

**Do we need better to understand the terms sex, sexual orientation, gender,
and gender identity—from a human resources perspective?**

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ABSTRACT

A review of the scholarly literature demonstrates that definitions of the terms “sex,” “gender,” “gender identity,” and “sexual orientation” have shifted over time. The current study explored how human resources professionals respond to this emerging social dynamic. We surveyed 88 members of a prominent human resource association. A majority viewed sex as a binary, male and female, phenomenon but expressed more variability about the definitions of “gender” and the differences among “sex,” “gender,” “gender identity,” and “sexual orientation.” Respondents did not believe it was a good idea to ask new hires about their sexual orientation and expressed disagreement regarding asking new hires about their gender. Of those familiar with their employer’s hiring practices (n=70), 60% indicated that their employers only asked new hires about their sex (i.e., whether they identify as male or female). Based on these results, four of the six study hypotheses were confirmed, and two were inconclusive. More research will be needed to determine how human resource professionals’ views and practices change.

Key Words: Gender, Gender Identity, Intersex, Sex, Sexual Orientation

PRELUDE

On July 31, 2018, a group of Democratic senators introduced the Census Equality Act, which would require the United States Census Bureau and the country's largest survey to ask directly about sexual orientation and gender identity.

If the bill becomes law, sexual orientation, and gender identity, questions will have to be added to census forms by 2030 and to the American Community Survey — a survey that about 1 in 38 households are required by federal law to complete annually — forms by 2020.

These forms—the Constitution requires every person in the United States to participate — have long allowed people to select “male” or “female” as their sex.

In March 2018, the United States Census Bureau announced that the 2020 census questionnaires will include new relationship categories differentiating between “same-sex” and “opposite-sex” couples. Some demographers say that change could produce the most comprehensive national data yet on same-sex couples.

Former Senator Kamala Harris, D-California, and Senator Tom Carper, D-Delaware, had initially introduced the bill. The bill — could expand that data set further to include LGBTQ people who are not in relationships as well as people whose gender identities do not align with the sex assigned to them at birth. (National Public Radio [NPR], 2018).

On June 15, 2020, the United States Supreme Court ruled in *Bostock v. Clayton County, Georgia*, that Title VII of the Civil Rights Act of 1964 protects gay and transgender people from discrimination in the workplace.

On February 25, 2021, the U. S. House of Representatives passed the Equality Act bill to ban discrimination based on sexual orientation and gender identity after an emotional debate that underscored the divide between the two parties.

Democrats cast the decades-in-the-making move to change the 1964 Civil Rights Act as a historic step toward extending protections to LGBTQ Americans. Several gay and bisexual lawmakers emphasized the need for the bill.

The bill would prohibit discrimination in employment, housing, education, jury service, and federal financing, protecting people from being fired from their jobs or harassed for their sexuality or gender identity (Washington Post, 2019).

One day after taking office on January 21, 2025, re-elected President Trump signed an executive order (including section 7301 of Title 5, United States Code) stating that the federal government only recognizes two biological sexes. It requires that the federal government use the term “sex” instead of “gender” and directs the State Department and the Department of Homeland Security to “require that government-issued identification documents, including passports, visas, and Global Entry cards, accurately reflect the holder’s sex (White House.Gov, 2025).

INTRODUCTION

To examine how human resource professionals understand and use the terms “sex,” “sexual orientation,” “gender,” and “gender identity,” it is first essential to know how these terms are defined in the academic and professional literature. At our most basic level, human beings are generally classified as mammals within the group *Homo sapiens* (Latin for “wise man”), the species to which all modern human beings belong (Google, 2019a). We are also human beings—individuals of the genus *Homo*, especially members of the species *Homo sapiens*; especially as distinguished from other animals or as representing the human species (Google, 2019b). As humans, we have also traditionally been categorized by our biological sex at birth (Google, 2019c).

DEFINITIONS OF SEX, SEXUAL ORIENTATION, GENDER, GENDER IDENTITY

The terms “sex and” “gender,” from a definitional standpoint, can be challenging to understand. Differentiating sex and gender based on causality is problematic because the causes are often unclear (Muelhlenhard & Peterson, 2011). Knowing this, different authors have taken dissimilar approaches to these definitions of these terms. Some have taken a descriptive approach, explaining how other authors use these terms. Others have offered their definitions, stating their preferences for defining these terms or describing how they used terms, but not suggesting that some definitions were correct and others incorrect. Still, others have taken a more prescriptive approach, explaining how the terms should be defined or commenting on the terms correct and inaccurate use (Muelhlenhard & Peterson, 2011).

To indicate how confusing, misunderstood, or differently interpreted one term (i.e., gender) might be, ABC News (2014) reported on Facebook’s introduction of dozens of options for users to identify their gender. Although the social media giant said it would not be releasing a comprehensive list, ABC News found at least 58 options.

People use the words “sex,” “sexual orientation,” “gender,” and “gender identity” and accept the constructs they stand for without much thought or understanding. Consider anthropologist Gayle Rubin’s (1975) work in which she described the “sex/gender system” (p. 159). In this system, she construed sex as the biological body into which one is born (i.e., male or female). She also construed gender as the social role division imposed on the sexes. In other words, biological sex is the foundation on which gender is socially constructed: “Gender is a socially imposed division of the sexes” (p. 179).

According to Rubin (1975), society’s division of labor by sex is “a taboo which exacerbates the biological differences between the sexes and thereby creates gender” (p. 178). Questionnaires, medical forms, and official paperwork (e.g., driver’s license) request us to fill in our appropriate sex or gender. Although practices are changing, public restrooms have traditionally assigned their use by sex as well (Pryzgodna & Chrisler, 2000).

