The Impact of Sexual Orientation Anti-discrimination Policies on the Wages of Lesbians and Gay Men

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Abstract

Beginning in the 1970s, some US cities, counties, and states have adopted laws and policies that prohibit employment discrimination on the basis of sexual orientation. These policies follow in the path of similar protections targeted at race, sex, religion, national origin, and physical disability discrimination. These analyses use data from the United States Census (2000) to analyze the impact of state-level employment discrimination and antidiscrimination policies on the wages of men and women in same-sex couples. Analyses consider differential policy effects for individuals by sex, age, education, occupation, industry, and geography (urban/non-urban) as well as effects based on the time since implementation of policies. In states with a sexual orientation anti-discrimination policy, the analyses find a wage premium of approximately 3 percent for men in same-sex couples relative to other men and a wage premium of 0.3% for each year the policy has been in existence. Relative to all women, the findings suggest that the women in same-sex couples receive about a two percent wage premium if they live in a state with an anti-discrimination policy and earn approximately 0.3 percent more for each year of the policy was in effect.

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Introduction

Beginning in the 1970s, some US cities, counties, and states started to adopt laws and policies that prohibit employment discrimination on the basis of sexual orientation. These policies follow in the path of similar protections targeted at race, sex, religion, national origin, and physical disability discrimination. These analyses use data from the 2000 US Census to examine the effects of state-level policies banning sexual orientation employment discrimination on earnings for men and women in same-sex couples.

Many U.S. localities provide some form of civil rights protection for sexual minority individuals in employment. Moreover, as of May 2008, 20 states and the District of Columbia prohibit discrimination on the basis of sexual orientation by both public and private employers (Human Rights Campaign, 2008). Despite the proliferation of these policies, only one published study has examined the effects of labor market protection on the basis of sexual orientation.[1] Klawitter and Flatt (1998) used data on same-sex unmarried partners from the 1990 Census and found no relationship between state and local antidiscrimination ordinances and average earnings. These analyses revisit the relationship of sexual orientation-based employment protection and wages using more recent US data and focusing exclusively on state-level policies.

The analyses are limited to state-level policies primarily for two reasons. First, they allow for an exact geographic match of same-sex couples to the policies of their home state.[2] Secondly, state-level policies likely provide a more consistent standard of application and enforcement than do local policies, which in many jurisdictions conflict with state policy.

Conceptual Framework

Economists and sociologists have long been interested in the labor market opportunities of demographically identifiable groups such as women, racial and ethnic minorities, immigrants, and disabled people. More recently they have examined the effects of sexual orientation on employment and earnings.

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[1] See Badgett (2003) for a more general discussion of literature on the effect of sexual orientation on earnings.

[2] The Census Public Use Microdata Samples (PUMS) used in the analyses offer a much less precise match to local policies, since the lowest geographic level in these data is the Public Use Microdata Area (PUMA). PUMAs often cross boundaries of local jurisdictions, so matching individuals in same-sex couples to local ordinances is much less precise.

Classic economic theories of discrimination (e.g. Becker 1971) argue that employer discrimination can be a result of prejudices held by both employers and coworkers. Ample evidence exists that LGBT people experience such prejudice. Badgett et al. (2007) document a variety of studies showing that LGBT people report forms of discrimination including denial of employment, workplace harassment, negative performance evaluations, denial of promotion, and job termination. Since the 1990s, from 15 to 43 percent of lesbians, gay men, and bisexuals report experiencing discrimination in the workplace. Badgett and colleague's review also shows that a number of controlled experiments find discrimination against lesbian and gay job applicants.

Disclosure is an issue that makes sexual orientation discrimination somewhat different from other types of discrimination. In general, it would seem that for discrimination to occur, one must be open about one's sexual orientation in the workplace. But it is possible that discrimination can be based on perceived sexual orientation or gender non-conformity. Barber (2002) and Diefenbach (2007) describe a variety of cases in which individuals were sexually harassed based on perceived sexual orientation, often as a result of gender variance. Wood-Nartker et al. (2007) and Sirin et al. (2007) provide examples of the degree to which individuals use cues like job title and gender variance as a way to determine an individual's sexual orientation. This issue of perception certainly complicates attempts to fully measure sexual orientation discrimination since one cannot readily consider differences between a group defined primarily by the perceptions of others rather than their own self-identity.

