their practices including the importance of creating awareness about the LGBTQ society to people out there and the human rights statement relating to treating them fairly like any other human being. Moreover, the result of this study will guide government organizations, NGOs, human activists, hiring managers, companies and the nation in allowing LGBTQ individuals to secure a job and to take precautions and practices on avoiding any sort of discrimination towards these individuals.

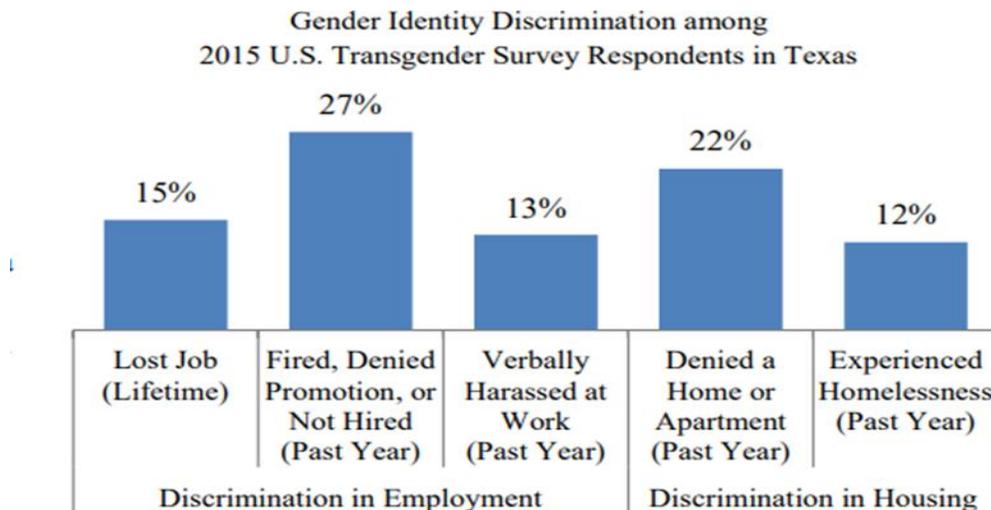
Keywords: *Discrimination, LGBTQ, Hiring Process, Organisation Practices, NGO*

1.0 Introduction

Lesbian, Gay, Bisexual and Transgender (LGBT) have been experiencing long-term and pervasive employment discrimination. In this era, more than 8 million individuals in the American workforce are identified as LGBT group people but there is still no law that is implemented on discrimination in hiring LGBT individuals in the workplace (Pizer, 2012). Most countries and states do not provide any kind of legal protection to LGBT individuals and it is known as LGBT individuals are being opposed and rejected by the world out there. Hence, research shows that seventy-seven countries around the world, including Australia, Canada, France, Germany, Mexico, Netherlands, Switzerland, and the United Kingdom, prohibit discrimination in jobs because of sexual identity. Stereotypes and statistical barriers find it impossible to achieve a reliable count of the Lesbian, Gay, Bisexual, and Transgender (LGBT) population.

The best estimates from polls around the world are the following statistics, 1.7% of Canadians between the age group of 18 and 59 are gay or homosexual in Canada, and a further 1.3% are bisexual. In Japan, approximately 10% of the population was classified as LGBT or another sexual minority (ages 20 to 69). Nevertheless, in the United Kingdom, 2.2% of the population is LGBT people and in the United States, there are 4.5% of the population categorized as LGBT (Catalyst, 2020). According to Krehely (2011), gay and transgender people continue to face severe discrimination in the workplace. Surveys indicate that some form of discrimination and abuse at work has been encountered by anywhere from 15% to 43% of people who are gay. In addition, a record of 90% of transgender employees experiences some form of on-the-job harassment or mistreatment. These violations in the workplace pose a real and direct threat to gay and transgender employees' economic security. Moreover, the presence of discrimination and harassment against LGBT workers is often endorsed by straight co-workers. The study by the Williams Institute showed that 12% to 30% of straight employees experienced discrimination based on sexual identity in the workforce.

Figure 1: Transgender Research Survey 2015 (The Williams Institute, 2015)



In 2015, the United States had a Transgender Survey study, based on the biggest queer and transgender survey of gender non-conforming individuals in the U.S. to date, uncovered by Texas respondents, 27% reported being dismissed, denied a promotion, or not being recruited because of their gender identity for a position they applied for in the year before the study, and 13% reported being sexually abused at work in the year before the survey because of their gender identity. Moreover, 22% of Texas LGBT respondents indicated that in the past year they had faced housing discrimination due to their gender identity, and 12% indicated that because of their ethnicity, they had suffered homelessness. Transgender people face bullying and harassment in the workplace at much higher rates than gays and lesbians. Earlier this year, a ground-breaking report on transgender discrimination was conducted by the National Center for Transgender Equality and the National Gay and Lesbian Task Force, which reported nearly universal issues at work (Krehely, 2011).

1.2 Problem Statement

There are numerous reports on the discrimination faced by LGBT individuals when they tend to seek a job and while hiring them regardless of the country in which these individuals are. Federal legislation forbids segregation in the United States in the workplace. Discrimination is prohibited by Title VII of the Civil Rights Act when recruiting, firing, supporting, or demoting workers in the workplace, but based on race, colour, religion, sex, and ethnic background, under Title VII, sexual orientation and gender identity are not included as covered groups. Workplace discrimination laws against lesbian, homosexual, bisexual, transgender and queer (LGBTQ) workers differ by state and local region. Few, but not all states, prohibit LGBTQ employees from being discriminated against by employers.