Many feminists believe that, like gender, sex is a product of social forces. The sex/gender distinction in its original formulation—natural, biological sex versus social gender—has been heavily criticized and generally abandoned because gender does not behave as though it is independent of sex and the body (Carlson, 2016). As such, the terms "sex" and "gender" have been used interchangeably, but their uses are becoming increasingly distinct and it is essential to understand the differences between the two (Newman, 2018). According to Gender Spectrum (2019), while sex and gender are connected, the two terms are not equivalent.

Even the American Psychological Association decided, according to Glasser and Smith (2008), to shift, at least partly, its definitions of sex and gender. Its guidelines suggested that (a) sex can be ambiguous and confused with sexual behavior, but the term gender eliminates this confusion, and (b) gender is cultural and refers to social groups, which applies to most psychological research.

The APA (2011) also mentioned that the words “sexual orientation” should not be used gratuitously. It stated that sexual orientation refers to an enduring pattern of attraction, behavior, emotion, identity, and social contacts.

For this study, we used the Merriam-Webster Dictionary, America’s most trusted dictionary, to define the terms “sex,” “sexual orientation,” “gender,” and “gender identity.”

Although many authors have defined these four terms similarly, interchangeably, differently, and so on, we selected the more traditional definitions because Merriam-Webster is considered one of the United States’ most trusted online dictionaries for English word classifications, meanings, and pronunciations.

A FEW WORDS ABOUT THE TERM INTERSEX

According to the United Nations Office of the High Commissioner for Human Rights, intersex people do not fit the typical definitions for male or female bodies (Wikipedia, 2019). Intersex is a general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that does not fit the typical definitions of female or male. Sometimes, an intersex person is assigned a female or male sex at birth through surgery if their external genitals are not male or female. Intersex babies are “always” assigned a legal sex, but sometimes, when they grow up, their gender does not match the sex selected for them.

Being intersex is a naturally occurring variation in humans, and it is not a medical problem. It is also more common than most people realize. That said, there are many different intersex variations. Some intersex people have ambiguous genitalia or internal sex organs, such as both ovarian and testicular tissues. Other intersex people have a combination of chromosomes that is different than XY (male) and XX (female), like XXY. Some people are born with what looks like male or female genitals, but their internal organs or hormones released during puberty do not match their genitals.

If a person is born with intersex genitalia, they might be identified as intersex at birth. People born with more clearly male or female external genitals might not know they are intersex until later in life, such as when they go through puberty. Sometimes, a person can live their whole life without ever discovering that they are intersex (Planned Parenthood, 2019).

To answer this question in an uncontroversial way, one would have to first achieve a consensus on what counts as intersex—and what should count as strictly male or strictly female. However, this is a difficult task.

If one were to ask experts at medical centers how often a child is born who is so noticeably atypical in terms of genitalia that a sex differentiation specialist is called in, the answer would be about 1 in 1,500 to 1 in 2,000 births. Many more people are born with subtler forms of sex anatomy variations, some of which will not appear until later in life (Intersex Society of North America [ISNA], 2019).

REVIEW OF THE CURRENT LITERATURE

The following literature review encompasses a condensed series of top-level scholarly efforts on “sex,” “sexual orientation,” “gender,” and “gender identity.” These works are presented chronologically, starting in 1984, to highlight the evolution in various writers’ thinking about this stimulating and controversial topic over the past 40 years.

Sex:

Fausto-Sterling (2000) stated that “sex” can be construed as socially constructed. Individuals are born with a wide distribution of biological indicators of sex. Alternatively, Pryzgoda and Chrisler (2000) defined “sex” strictly as the biological aspects of being male and female but added the qualifier that research on intersexed infants has called into question the meaning of sex categories (Strickland et al., 1999, p. 554).

According to Kirby and Huebner (2002), the science of biology generally has defined “sex” in terms of anatomy, chromosomes, genes, and physiology. Anatomically, sex is determined by the presence (male) or absence (female) of a phallus or penis. Other anatomical features that contribute to decisions about an individual’s sex include the presence of testes and scrotal sacs in males and the presence of a vagina, uterus, and ovaries in females. The sperm determines chromosomal sex at conception. The average male karyotype comprises 46 chromosomes, including two sex chromosomes—one X and one Y. The typical female karyotype consists of 46 chromosomes, including two sex chromosomes, both X chromosomes. Physiological sex reflects an individual’s genetics interacting with its pre- and post-natal environment and is determined by how the body functions. Physiological sex primarily depends on the relative amounts of male and female sex hormones present at various developmental stages, including fetal, adolescent, and adult stages.

Yoder (2003) offered a different perspective, suggesting that feminist psychologists let go of the distinction between sex and gender. Further, “sex” implies biological bases (e.g., chromosomes, hormones, genitals). Sex is determined and unchangeable.

Glasser and Smith (2008) stated that the consensus about the meaning of the term “sex” remains elusive.

The American Psychological Association (2010, p. 71) also has its definition of “sex.” The association’s manual states that sex is biological and that the word “sex” can be confused with sexual behavior.

Goldberg (2010) clearly stated that sex is reserved for biological origins and applications only.