In 2014, President Barack Obama made history when an executive order was signed by him that extends the protection of the workplace to LGBTQ workers who are either working or seeking jobs in the United States (Gates & Saunders, 2016). The general problem here is the perceived discrimination in hiring LGBT individuals in the service sectors in Malaysia. The (LGBT) culture in Malaysia is often seen as a taboo subject due to the Islamic religion and Syariah law in Malaysia and any other country is against the LGBT community. Strict conformity to classification is a problem in Malaysia. This traditional classification is rules, policies, history, and moral values are profoundly rooted (Suhakam, 2019). Many employers are also unsure about the employment of LGBT individuals, while the government has provided initiatives to encourage them. Thus, there is a gap that has been neglected as the discrimination and barriers faced by LGBT individuals in securing a job has not been extensively explored in academic research and resources are limited to outdated news or certain old research. Therefore, there is a weak empirical and conceptual basis to understand the discrimination in hiring LGBT individuals and how can we minimize such practices in working sectors in Malaysia.

2.0 Literature Review

2.1 Perceived Discrimination on Hiring LGBT Individuals

The importance of the person who suffered discrimination through their sexual orientation or gender identity is demolished by the employment practices that have discrimination over their sexuality (Luiggi-Hernández, 2015). According to Webster, Adams, Maranto, Sawyer, and Thoroughgood

(2018), some of the netizens of the United States have the view that being in an LGBT group is a sin and that people have discomfort towards these groups. Equally important, the stigma and the unfair treatment of these groups create violence and oppression. However, in past few years, the perception towards the LGBT group is more positive and received better reception and perception. Harassment by respondents of the study who were open about being LGBT in the workplace was the most frequently reported form of sexual orientation-based discrimination (Sears, 2011).

They also mentioned on the fear of being exposed to discrimination reported by these respondents is consistent with data showing that people who are out at work are more likely to be discriminated against than people who hide their sexual orientation in the workplace. The study from Luiggi-Hernández (2015) and Mohsen Bazargan & Frank Galvan (2012) agreed that LGBT individuals are exposed to discrimination and stigmatization in the employment context. In this case, the payment of employment is different with the heterosexual groups and the negative treatment received by such individuals created stressful life events.

Besides, the unemployment rate for transgender is higher than the normal unemployment rate by four times (Sears, 2011). Under those circumstances, the individuals from the LGBT group suffered psychological and physical harm in their daily activities, especially in the workplace (Sears, 2011). Besides, most of the individuals prevented themselves from disclosing their sexual orientation to the management in the workplace to avoid discrimination and the protection of these individuals failed under the Federal Law of Congress since 1994 (Luiggi-Hernández, 2015). Other LGBT people face discrimination even before they enter the workforce. According to research, this group is discriminated against during the recruiting process. Employers should not discriminate against other qualified job seekers based on their race or ethnicity in today's job market. The difference in treatment for people who describe as lesbian, gay, bisexual, or transsexual is one of the most common forms of job discrimination. Even if this information isn't on the CV, some employers may go to considerable efforts during the hiring process to study and investigate potential employees (Phillips & Associates, 2021).

Discrimination by an employer against an LGBT applicant may be obvious and easy to spot in some cases. This category includes questions that blatantly seek information on the applicant's sexual identity. It may be simpler to spot circumstances where the employer is attempting to learn more about the applicant's sexual identity through other ways, such as questions regarding whether the applicant is married or dating someone right now. Inquiring whether the applicant is a member of any organisations, particularly those that are activist in nature, could be used to determine whether the applicant identifies as LGBT. In New York, The Equal Employment Opportunity Commission, at the federal level, interprets the Civil Rights Act of 1964 to include problems of workplace discrimination against LGBT people. "Allegations of discrimination based on sexual orientation must necessarily state a claim of discrimination based on sex," according to the statute. These decisions, however, are not legally binding, and courts might choose not to follow them (Phillips & Associates, 2021).

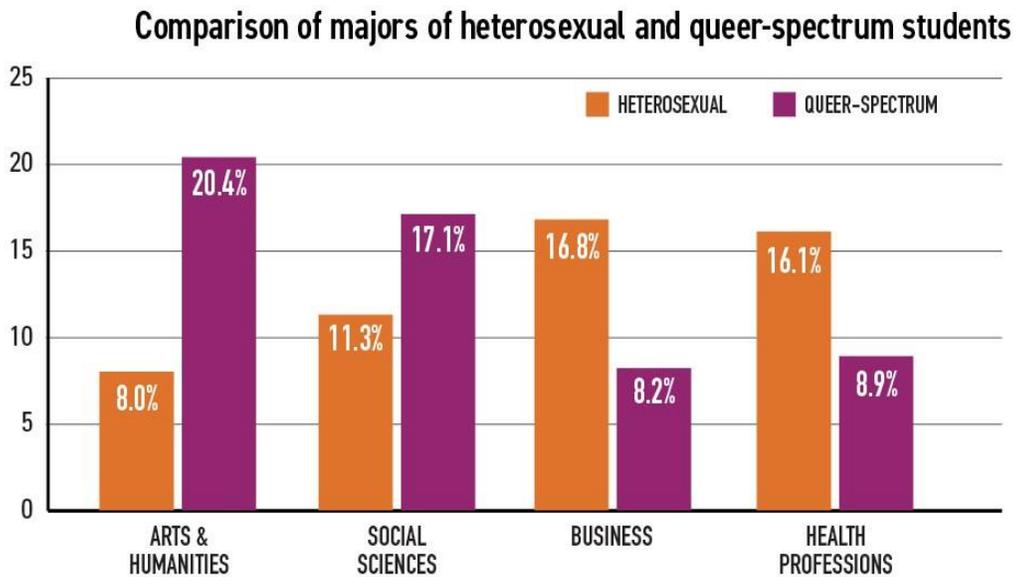
2.2 How Can Organizations Minimize Such Practices

According to Sears (2011), LGBT individuals have a preference for a progressive work environment rather than a conservative workplace. The organisation can exercise the effort on the group based on the impact of workplace inclusion, especially in the attitudes and behaviour of all

employees (Nicole Melton & George B. Cunningham, 2012). Consequently, the departments in the organization can create a unique working experience for sexual minorities that inclusive of the proper education and training to be more efficient in the office. On the contrary, Daniel Theriault (2017) mentioned the importance of leadership in the organisation to establish the priorities on the behaviour of the employee to create a unique influence in the administration. He also mentioned the importance to understand the resistance and obstacles that organizations faced through the support and encouragement of their employee with LGBT orientation.

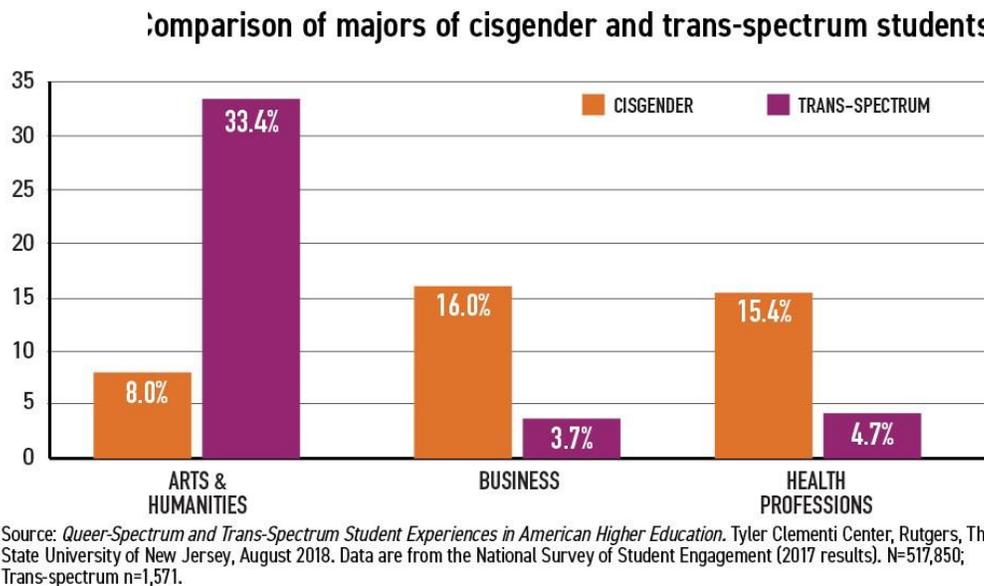
These concerns may arise as a result of a profession's long-standing anti-LGBTQ stigma, uncertainty about whether or not to disclose their sexual orientation/gender identity to a potential employer, fear of workplace bias or harassment, and the level of employment non-discrimination protection provided at the local, state, or federal level. For students who assume leadership roles within LGBTQ-oriented student organizations and projects, as well as students pursuing LGBTQ research or academic coursework, the creation of a resume that reflects these experiences highlights their interpersonal strengths, capacity for leadership, critical thinking skills, and intercultural fluency. However, if the company has a bias against LGBTQ people, disclosing their roles carries a risk. Leaving these experiences off a professional CV, on the other hand, is detrimental to both the candidate and the company, who may consider them when making a hiring decision (Greathouse, 2019).

Figure 2: A Survey Done on Comparison of Majors Chosen by Heterosexual and Queer-Spectrum Students (Greathouse, 2019).



Source: *Queer-Spectrum and Trans-Spectrum Student Experiences in American Higher Education*. Tyler Clementi Center, Rutgers, The State University of New Jersey, August 2018. Data are from the National Survey of Student Engagement (2017 results). N=517,850; Queer-spectrum n= 27,487.

Figure 3: A Survey Done on Comparison of Majors Chosen by Cisgender and Trans-Spectrum Students (Greathouse, 2019).



From the above survey statistics, it can be concluded that students who are in the LGBTQ category mostly choose to major in the arts and humanities sector. This shows that their interest and comfort in this particular major are most likely favourable. On this note, career services professionals can create a more equitable and affirming environment for LGBTQ students seeking their services like for example all members of the career centre team should get training and professional development to ensure that they are prepared to offer a fair and affirming workplace for LGBTQ students. Moreover, guiding other employers and organisations will be a great effort on minimizing LGBTQ discrimination in working sectors like encouraging those who have good practices that lead to LGBTQ employee rights to share that information with students. For example, organisations can share their company's score on the Human Rights Campaign's corporate equality index; those with LGBTQ employee resource groups or similar offerings could share this information by passing out brochures at a career fair (NACE, 2019).

2.3 Theories

2.3.1 Social Network Theory

The Social Network Theory is a study of how a person or group within their network communicate with each other and the way how they treat others too. In addition to that, it notes that this theory would take into account the interaction of the study with the relationship of other relevant parties, in contrast to the attribution method (Claywell, 2020). In this case, the study will examine the discrimination faced by LGBT individuals when they are seeking a job. Moreover, the researcher must preview the recruiters' public view and see how they interact with these people to determine

whether there is a discriminating mindset or if there are other reasons for the indifferent perception and biases in recruiting LGBT individuals.