Carlson (2016), meanwhile, argued that:

Since the sexes (i.e., males and females) are ultimately defined by the kind of gametes (i.e., Gametes are an organism's reproductive cells. They are also referred to as sex cells. Female gametes are called ova or egg cells, and male gametes are called sperm. Gametes are haploid cells, and each cell carries only one copy of each chromosome [Google, 2019d]) produced, male and female, each corresponds to one of the two functions within non-assisted biological reproduction (p. 24).

According to Newman (2018), *sex* is referred to biological differences—male or female. That said, the differences between the male and female sexes are anatomical and physiological. For instance, male and female genitalia, both internal and external, are different. Similarly, the levels and types of hormones in male and female bodies differ.

The World Health Organization (WHO, 2019) states that genetic factors define an individual. Biologically speaking, males and females are born with 46 chromosomes in 23 pairs. The X and Y chromosomes determine a person’s sex. Besides this, both men and women have testosterone, estrogen, and progesterone. However, women have higher levels of estrogen and progesterone, and men have higher levels of testosterone. From a (biological) sex standpoint, the male/female split of chromosomes is often seen as binary (i.e., male or female), but this is not entirely true. For instance, some men are born with two or three X chromosomes, just as some women are born with a Y chromosome. In some cases, a child is born with a mix of female and male genitalia. They are sometimes termed intersex, and the parents may decide which sex (i.e., male or female) to assign to the child.

Sexual Orientation:

The term “sexual orientation” is still under-researched in work organizations (Gusmano, 2008).

Lippa and Arad (1997), citing Bailey’s work (1995), stated that “sexual orientation” is classified into three components—sexual behavior, sexual identity, and sexual desire.

According to Schindel (2008), a working definition of “sexual orientation” is needed:

A person’s emotional and sexual orientation to other people is based on the gender of the other person. A person may identify their sexual orientation as heterosexual, lesbian, gay, bisexual, or queer. It is important to understand, however, that sexual orientation and gender identity are two different things. Not all transgender youth identify as gay, lesbian, bisexual, or queer. And not all gay, lesbian, bisexual and queer youth display gender non-conforming characteristics (p. 61).

Consistent with Keener (2015), “sexual orientation” is terminology related to being asexual, bisexual, gay, lesbian, heterosexual, and queer (p. 483).

In keeping with Planned Parenthood’s (2019) thinking, the definition of “sexual orientation” pertains to who you are attracted to and want to have relationships with.

Gender:

According to Fagot et al., (1997), “gender” is strictly a social category, but it is based on biological differences. However, people do expect consistency across various dimensions of gender typing. For example, Deaux and Lewis (1984) found strong correlations among physical attributes, psychological traits, and/or role behaviors.

Pryzgoda and Chrisler (2000) defined “gender” only as the behavioral, social, and psychological characteristics of men and women (p. 554). It might even be argued that simply replacing the term “sex” with the term “gender” is misleading (p. 555). Pryzgoda and Chrisler stated that much of the research on sex and gender has focused either on what people believe about the behavior of men and women or on the actual behavioral differences between men and women (p. 556). Contrary to the prediction that many people would use “sex” and “gender” interchangeably, the majority of people use “gender” only to complete socially/psychologically cued sentences and “sex” to complete biologically cued sentences (p. 564).

Lawlor et al., (2002) agreed with the definition of gender established by the Oxford English Dictionary—gender is intended to emphasize the social and cultural, as opposed to the biological, distinctions between the sexes.

Kirby and Huebner (2002) stated that “gender” refers to one’s identity as a male or a female and to one’s masculinity, femininity, or androgyny (i.e., the quality or state of being neither specifically feminine nor masculine).

Rosenblum and Travis (2003) defined “gender” as the culturally and historically specific acting out of masculinity and femininity.

According to Yoder (2003), “gender” implies psychologically, socially, and culturally based differences between women and men. Gender is malleable.

Rothenberg (2004) defined “gender” as the socially constructed meanings associated with each sex.

Helgeson (2005) wrote that “gender” refers to male and female social categories. A set of psychological features and role attributions that society has assigned to the biological sex category distinguishes these classifications.

Crawford (2006) noted a distinction between gender and sex. Gender deals with social aspects, whereas sex deals with biological features. Further, there are many apparent social differences between women and men.

Hyde (2007), in contrast, defined gender very differently and broadly—as the state of being male or female, such that even a male-female difference in anatomy would be a gender difference. Holmes (2007) did not offer a clear definition of gender, but conversely, wrote that gender is a complex phenomenon.

Glasser and Smith (2008) stated that because consensus on the meaning of gender remains elusive in education research (beyond, at best, its social and cultural basis), they would recommend that researchers acknowledge this reality and clearly state their meaning if they want to use the term.

The American Psychological Association (2010), in its definition of gender, stated that “gender” is cultural and is used when referring to women and men as social groups.

Goldberg (2010) specified that gender is used expansively to represent social and cultural influences on males and females.

According to Muehlenhard and Peterson (2011), in their article about the differences between sex and gender, many psychologists have adopted the term “gender” rather than “sex” when referring to issues related to women and men. Basow (2010) described changes from 1975 to 2010 in psychology textbooks about women or the differences between women and men.

While early texts often focused on internal causes of gendered behavior, later ones increasingly emphasized the importance of social factors. This emphasis was reflected in the shift from using “sex” to using “gender” to make comparisons between men and women. After the publication of Unger’s influential 1979 (biblical) book, “sex” was mainly used to refer to biological distinctions, whereas “gender” was mainly used to refer to the social meaning of the biological distinction between females and males.

Keener (2015) stated that “gender,” as simply identifying who was male or female, does not accurately reflect the multidimensional nature of the word.