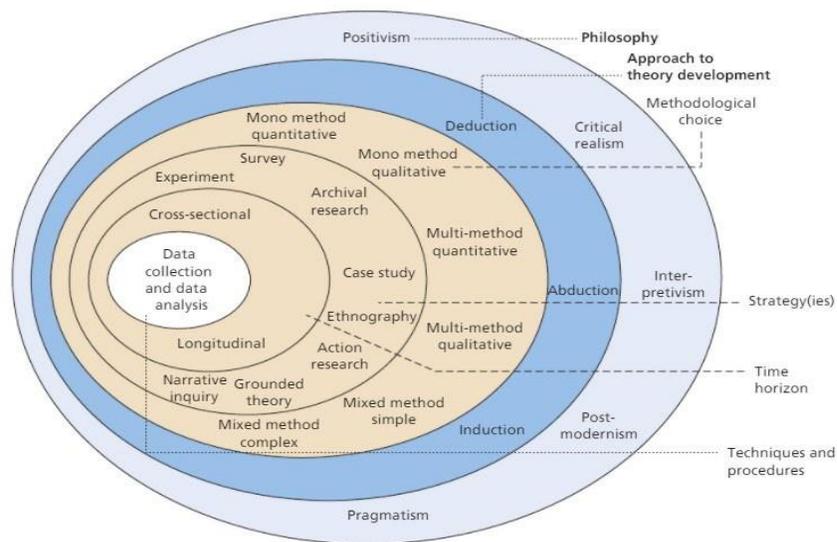
2.3.2 Queer Theory

Queer theory's root is difficult to clearly define, since it came from numerous basic and social settings, including feminism, post-structuralist theory, radical movements of individuals of colour, gay and lesbian developments, Aids activism and numerous sexual subcultural practices (Illinois, 2020). Queer theory is a term that emerged within the late 1980s for a body of criticism on issues of gender, sexuality, and subjectivity that came out of gay and lesbian grant in such areas as scholarly criticism, politics, sociology, and history. The queer theory rejects essentialism in favour of social development; it breaks down binary oppositions such as "gay" or "straight". In Queer's Theory, the concept heteronormativity is implied which means relating the world's view of heterosexuality as normal and not something that should be seen differently. In this case, while hiring an LGBT individual company recruiters can treat them as same as normal people and recruit them for a job looking at their talent and skills rather than their gender.

3.0 Methodology

The following area presents the design methodology of qualitative research. The research design process will be explained using the Research Onion structure that consists of multiple layers of process that was suggested by (Saunders, Lewis, & Thornhill, Research Methods For Business Students, 2016).

Figure 3: A Research Onion



By referring to Figure 3, the researcher has embraced the interpretivism philosophy and induction approach through a case study strategy that was used in this research approach as the methodological choice of this research is a qualitative study. Cross-sectional is chosen for the time

horizon of this research as the time is constrained while conducting this research through interviews to collect the primary data through open-ended and semi-structured questions and each stage of the research is processed separately. According to Trochim (2020), this analysis uses the approach of non-probability sampling which can be briefly described as sampling that does not include random collection, as participants need to satisfy a particular criterion in advance. In this test, purposeful sampling has been picked to be used as purposeful sampling relies on specific predefined persons and in this sample, it would be people who have recently been released from prosecution. Bryman (2008) stated that when it comes to assessing an acceptable sample size in a qualitative survey, there are no clear guidelines, although it was implied that time and expense was the primary factor in evaluating the sample size. It was also proposed that a selection of sample sizes from 5 to 10 would be appropriate for this analysis. However, without proper analysis, the gathered data might be misdirected or overwhelming in terms of the sheer number of resources that must be processed before a conclusion can be reached (Merriam, 2009).

Table 1: Six Steps in Data Analysis

Phase	Examples of procedure for each step
1. Familiarising oneself with the data	Transcribing data; reading and re-reading; noting down initial codes
2. Generating initial codes	Coding interesting features of the data in a systematic fashion across the data-set, collating data relevant to each code
3. Searching for the themes	Collating codes into potential themes, gathering all data relevant to each potential theme
4. Involved reviewing the themes	Checking if the themes work in relation to the coded extracts and the entire data-set; generate a thematic 'map'
5. Defining and naming themes	Ongoing analysis to refine the specifics of each theme; generation of clear names for each theme
6. Producing the report	Final opportunity for analysis selecting appropriate extracts; discussion of the analysis; relate back to research question or literature; produce report

The first step in the analysis was to prepare and arrange the data acquired by analysing the transcribed interviews, taking field notes, and even sorting and masterminding the data into distinct categories based on the data sources. Step two involved exploring all of the acquired data, which allowed the researcher to get an overall sense of the data and its relevance through comprehending it. The third step entails performing a comprehensive review of the transcribed data by identifying key codes for future investigation. Step four is when the researcher organises all of the interview codes into separate topics for subsequent study. The fifth step was to turn the concepts and descriptions into a subjective narrative. Step six was the final step in data analysis, which involved interpreting or determining the importance of the data obtained.

4.0 Results and Findings

There is a total of five participants in this research coming from Arts and Media background as some are owning their businesses and some are employed in the arts and media sector, the participants consist of 1 male and 4 females with the age between 23 to 34. Each interview session lasted between 20 to 30 minutes respectively. From these interviews, it was discovered that there

were two participants with more extreme viewpoints on this research topic, one of the participants is almost utterly opposed to hiring LGBT individuals due to personal experience, and the other remaining participants are those who are very willing to hire and is mostly on the middle ground stance regarding this research topic. The table below includes a summary of the participants, with names replaced by random initials for privacy and confidentiality reasons.

Research Question 1: What are the factors that contribute towards perceived discrimination in hiring LGBT individuals?

Table 2: Themes from Research Question 1

<i>Themes</i>	<i>Definition for themes</i>	<i>Codes</i>
Asking personal questions during the hiring process	Hiring managers asking personal questions about an LGBTQ individual's status, gender and married life might lead to them not securing the job vacancy.	Personal questions, stating gender, basic application questions, demographic, background check.
Law in the country	Law in every country plays an important role in protecting human rights and at the same time does influence people's perception of something.	Working policy, the law of the country, humanity, constitution, legislation, legal, illegal
Stereotypes and prejudice in the society	The stereotypes and prejudice this society have against LGBTQ individuals are more likely equal to discrimination.	Stereotypes, prejudice, society thoughts, acceptance, people influence, social stigma and environment, community, malicious mindset.

Research Question 2: How can organizations minimize such practices?

Table 3: Themes from Research Question 2

<i>Themes</i>	<i>Definition for themes</i>	<i>Codes</i>
Creating LGBTQ awareness	Creating awareness in workplaces to employees and society regarding the existence of LGBTQ individuals and taking a precaution to give them support to live a normal life.	Awareness, support, precautions, benefits, companies should start hiring them, campaign, NGO, expand their knowledge, events, charity, and support group
Fair treatment	Treating those LGBT individuals like other normal employees with equal treatment and opportunities alongside not over emphasizing their gender.	Setting ground rules, equal treatment, fair treatment, trust, and separate washrooms.