Eagly and Wood (2017) commented on Spence's (1985) idea that "gender" is multifactorial—that is, it consists of many aspects of the attitudes, traits, interests, preferences, and behaviors that distinguish women and men in a given society.

Newman (2018) stated that "gender" is more difficult to define. However, it can refer to the role of a male or female in society (known as a gender role), an individual's concept of themselves, or even gender identity. At the same time, the term "gender" varies significantly among societies—some societies are more rigid than others. Gender, unlike sex, tends to denote each sex's social/behavioral and cultural role within a given society. Rather than being purely assigned their roles based on genetics, as sex differences are, people often develop their gender roles in response to their environment, including family interactions, the media, peers, and even education. Gender roles are also not set in stone. In many societies, men are increasingly taking on traditionally seen as belonging to women, and women are taking on roles previously assigned primarily to men. Thus, gender roles and stereotypes are highly fluid and can shift substantially over time (Newman, 2018).

The WHO (2019) defined "gender" as follows:

The "socially" constructed characteristics of women and men, such as norms, roles, and relationships of and between groups of women and men. It varies from society to society and can be changed.

WHO (2019) also acknowledged that "gender" and "sex" are often mistakenly used interchangeably in scientific literature, health policy, and even legislation.

Gender Identity:

Schindel (2008) defined "gender identity" as—a person's understanding, definition, or experience of their gender, regardless of biological sex.

The American Psychological Association (2010) offered a synonymous substitute for "gender identity." It is also called "gender expression." Someone's current gender identity or gender expression can differ from their sex at birth.

As Keener (2015) specified, "gender identity" is terminology related to being cisgender, genderqueer, intersex, and transgender.

According to Mehta (2015), gender identity, as a construct, remains elusive, complicated, and definitionally complex—because there are no widely accepted definitions of what the term means.

Schmader and Block (2105), citing Tajel (1981), stated that gender identity is:

Part of an individual's self-concept derives from his [sic] knowledge of his [sic] membership in a social group (or groups) together

with the value and emotional significance attached to that membership (p. 475).

Wood and Eagly (2015) stated:

Gender identity reflects people's understanding of themselves in terms of cultural definitions of female and male. Individuals understand themselves in relation to the culturally feminine and masculine meanings attached to men and women, and they may think and act according to this gendered aspect of their selves (p. 461).

Last, according to Planned Parenthood (2019), the definition of "gender identity" pertains to how you feel inside and how you express your gender through clothing, behavior, and personal appearance. It is a feeling that begins very early in life.

PURPOSE OF THE STUDY

The purpose of this paper is fourfold. First, it aims to determine how human resource professionals interpret the difference between sex, sexual orientation, gender, and gender identity. Second, it aims to illuminate how workplaces are adapting their employee enrollment forms to keep up with how their employees self-identify. Third, it aims to explore why human resources professionals believe it is or is not essential to collect more expansive data about how employees self-identify. Fourth, it aims to examine whether HR specialists need to add the term "sexual orientation" to the obligatory paperwork when a person is first being hired and filling out the necessary documentation.

RESEARCH QUESTIONS

In the literature review section, we found many discrepancies in the terms we studied. Therefore, we developed the following list of research questions:

1. Are we indeed perceived, from a "sex" standpoint (i.e., biologically speaking only), as a male or a female?
2. Should the term "gender" be interchanged with the word "sex"?
3. Should human resources professionals be asking newly hired personnel about their "gender identity" and "sexual orientation"?

HYPOTHESIS TESTING

Based on the above research questions, as well as the review of the literature review, we developed six hypotheses that we believe need further investigation:

- H1: We are perceived, from a "sex" standpoint (i.e., biologically speaking), as a male or a female.
- H2: People do not fully understand the term "gender."
- H3: People do not fully know the differences among "sex," "sexual orientation," "gender," and "gender identity."

- H4: People do not want to add “gender identity” when filling out questionnaires, medical forms, and official paperwork when first being hired.
- H5: People do not want to add “sexual orientation” when filling out questionnaires, medical forms, and all sorts of required paperwork when first hired.
- H6: Current employers do not ask anything more than the “male/female” sex question when hiring someone.

DESIGN AND METHODS

Design:

We developed our 22-question survey using only closed-ended Likert-scale responses (Appendix I). However, we allowed participants to provide their comments at the end of the questionnaire. With the aid of a human resource association member, our feedback form was distributed electronically to members of a prominent human resource association.

We received 88 responses. Table 1 shows the demographic profile of those who responded:

Table 1 – Demographic Profile of the Participants

Sex	Frequency	Proportion
Male	67	0.76
Female	21	0.24

Gender	Frequency	Proportion
Cisgender	79	0.90
No answer	5	0.06
Non-binary	1	0.01
Other	3	0.03

Sexual Orientation	Frequency	Proportion
Heterosexual	62	0.70
Homosexual	8	0.09
Bisexual	6	0.07
Asexual	2	0.02
Queer	1	0.01
Other	5	0.06
No answer	4	0.05

Race	Frequency	Proportion
White	71	0.81
Black	12	0.14
Native American	1	0.01
Other	1	0.01
No answer	2	0.02

Ethnicity	Frequency	Proportion
Non-Hispanic	70	0.80
Hispanic	5	0.06
Other	6	0.07
No answer	7	0.08

Religion	Frequency	Proportion
Christian	35	0.49
Non-religious	18	0.25
Islam	1	0.01
Primal-indigenous	1	0.01
Oher	5	0.07
No answer	12	0.17