Creating LGBTQ awareness

This theme emphasizes creating and letting employees know about LGBTQ awareness in the workplace as those individuals need support. The society got to take precautions on making these individuals normal human beings. Employers should start hiring and giving chances to LGBTQ people to create a trademark that these people also can have passion, dreams, and talent to showcase to the world and achieve their goals. This awareness is very crucial for changing people's perception of LGBTQ individuals. All participants expressed themselves in the same manner, and this shows the importance of creating LGBTQ awareness.

Fair treatment

This theme emphasizes accepting the LGBT individuals like other normal employees with equal treatment and opportunities alongside not overemphasizing their gender and identity by giving these individuals the fair treatment, respect, and equality that any other individual would have. All

participants have expressed the same manner, and this shows the importance of providing fair treatment in the workplace regardless of who the employees are.

Table 4: Domains for Research Questions 1 and 2

Domain 1: Discrimination
<ul style="list-style-type: none"> • Asking personal questions during the hiring process
<ul style="list-style-type: none"> • Law in the country
<ul style="list-style-type: none"> • Stereotypes and prejudice in the society
Domain 2: Practices
<ul style="list-style-type: none"> • Creating LGBTQ awareness
<ul style="list-style-type: none"> • Fair treatment

5. 0 Discussion

Research Question 1: What are the factors that contribute towards perceived discrimination in hiring LGBT individuals?

In the research made, there are three themes in total for this research question, and the participants' reactions to each of the themes are mixed. Except for 2 participants, the others displayed various mixed responses and answers during the interview session in the range of regarding stereotypes and prejudice in the society and also regarding the country's law.

According to the data collected, the theme law in the country and stereotype and prejudice of the society was widely accepted and mentioned by the participants as the factors that contributes towards perceived discrimination in hiring LGBT individuals in the sense of the practice of seeing them differently is there and to make them secure a job in a country that LGBT is illegal a form of discrimination in the participants' view and perspectives. The theme of asking personal questions during the hiring process is said to be vital by some participants due to company policy, hiring methods and background checks which is normal in a hiring process but some participants said it is not necessary for the arts and media industry.

Asking Personal Questions During the Hiring Process

This theme talks about the personal questions that will be asked during the hiring process as one of the factors that contribute towards perceived discrimination in hiring LGBT individuals in the arts

and media sector in Malaysia and the difficulty for LGBTQ individuals to secure a job. Participant 1 illustrates that *“Hiring managers and business owners should not ask all these kinds of personal questions because this question doesn't affect anything in their job”*. Participant 3 illustrates that *“So, article eight of the Constitution, as I said before, makes it clear that there should be no special cost or privileges to certain use of sex and gender, and any policies to that effect must be avoided and both employees and also the employers and service directors, they have their rights, too. So, we cannot be unfair in this situation but to state a gender or sex during a hiring process is not very necessary in any industry”*. Participant 4 illustrates that *“Personal question, are you married? It's not supposed to be asked to anyone if you ask me, because I don't know how the gender of a person or marriage thing would affect job vacancy in arts and media sector”*. Participant 5 illustrates that *“Yes, I think this kind of personal and private questions can be avoided during the hiring process because in this industry of arts and media, actually individuals are hired based on their talent instead of their background no matter who they are and what are they doing in life, like getting married or planning their pregnancy or who are they as been gender-wise. So personal questions are unnecessary to be asked “*.

Luiggi-Hernández (2015) mentioned that the organization refused to hire LGBT individuals and the disclosure of the individual about their sexuality caused them to be fired from their position and this action are discriminatory exercise by the organization. According to Phillips & Associates (2021), this LGBTQ group is discriminated against during the recruiting process. Employers should not discriminate against other qualified job seekers based on their race or ethnicity in today's job market. The difference in treatment for people who describe as lesbian, gay, bisexual, or transsexual is one of the most common forms of job discrimination. Even if this information isn't on the CV, some employers may go to considerable efforts during the hiring process to study and investigate potential employees. It may be simpler to spot circumstances where the employer is attempting to learn more about the applicant's sexual identity through other ways, such as questions regarding whether the applicant is married or dating someone right now. Inquiring whether the applicant is a member of any organisations, particularly those that are activist in nature, could be used to determine whether the applicant identifies as LGBT.

The literature review for this emerging theme does not match as most of the participants say that asking personal questions during a hiring process is not necessary and here to conclude that the theme is not consistent.

Law in the country

Through the finding of this research, the law of the country plays as one of the important factors that contribute towards perceived discrimination in hiring LGBT individuals in the arts and media sector in Malaysia. Participant 1 illustrates that *“Okay. Our country's law and most countries don't support LGBT and classify it as something illegal, like a crime and inappropriate. They almost get 20 years of imprisonment and all these kind of things. Moreover, in our country, there is no specific law to support them too. This will be one of the factors why companies don't hire them or prefer them as employees”*. Participant 2 illustrates that *“To frankly speak in our country and most of the countries there is no any specific law to protect the LGBT individuals and it is also known as illegal in our country and not proper practice. So, if we see Malaysian law encourage hiring disabled people but not LGBT, it is because we are an Islamic country and that is one of the main reasons*

too". Participant 3 illustrates that *"but according to the shariah law in our country, it says that LGBTQ is illegal so as we in Malaysia we have to follow these law rules and it's just a matter of debate about law vs humanity". If you are referring to our country's laws, for example, in the civil laws as well, not just Shariah in civil law, if you see that they are crimes, I would say that our female court criminalized the act of homosexuality. So, the act of homosexuality is actually in the LGBTQ behaviour, and it is one of the LGBTQ behaviours because same-sex behaviours are criminalized here"*.