Age	Frequency	Proportion
21-30 years	4	0.05
31-40 years	22	0.25
41-50 years	18	0.20
51-60 years	23	0.26
61+ years	19	0.22
No answer	2	0.02

Marital Status	Frequency	Proportion
Married	57	0.65
Divorced	5	0.06
Registered Partner	3	0.03
Separated	2	0.02
Single	17	0.19
Widowed	2	0.02
No answer	2	0.02

Education	Frequency	Proportion
Associate's degree	3	0.03
Bachelor's degree	34	0.39
Some college but no degree	6	0.07
Master's degree	39	0.44
Doctoral research degree (e.g., Ph.D.)	5	0.06
No answer	1	0.01

Methods:

To deal with the problems caused by many extreme values and the magnitude between scale steps not always being equal, we used ordinal logistic regression in a Bayesian framework. We used generalized (non-)linear multivariate multilevel models from the brms package in Program R (version 4.3.2). Because our primary questions only asked about how individuals felt about questions (e.g., Do you believe gender should be included in hiring paperwork) and not about explanatory variables (e.g., Do males or females feel differently about including gender on hiring paperwork, the majority of our analysis was primarily descriptive and did not include p-values. Instead, we fit intercept-only models to Likert-scale data and calculated their mean values and 95% credible intervals (95% Credibility Interval [CRI]) to look at response trends. Ninety-five percent credible intervals were defined as the range of values we were 95% sure the actual mean values occurred within; wider confidence intervals mean a more comprehensive range of answers on the Likert scale and indicate more disagreement or variation amongst responses. One question (i.e., Hypothesis 6) had a “Yes or No” response that included several “Not sure” answers; these questions had their raw data presented because they were not on the Likert scale.

As seen above, the sample size of most of our demographics prevented us from looking for significantly different responses amongst race, religion, gender, or career. We could look for differences among different sexes and ages. All responses indicated participants’ sex (i.e., male = 67 and female = 21), and age demographics were relatively evenly spread across four categories between the ages of 31 and 60+ years (n = 22, 18, 23, and 19). We looked for significantly different responses across these demographics by searching for an overlap of 95% CRI (Table 2).

Top values indicated the average score on the Likert-scale (i.e., 1 = strongly believe or completely understand; 5 = strongly disbelieve or completely do not understand), and values in parentheses indicated a 95% CRI. CRI intervals that did not overlap indicated significant differences, indicated by superscript letters ^{a,b}.

Table 2 – Difference in Sex and Age on Five Questions about Hiring Paperwork

Question	Male	Female	31-40 yrs.	41-50 yrs.	51-60 yrs.	>61 yrs.
Perception of sex defined as male and female	1.79 (1.41-2.26)	1.78 (1.54-2.02)	2.08 (1.63-2.56)	1.50 (1.19-1.89)	2.05 (1.61-2.53)	1.53 (1.23-1.95)
Understanding the definition of gender	2.59 (2.15-3.05)	2.40 (2.17-2.64)	2.05 (1.72-2.42) ^a	2.42 (2.00-2.86)	2.55 (2.18-3.00)	2.85 (2.42-3.31) ^b
Understanding differences between “sex,” “sexual orientation,” “gender,” and “gender identity”	1.23 (1.07-1.45)	1.47 (1.31-1.61)	1.38 (1.17-1.63)	1.56 (1.56-1.88) ^a	1.61 (1.35-1.87) ^a	1.10 (1.01-1.27) ^b
Adding “gender identity” to hiring questionnaires	3.21 (2.68-3.74)	2.83 (2.53-3.11)	2.69 (2.22-3.21)	2.80 (2.27-3.37)	2.86 (2.42-3.39)	3.55 (2.97-4.04)

Adding “sexual orientation” to hiring questionnaires	4.02 (3.55-4.44)	3.99 (3.76-4.23)	3.97 (3.51-4.38)	4.02 (3.53-4.46)	3.63 (3.15-4.07) ^a	4.48 (4.12-4.79) ^b
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Top values indicated the average score on the Likert-scale (i.e., 1 = strongly believe or completely understand; 5 = strong disbelieve or completely not understand), and values in parentheses indicated a 95% CRI; CRI intervals that did not overlap indicate significant differences, indicated by superscript letter ^{a,b}.

As mentioned, all queries were based on Likert-scale responses, with values 1-5 on a scale from “completely understand” to “completely do not understand,” or from “strongly believe” to “strongly disbelieve” (Table 3).

Table 3 – Likert-Scale Responses

No.	Likert-Scale Response Type	Likert-Scale Response Type
1	Strongly believe	Completely understand
2	Believe	Understand
3	Neither believe nor disbelieve	Neither understand nor not understand
4	Disbelieve	Not understand
5	Strongly disbelieve	Completely do not understand

HYPOTHESES AND CORRESPONDING QUESTIONS ANALYZED

The following questions were analyzed against their corresponding hypothesis:

H1: We are perceived, from a “sex” standpoint (i.e., biologically speaking), as a male or female.

Q2: According to the Merriam-Webster Dictionary (2022a), the definition of “sex” is as follows: “Either of the two primary forms of individuals that occur in many species and that are distinguished respectively as female or male, especially based on their reproductive organs and structures.” Knowing this, do you believe this statement to be true?

H2: People do not fully understand the term “gender.”