Participant 4 illustrates that *"The main religion that we have in our country has made the laws and the laws have put in that LGBT people are not right, they're wrong, they're seeing something like that. Basically, the culture, even if in the Indian or Chinese community LGBTQ is not against the religion, it's not a sin and everything. Yet the mindset of the people here following malicious mindset, correct or not, they are scared. Government rules have to change towards the LGBT community then the people's mindset will change and so definitely the law makes a lot of difference in every country to make a change"*. Participant 5 illustrates that *"Yes, actually the law in our country can impact on the society's mindset also. So, amending the law in our country can be helpful in the coming days for the LGBT people who have possessed the talent and have a good education, background, and work experience wise. These types of stereotypes and stigmas should be avoided at the end of the day even if their identity is LGBT, they are also humans who have big dreams and passion. Punishing them for being who they are is not humanity"*.

Sheila Quinn (2006) expressed on the law protection to the group from any discrimination and hating harassment and violence. Given these points, harassment may create a negative effect on those people and it is such a humiliating and harmful working environment. The creation of the law and regulations with regards to the LGBT community especially in healthcare to receive equal treatment despite the fears of medical practitioners on the HIV positive. According to Luiggi-Hernández (2015), the policies and practices towards LGBT individuals need to focus on non-discrimination policies in every organisation, especially on basis of the employee's sexual orientation. All the participants agree that the law of a country plays a major role in influencing people's mindset on something and most Islamic religion and countries do see LGBTQ as an offence.

In the literature review, there were not many findings on the law as a factor in discrimination against these LGBTQ groups people due to less research having been done on this topic before this. This emerging theme is fairly consistent as it highlights the law protection and policies for LGBTQ individuals that were mentioned by the participants.

Stereotype and Prejudice of the Society

This theme here talks about the stereotype and prejudice of society as one of the factors that contribute towards perceived discrimination in hiring LGBT individuals in the arts and media sector in Malaysia. Participant 1 illustrates that *"From my point of view, I think that people are just like misunderstood about LGBT things and all, you see, so it is influencing others a lot in terms of industries, in terms of the workplace, in terms of schools, because we have to accept that LGBT is like related to science and not purposely these individuals want to be an LGBTQ categorised person. So, you can't avoid all those kinds of things. So, this community have to understand that to*

accept them but you see, Malaysia, our country is like kind of doesn't accept them. Yeah, it does affect the entire workplace because of the cultural diversity". Participant 2 illustrates that "When I moved into the executive recruitment, I encounter the experience of employees filing a case on an LGBT individual, but some of the companies and people mostly think that if hiring LGBT maybe lead to more problems because these people are not just interested in the LGBTQ individuals. So, they may be an effect on the company's nature. The society in our country has a prejudice towards them that they are abnormal and might cause danger and problems to everyone".

Participant 3 illustrates that *"So, I think one of the factors to the discrimination, to the state discrimination, is that, of course, the stigma and also because we don't have much acceptance and recognition of the LGBT people in Malaysia. I believe there is a stigma towards this community, and I believe there should not be any stereotype towards them because they are a vulnerable community, but the key word here is to be respectful and professional for everyone and I see there's a need to alter our treatment towards LGBTQ because everyone should be responsible for their behaviour and ethics".* Participant 4 illustrates that *"Moreover, the mindset of the people here following malicious mindset, correct or not, they scared. They scared even their child or whatever. They are afraid to let the child as LGBTQ, they want to change the child back to be straight because they cannot get a job or be accepted by society, they cannot go out there, they'll get beaten up, they'll get bullied and then they cannot get married and all".* Participant 5 illustrates that *"This type of stereotypes and stigma's should be avoided as the end of the day even their identity is LGBT; they are also humans who have big dreams and passion. Punishing them for being who they are is not humanity".*

According to Webster, Adams, Maranto, Sawyer, and Thoroughgood (2018), some netizens of the United States have the view that being in an LGBT group is a sin and people have discomfort towards this group. Equally important, the stigma and the unfair treatment of these groups create violence and oppression. Luiggi-Hernández (2015) and Mohsen Bazargan & Frank Galvan (2012) agreed that LGBT individuals are exposed to discrimination and stigmatization in the employment context. According to Mohsen Bazargan & Frank Galvan (2012) study, evidence shows that 60% of the respondents are rejected by their families for being gay, lesbian, bisexual and transgender individuals in Latin America. This emerging theme is fairly consistent with the data collected from the participants that have been interviewed because all of them agreed as there are stereotypes and stigma about LGBTQ individuals and society is not ready to accept them even though there are some or minimal people already accepting them.

Research Question 2: How can organizations minimize such practices?

For this particular research question, there are two themes which are creating LGBTQ awareness and fair treatment as a practice that organisations can implement to minimize LGBTQ discrimination in workplaces.

Creating LGBTQ Awareness

Among the suggested practices that were mentioned by all the participants, creating LGBTQ awareness is the response given by all five participants on how the organisations can use awareness as a tool to minimize the discrimination practices towards LGBTQ individuals in the workplaces in the arts and media sector in Malaysia. For this theme, Participant 1 tells that *"We definitely will*

take to minimize all those kinds of things. In fact, we are really working on it as well and we are also doing a lot of awareness videos since I'm in this industry. So, we are taking a lot of initiative to create an awareness video as well". Participant 2 illustrates that "Even in the case of hiring LGBT employees the management should provide a fair opportunity, training and assessment support but not to focus on their LGBT or non-LGBT. So, from there then you can raise awareness in the culture of organizations so you can encourage the awareness too also if an employer found out that discrimination happens to certain groups not only LGBT and non-LGBT so the employee can take action on this matters". "Once if the company accepts this LGBT maybe they will get a lot of what we call the support process from the public and also from their customer clients. So, I think if there are hopefully more NGOs and also these LGBT support groups from there, they can raise the awareness of the respect and freedom to the campaign awareness, some kind of what we see in the overseas, they always have the NGO, Human Rights and LGBT group people raise up the awareness to the campaign, not to say like demonstration but just accept what they are in the society".