Q4. According to the Merriam-Webster Dictionary (2022c), the definition of “gender” is as follows: “A subclass of humans within a grammatical class (such as noun, pronoun, adjective, or verb) of a language that is partly arbitrary but also partly based on distinguishable characteristics (i.e., such as shape, social rank, manner of existence, or sex) and that determines agreement with and selection of other words or grammatical forms.” Knowing this, do you believe this statement to be true?

H3: People do not fully know the differences among “sex,” “sexual orientation,” “gender,” and “gender identity.”

Q1. Before answering the below questions on “sex,” “sexual orientation,” “gender,” and “gender identity,” do you “completely understand,” according to your views and attitudes, the differences among these four terms?

H4: People do not want to add the idiom “gender identity” when filling out questionnaires, medical forms, and official paperwork when first being hired.

Q20. As a human resource professional, do you believe that your department should be asking a new hire (i.e., when they are first filling out the necessary paperwork)—“What is your gender identity?”

H5: People do not want to express “sexual orientation” when filling out questionnaires, medical forms, and official paperwork when first being hired.

Q21. As a human resource professional, do you believe that your department should be asking a new hire (i.e., when they are first filling out the necessary paperwork)—“What is your sexual orientation?”

H6: Current employers do not ask anything more than the male/female sex question when they first hire someone.

Q19. Does your organization (i.e., when first hiring someone and when that new employee fills out the necessary employment information) “only ask” whether the new hire is a “male” or “female”?

DISCUSSION OF THE RESULTS

All 88 respondents completed the questionnaire fully, giving us an even sample size for all our hypotheses. For example, the result for hypotheses 1, which asked whether people understood from a sex standpoint that people were regarded as either male or female, suggested that most people understood this (i.e., mean = 1.78, 95% CRI: 1.60-1.99), with low variation in their responses. In contrast, people were slightly less confident about the definition of gender (i.e., mean = 2.45, 95% CRI: 2.24-2.66; scoring between “understand” and “neither understand nor not understand”). When asked if they completely understood the difference between “sex,” “sexual orientation,” “gender,” and “gender identity,” most people’s responses were between understanding and thoroughly understanding the difference (mean = 1.41, 95% CRI: 1.30-1.54). Respondents were also ambivalent about whether it was a good idea to ask new hires their gender (i.e., mean = 2.92, 95% CRI: 2.66-3.17), but they did not believe it was a good idea to ask a new hire their sexual orientation (i.e., mean = 4.0, 95% CRI: 3.79-4.22). The question about including “gender” on the paperwork for new hires had slightly more variation in responses than the rest of our questions, suggesting marginally more disagreement on the issue.

Finally, out of the 70 participants who knew their organization's hiring process well, 60% "only asked" new hires about their sex (i.e., not their gender).

None of our queries showed different responses by sex (Table 2). However, several significant differences were seen among ages. To elaborate, 31-40-year-olds had a significantly higher understanding of the term gender than > 61-year-olds. There was a non-significant trend of each older age group understanding the term less. There was also a significantly higher understanding of the difference between sex, sexual orientation, gender, and gender identity for >61-year-olds compared with 41-50 and 51-60-year-olds; however, there was no overall trend in understanding across the age categories. There was also a significantly higher understanding of the differences among "sex," sexual orientation, "gender, and gender identity" among >61-year-olds compared with 51-60-year-olds. However, there was no discernible trend of average views across these age categories. Finally, there was a non-significant trend of younger generations supporting adding "gender identity" to hiring questionnaires.

CONCLUDING REMARKS

In this paper, we reviewed numerous definitions of "sex," many of which refer to chromosomes, hormones, and genitals. We also reviewed several meanings of "sexual orientation." Last, we studied several definitions of "gender," many of which denote femininity and masculinity.

In reviewing writings about "sex," "sexual orientation," "gender," and "gender identity," we found that many authors debated the significance of differentiating between "sex" and "gender." We found no unanimity about how to decide among these definitions. Although the United States Supreme Court has not addressed the question of whether the "sex" in Title VII includes sexual orientation and gender identity, it has issued two opinions in the analysis of Title VII's scope: *Price Waterhouse v. Hopkins* and *Oncale v. Sundowner Offshore Services* (Dvoskin et al., 2017). Further, we found several often-contradictory definitions of these concepts. The contributions to these four terms are considerable and varied. Nevertheless, to keep pace with new insights and, more significantly, the rapid social changes, our understanding of sex, sexual orientation, gender, and gender identity would benefit from growth in several directions. One such direction recognizes that, as many psychologists now emphasize, people have many identities based on their group memberships, which intersect in various ways (Eagly & Wood, 2017).

In closing, the recent executive orders presented by President Trump on January 21, 2025, are supported by recent literature in which "sex" is defined as having only two biological sexes (i.e., male and female); however, it is also important to note there is still discussion amongst professionals and some who challenge the specific definitions discussed in this paper.

LIMITATIONS

Readers of this study must consider the limitations due to external validity, prediction versus causality of variables' relationships, and variables not investigated

within the questionnaire. Another constraint of this study is that participants' answers only reflected their perceptions. The data provided in this study did not measure certain behaviors against the outcomes themselves. Knowledge of these limitations will allow understanding of the research in its proper context.

It is important to note that our demographics represent primarily people who identify as White (80% of respondents). The remaining were 14% Black and 1% Native American. There were no people of Asian descent. Similarly, only 6% of respondents identified as Latino (Table 1). Based on a biological definition of sex, most (75%) identified as female. Our sample included a slightly wider variety of sexual orientations than is proportional to the US census, including 70% who identified as heterosexual, 7% who identified as bisexual, and 9% as homosexual.