Participant 3 illustrates that *"Everyone, especially employers, must first understand and read their employment agreement and the contract should reflect the intentions of our Constitution makers. If there is any type of discrimination based on employees, I think we must have this kind of awareness that we must make sure that they take a report and they take action by filing a complaint or sending an official letter to the nearest Labour Department and they can even complain or report to the HR management". Participant 4 illustrates that "So, they can maybe advise, like expand their knowledge, let the other employees know about not discriminating people for anything, not just LGBT, but for anything like who or however they are, just to accept it. If you have a theory where they are being discriminated, this act could be one of the awareness kind of program employers or companies can do". Participant 5 also illustrates that "Also, because an employer should talk to their employees on weekly or at least on a monthly basis on accepting and creating awareness about this kind of individuals as well maybe running a campaign activity, especially in the workplace".*

According to Sheila Quinn (2006), EGAL which stands for Equality for Gays and Lesbians, for example, is a non-government organization (NGO) communities that create awareness and increases knowledge about LGBT people and also educate on individuals health issue such as HIV. Luiggi-Hernández (2015) was also able to provide enough and sufficient data on the support of the regulation to demolish the obstacles to creating awareness against discrimination against the LGBT group. This is an emerging theme that was discovered during the participant interviews and is consistent with the findings of the literature review.

Fair treatment

Among the suggested practices that were mentioned by all the participants, fair treatment is the response given by four participants on how the participants will treat or implement a practice to treat LGBTQ individuals fairly like other genders in the workplace. By mentioning fair treatment, it includes setting ground rules, equal treatment, trusting them in employment, and providing a separate washroom for them are all the codes mentioned by the participants under the theme fair treatment. Participant 1 says for this theme that *"When it comes to public toilets and all for transgenders, you see they should have separate toilets for them as well because they will be*

thinking whether they have to use the male toilet or female toilet or all these kinds of things. I would say it's a small initiative where we can take as a public to start treating them fairly and normal". Participant 2 illustrates that *"Organizations can have their own initiative to develop this non-discrimination and equality policy. Even in the case of hiring LGBT employees the management should provide a fair opportunity, training and assessment support but not to focus on their LGBT or non-LGBT gender"*. Participant 3 illustrates that *"Our organization calls and gives equality and also demand for everyone and all gender, not only the LGBTQ for everyone to enjoy the right to get the freedom of employment". "The key word is as I said before, to be respectful, to be professional, and regardless of your sexual orientation, one must be given the rights to do their work, to exercise their rights and to be treated fairly as per our Constitution"*. Participant 5 tells that *"So, I think starting with the washroom for the non-binary individuals would be a great start as a practice to treat them as equal to us"*.

According to Greathouse (2019), study statistics mentioned in the literature findings that career services professionals can and do create a more equitable and affirming environment for LGBTQ students seeking their services. For example, all members of the career centre team should get training and professional development to ensure that they are prepared to offer a fair and affirming workplace for LGBTQ students. According to Monster (2021), the famous job portal says that Monster turned to the Human Rights Campaign Foundation's annual Corporate Equality Index (CEI), which ranks businesses on their LGBTQ equality. Big companies like Shell, Toyota, Unilever, and Nestle are companies that are listed under the Monster job portal's LGBTQ-friendly companies. This shows that despite the stigma and stereotypes of hiring managers, companies are willing to hire LGBTQ individuals and this particular job portal helps these companies to showcase their LGBTQ-friendly status and gives importance to equal and fair treatment for every human being. This theme is an emerging theme that was discovered through the interviews with the participants and it is consistent with the literature review findings.

6.0 Implications and Conclusion

The findings of this research have contributed to both theoretical different factors that contribute towards perceived discrimination in hiring LGBT individuals and how can organizations minimize such practices. As this research uncovered some common and newly explore discrimination factors and perspectives on the hiring of LGBTQ individuals. Future employers and researchers can utilise the findings from this research as part of research material to have a better understanding of the factors that contribute towards perceived discrimination in hiring LGBT in workplaces. This study will contribute towards newer research based on the exploration of perceived discrimination in hiring LGBT individuals in the arts & media sector in Malaysia and ways to minimize such practices in organisations.

Aside from that, this research will be useful and serve as a benchmark for future researchers, employers, and policymakers seeking qualitative data on this topic from academic, management, and theoretical perspectives. From an academic standpoint, the findings of this study will provide in-depth information about the discrimination LGBT individuals encounter in gaining employment, as well as the perceptions they face. Taking into account that there might be certain discrimination that LGBTQ individuals face in the workplace and public. The research findings and

recommendations will reveal the significant difficulties for these individuals to secure a job despite their gender identity.

From a management perspective, employers can rely on this research to understand the discrimination faced by LGBTQ individuals in the hiring process along with a clearer understanding of the discrimination and perceptions received by these individuals from employers when trying to secure a job. This research will reveal what discrimination LGBTQ individuals faced when trying to secure a job in a hiring process. Employers and HR managers can utilise this research and use it as potential guidance based on other employers' perspectives and discrimination factors regarding the hiring of LGBTQ individuals. Lastly, from a theoretical standpoint, this research relates the studies of the perceived discrimination faced by LGBTQ individuals in a hiring process and with this available information, the research will assist in bridging the knowledge gap between the issues faced by LGBTQ individuals in securing a job and the factors of discrimination faced by these individuals and on how can organisations minimize such practices.

6.1 Recommendation for Future Research

This research will look into the perceived discrimination in the hiring of LGBT individuals and how organisations can minimise such practices to gain a better understanding of the demographics of the arts and media sector in Malaysia. The initial factors can differ depending on the participants' upbringing, religious beliefs, social environment, educational background, and even family influence, among many other factors. Future research could include more employers from a variety of demographic and geographic backgrounds to examine a broader range of perspectives on perceived discrimination in hiring LGBT people and how organisations can minimise such practices. This research could include employers from all over Malaysia. Future researchers may also want to consider using other research methods to delve deeper into this topic. It is suggested that the researcher can use a mixed-method approach. It is also suggested that future research can include data triangulation. Data from other respondents, such as peers, can help to gain a better and depth understanding of the situation and topic.

7.0 References

- Association, A. P. (8 November, 2021). *American Psychological Association*. Retrieved 31 January, 2021, from <https://www.apa.org/topics/lgbtq>
- Ayuen M. (2015). Data Collection and Management Methods. https://www.researchgate.net/publication/275644953_Qualitative_Data_Collection_and_Management_methods.
- Bryman, A. (2008). Of methods and methodology. *Qualitative Research in Organizations and Management: An International Journal*, 3(2), 159-168.
- Catalyst. (2020). Workplaces that work for women work for everyone.
- Claywell, C. R. (11 November, 2020). *Love To Know Media*. Retrieved from https://socialnetworking.lovetoknow.com/What_is_Social_Network_Theory
- Creswell, J. W. (2013). *Qualitative Inquiry & Research Design* (3rd ed.). California: SAGE Publications Inc.

- Daniel Theriault. (2017). Implementation of Promising Practices for LGBTQ Inclusion: A Multilevel Process. *Research Gate*, 134.
- Eddy S.W. Ng, L. S. (2012). Anticipated Discrimination and a Career Choice in Nonprofit: A Study of Early Career Lesbian, Gay, Bisexual, Transgendered (LGBT) Job Seekers. *SAGE Journals*.
- Gates & Saunders. (2016). Executive orders for human rights: The case of Obama's LGBT nondiscrimination order. *SAGE Journals*.
- Greathouse, M. (11 November, 2019). *NACE Journal*. Retrieved from <https://www.naceweb.org/career-development/special-populations/career-considerations-of-lgbtq-students/>
- GuhaThakurta, S., & Chetty, P. (13 November, 2015). *Understanding research philosophy*. Retrieved 4 August, 2020, from <https://www.projectguru.in/research-philosophy/>.
- Hox, J. J., & Boeijs. (2005). Data Collection, Primary vs Secondary. *Encyclopedia of Social Measurement*, 583-599.
- Illinois, U. o. (11 November, 2020). *University of Illinois Board of Trustees*. Retrieved from <https://guides.library.illinois.edu/queertheory/background>
- José Giovanni Luiggi-Hernández. (2015). OUTING THE DISCRIMINATION TOWARDS LGBT PEOPLE DURING. *Redalyc Org*.
- Krehely, C. B. (2011). Center for American Progress.
- Levin, K. A. (2006). Study design III: Cross-sectional studies. *Evidence-Based Dentistry*, 7(1), 24-25.
- Luiggi-Hernández. (2015). OUTING THE DISCRIMINATION TOWARDS LGBT PEOPLE DURING. *redalyc.org*, 213.
- Mallory C, .. (n.d.). The Impact of Stigma and Discrimination Against. *The Williams Institute*, 2017.
- Merriam, S. B. (2009). *Qualitative Research: A guide to design and implementation* (- ed.). San Francisco : Jossey-Bass A Wiley Imprint.
- Mohsen Bazargan & Frank Galvan. (2012). Perceived discrimination and depression among low-income Latina male-to-female transgender women. *BMC Public Health*.
- Monster. (11 November, 2021). *Monster*. Retrieved from <https://www.monster.com/career-advice/article/best-companies-lgbt-0617>
- NACE. (2019). CAREER CONSIDERATIONS OF LGBTQ STUDENTS. *NACE Center for Career Development and Talent Acquisition*.
- Newcomer, K. E., Hatry, H. P., & Wholey, J. S. (2015). *Handbook of Practical Program Evaluation* (4 ed.). San Francisco: Jossey-Bass A Wiley Imprint .
- Nicole Melton & George B. Cunningham. (2012). Who Are the Champions? Using a Multilevel Model to Examine Perceptions of Employee Support for LGBT Inclusion in Sport Organizations. *Human Kinetics Journals*, 189-206.
- Patton, M. Q. (2014). *Qualitative Research & Evaluation Methods*. *SAGE Publications, Inc*.
- Phillips & Associates. (11 November, 2021). *Phillips & Associates, Attorneys at Law, PLLC*. Retrieved from <https://www.newyorkcitydiscriminationlawyer.com/lgbt-discrimination-during-the-interview-or-hiring-process.html>

- Pizer, J. C. (2012). Evidence of Persistent and Pervasive Workplace Discrimination against LGBT People. *HeinOnline*.
- Saunders, M., Lewis, P., & Thornhill, A. (2009). *Research methods for business students* (5th ed.). Essex: Pearson Education Limited.
- Saunders, M., Lewis, P., & Thornhill, A. (2016). *Research Methods For Business Students* (7th ed.). Essex: Pearson Education Limited.
- Sears, B. &. (2011). Documented evidence of employment discrimination & its effects on LGBT people. <https://williamsinstitute.law.ucla.edu/publications/employ-discrim-effect-lgbt-people/>.
- Sekaran, U., & Bougie, R. (2016). *Research Methods for Business* (7th ed.). West Sussex: John Wiley & Sons Ltd.
- Sheila Quinn. (2006). Accessing Health:the Context and the Challenges for LGBT People in Central and Eastern Europe. 77.
- Suhakam. (2019). Study on discrimination against transgender persons based Kuala Lumpur and Selangor. *THE HUMAN RIGHTS COMMISSION OF MALAYSIA*, 13.
- The Williams Institute. (2015). The Impact of Stigma and Discrimination Against. *The Williams Institute*.
- Trochim, P. W. (13 November, 2020). *Research Methods Knowledge Base*. Retrieved 4 August, 2020, from <https://conjointly.com/kb/nonprobability-sampling/>
- Uprety, L. P. (2010). Qualitative Data Collection, Analysis and Presentation: A Theoretical Overview. *Dhaulagiri Journal of Sociology and Anthropology*, 3(-), 83-122.
- Vaismoradi, M. &. (2019). Theme in Qualitative Content Analysis and Thematic Analysis. *Forum Qualitative Sozialforschung / Forum: Qualitative Social Research*, 20(3), 1-14.

For instructions on how to order reprints of this article, please visit our website: <https://ejbm.apu.edu.my/>
©Asia Pacific University of Technology and
Innovation