The remainder identified as other (6%) or asexual (2%; 5% declined to answer). Our sample also mainly included Christians (48%) and non-religious people (25%), although many (16%) did not answer this question. Respondents were relatively evenly distributed in 10-year age intervals between 30 and 61+ years of age, suggesting the views of people under 30 were not represented. Our respondents also represented more married couples (64%) and relatively well-educated people (39% with bachelor's degrees and 44% with master's degrees as their most advanced degrees). Finally, our respondents came from various industry classifications but only included several major categories, including construction, art, mining, real estate, and the utilities/transportation sectors.

The study's external validity is limited because the total number of respondents was small. While the sample size was not limited within the pre-determined population size, the value of predicting results in the same industry was limited because data only came from a few human resource professionals. Nonetheless, it may be possible to replicate this study within the human resource industry in the United States because the country has many human resource associations.

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APPENDIX I

DEFINITIONS OF SEX, SEXUAL ORIENTATION, GENDER, GENDER IDENTITY

Definition of Sex:

The biological definitions of sex are complex (Kirby & Huebner, 2002). Knowing this, identifying an individual as biologically male or female can have legal ramifications for marriage licenses, spousal support, eligibility for parenthood, and so on. Additionally, factors such as chromosomal complement, external genitalia, gender identification, and surgical alteration (World Health Organization, 2019).

According to the Merriam-Webster Dictionary (2022a), the definition of “sex” is: “Either of the two primary forms of individuals that occur in many species and that are distinguished respectively as female or male mainly based on their reproductive organs and structures.”

Definition of Sexual Orientation:

According to the Merriam-Webster Dictionary (2022b), the definition of “sexual orientation” is: “A person's sexual identity or self-identification as bisexual, straight, gay, pansexual, etc.—the state of being bisexual, straight, gay, pansexual, etc.”

Definition of Gender:

According to the Merriam-Webster Dictionary (2022c), the definition of *gender* is: “A subclass within a grammatical class (such as noun, pronoun, adjective, or verb) of a language that is partly arbitrary but also partly based on distinguishable characteristics (such as shape, social rank, manner of existence, or sex) and that determines agreement with and selection of other words or grammatical forms.”

Definition of Gender Identity:

According to the Merriam-Webster Dictionary (2022d), the definition of “gender identity” is: “A subclass within a grammatical class (such as noun, pronoun, adjective, or verb) of a language that is partly arbitrary but also partly based on distinguishable characteristics (such as shape, social rank, manner of existence, or sex) and that determines agreement with and selection of other words or grammatical forms.”

APPENDIX II

SURVEY

-Sex and Gender-Related Questions-

1. Before answering the below-mentioned questions on *sex*, *sexual orientation*, *gender*, and *gender identity*, do you “completely understand,” according to your views and attitudes, the differences between these four terms?

☐ Completely understand
☐ Understand
☐ Neither understand nor not understand
☐ Not Understand
☐ Completely do not understand

2. According to the Merriam-Webster Dictionary (2022), the definition of *sex* is: Either of the two major forms of individuals that occur in many species and that are distinguished respectively as female or male especially based on their reproductive organs and structures. Knowing this, do you believe this statement to be true?

☐ Strongly believe
☐ Believe
☐ Neither believe nor disbelieve
☐ Disbelieve
☐ Strongly disbelieve

3. According to the Merriam-Webster Dictionary (2022), the definition of *sexual orientation* is: A person's sexual identity or self-identification as bisexual, heterosexual, homosexual, pansexual, etc.—the state of being sexually or romantically attracted to both men and women, straight, gay or lesbian, and sexually or romantically attracted to people regardless of their sex or gender, or other identities. Knowing this, do you believe this statement to be true?

_____ Strongly believe
_____ Believe
_____ Neither believe nor disbelieve
_____ Disbelieve
_____ Strongly disbelieve

4. According to the Merriam-Webster Dictionary (2022), the definition of *gender* is: A subclass of humans within a grammatical class (such as noun, pronoun, adjective, or verb) of a language that is partly arbitrary but also partly based on distinguishable characteristics (i.e., such as shape, social rank, manner of existence, or sex) and that determines agreement with and selection of other words or grammatical forms. Knowing this, do you believe this statement to be true?

_____ Strongly believe
_____ Believe
_____ Neither believe nor disbelieve
_____ Disbelieve
_____ Strongly disbelieve

5. According to the Merriam-Webster Dictionary (2022), the definition of *gender identity* is: A person's internal sense of being male, female, some combination of male and female, or neither male nor female.

Knowing this, do you believe this statement to be true?

_____ Strongly believe
_____ Believe
_____ Neither believe nor disbelieve
_____ Disbelieve
_____ Strongly disbelieve

6. Do you believe that most people, including yourself, use the words *sex* and *gender* interchangeably?

- ☐ Strongly believe
- ☐ Believe
- ☐ Neither believe nor disbelieve
- ☐ Disbelieve
- ☐ Strongly disbelieve

7. According to your views and attitudes about people, do you believe that cisgender, genderqueer, intersex, and/or transgender are associated with the term *gender identity*?

- ☐ Strongly believe
- ☐ Believe
- ☐ Neither believe nor disbelieve
- ☐ Disbelieve
- ☐ Strongly disbelieve

8. According to your views and attitudes about people, do you believe that asexual, bisexual, heterosexual/straight, homosexual—gay/lesbian, and/or queer are associated with the term *sexual orientation*?

- ☐ Strongly believe
- ☐ Believe
- ☐ Neither believe nor disbelieve
- ☐ Disbelieve
- ☐ Strongly disbelieve

9. Before answering the above-mentioned questions on *sex*, *sexual orientation*, *gender*, and *gender identity*, did you “completely understand,” according to your views and attitudes, the differences between these four terms?

- ☐ Completely understood
- ☐ Understood
- ☐ Neither understood nor not understood
- ☐ Not Understood
- ☐ Completely not understood

-Demographical Queries-

10. What *sex*, strictly from a biological standpoint, do you identify as?

- ☐ Male
- ☐ Female
- ☐ Other (according to your own views and/or attitudes) _____
- ☐ I prefer not to answer this question.

11. What *gender identity* (according to widely accepted current definitions), but not including gender-neutral pronouns, do you see yourself as?

- ☐ Cisgender – a male or female that identifies as the sex that you were assigned at birth.
- ☐ Genderqueer – one who does *not* subscribe to conventional gender distinctions but identifies with neither, both, or a combination of male and female genders.
- ☐ Intersex – a general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that does not seem to fit the typical *definitions* of female or male.
- ☐ Transgender – an umbrella term that describes people whose gender identity or expression does not match the sex they were assigned at birth.
- ☐ Non-binary - denoting, having, or relating to a gender identity that does not conform to traditional binary beliefs about gender, which indicate that all individuals are exclusively either male or female.
- ☐ Other (according to your own views and/or attitudes) _____
- ☐ I prefer not to answer this question.

12. What *sexual orientation* (according to widely accepted current definitions) do you see yourself as?

- ☐ Asexual – a person who has no sexual feelings or attraction to another human being.
- ☐ Bisexual – the sexual orientation that describes either a male or a female who is attracted to both males and females.
- ☐ Homosexual/Gay or Lesbian – relating to or characterized by a tendency to direct sexual desire toward another person of the same sex.

- ☐ Heterosexual/Straight – sexually attracted to people of the opposite sex.
- ☐ Queer – an umbrella term that is used to describe an individual’s self-concept of his or her sexual orientation identity.
- ☐ Other (according to your own views and/or attitudes) _____
- ☐ I prefer not to answer this question.

13. Please specify your race.

- ☐ White
- ☐ Black
- ☐ Native American
- ☐ Asian
- ☐ Native Hawaiian/Pacific Islander
- ☐ Other (according to your own views and/or attitudes) _____
- ☐ I prefer not to answer this question.

14. Please specify your ethnicity.

- ☐ Hispanic/Latino(a)
- ☐ Non-Hispanic/Non-Latino(a)
- ☐ Other (according to your own views and/or attitudes) _____
- ☐ I prefer not to answer this question.

15. What is your age?

- ☐ 21 – 30
- ☐ 31 – 40
- ☐ 41 – 50
- ☐ 51 – 60
- ☐ 61+
- ☐ I prefer not to answer this question.

16. Which best describes your marital status?

- ☐ Single
- ☐ Married
- ☐ Registered Partnership
- ☐ Divorced
- ☐ Separated
- ☐ Widowed

_____ I prefer not to answer this question.

17. What is the highest level of education you have completed?

- _____ High school graduate or equivalent
- _____ Some college but no degree
- _____ Trade school (occupational)
- _____ Associate degree (academic)
- _____ Bachelor's degree
- _____ Master's degree
- _____ Professional doctoral degree (such as JD, MD, DDS, DVM, etc.)
- _____ Research doctoral degree (such as Ph.D., Ed.D., Dr. P.H., etc.)
- _____ Other (please specify) _____
- _____ I prefer not to answer this question.

18. What is your current title (full- or part-time employee)?

- _____ Executive Vice President of Human Resources
- _____ Vice President of Human Resources
- _____ Chief Human Resources/People Officer
- _____ Director of Human Resources
- _____ Manager of Human Resources
- _____ Supervisor of Human Resources
- _____ Human Resources Specialist
- _____ Human Resources Generalist
- _____ Executive Recruiter
- _____ Senior Recruiter
- _____ Recruiter
- _____ Labor Relations Specialist
- _____ Training and Development
- _____ International Human Resources
- _____ Human Resources Consultant
- _____ Compensation and Benefits
- _____ DEI Specialist
- _____ Other (please specify) _____
- _____ I prefer not to answer this question.

-Other HR-Related Questions-

19. Does your organization (i.e., when first hiring someone and when that new employee fills out the necessary employment information) “only ask” whether the new hire is a male or female?

- ☐ Yes
- ☐ No
- ☐ Not Sure

20. As a human resource professional, do you believe that your department should be asking a new hire (i.e., when he or she is first filling out the necessary paperwork)—What is your gender identity?

- ☐ Strongly believe
- ☐ Believe
- ☐ Neither believe nor disbelieve
- ☐ Disbelieve
- ☐ Strongly disbelieve

21. As a human resource professional, do you believe that your department should be asking a new hire (i.e., when he or she is first filling out the necessary paperwork)—What is your sexual orientation?

- ☐ Strongly believe
- ☐ Believe
- ☐ Neither believe nor disbelieve
- ☐ Disbelieve
- ☐ Strongly disbelieve

22. Does your organization (i.e., when first hiring someone and when that new employee fills out the necessary employment information) “ask” whether the new hire would like to be identified by a gender-neutral pronoun (such as she/he, her/him, other)?

- ☐ Yes
- ☐ No
- ☐ Not Sure

THANKS FOR COMPLETING THIS SURVEY.

23. Any comments are welcome.