One of the most common ways of measuring discrimination is to consider group differences in wages or earnings. Several published studies of gay men in the United States have shown that they earn less than similarly skilled straight men, possibly due to employment discrimination (e.g., Badgett 1995, Black, et al. 2000, Black et al. 2003, Allegretto and Arthur 2001, Carpenter 2005b), but others found no earnings differences (Carpenter 2005a). Estimates of the effect of sexual orientation on earnings for females have also been mixed, though most studies show that lesbians earn more than other women (Badgett 1995, Black et al. 2000, Black et al. 2003, Carpenter 2005a). Results associated with women tend to be sensitive to how sexual orientation is measured and whether or not bisexual women are included in the samples.

While sexual orientation discrimination has been reasonably well documented, research that considers the effect of remedies like anti-discrimination statutes has been rare. Outside of the realm of sexual orientation, there is evidence that both racial and gender-based antidiscrimination laws diminish wage gaps between black and white workers (Heckman and Payner, 1989; Neumark and Stock, 2006) and between men and women (Weichselbaumer and Winter-Ebmer, 2007). As mentioned above, the only published study to directly assess the effects of sexual orientation anti-discrimination policies found no impact on earnings for people in same-sex couples (Klawitter and Flatt 1998). Button, Rienzo, and Wald (1995) do report that local government officials believed that such policies increased recognition of sexual orientation discrimination, reduced discrimination, and improved the environment for gay men and lesbians.

Several factors could explain why Klawitter and Flatt did not find an effect of anti-discrimination laws. They used data from the 1990 Census, so most laws were relatively new and it is possible that there was insufficient time for any effects to become evident. They also considered both state and local laws. Local ordinances may have more variable application and enforcement than state-level laws.

In addition to anti-discrimination laws, a wide variety of factors could impact wage differentials between groups. Broad labor market conditions, differential selection into the labor market, and differential opportunities in education could all affect observed differences in wages between groups of men and women. There is evidence to suggest that lesbians and gay men have some labor market characteristics that could favor them over their heterosexual counterparts. For example, Romero et al. (2007) analyze Census 2000 data and find that men and women in same-sex couples are more likely than their married counterparts to be employed, 78 percent versus 65 percent (possibly due in large part to their younger ages) and are much more likely to have a college degree (40 percent versus 27 percent). They are also substantially less likely to be raising children (20 percent versus 48 percent), a factor often cited as to why lesbians might have advantages in the labor market.

Despite these advantages, the median wage and salary income of men in same-sex couples was nearly 15 percent lower than that of men in different-sex marriages ($32,500 vs. $38,000). The similar figures for women in same-sex couples shows them with a 36 percent advantage over their different-sex married counterparts ($28,600 vs.

$21,000). In testing the effects of anti-discrimination laws on wages, these findings suggest a unique situation for lesbians—namely, they already hold with a potential wage advantage over comparable women. The situation is more typical for gay men since evidence suggests that they do have a wage disadvantage relative to comparable men.

Data and Methodological Issues

Measuring the effects of sexual orientation anti-discrimination policies on the wages of gay men and lesbians implies that one has information on their wages. In truth, few data sources include sexual orientation questions along with wage information and among those that do, sample sizes for gay men and lesbians are often very small. Census enumerations of same-sex "unmarried partners" provide a partial solution to this data problem in that it offers a large sample of individuals who are part of a same-sex couple.

These analyses use the 2000 Census Public Use Microdata Samples (PUMS) with observations from the 5% and 1% PUMS combined for those in same-sex couples. A 1-in-2 sample of non-coupled and different-sex coupled individuals was drawn from the 1% PUMS. The sample is restricted to full-time workers aged 18-65. The sample includes 52,580 individuals from same-sex couples and a random sample of 654,589 men and women who are either not coupled or part of a different-sex couple.

Same-sex couples are identified from the roster that the householder uses to describe how every person in the house is related to him or her. These same-sex couples are commonly understood to be primarily gay and lesbian couples (Black et al., 2000) even though the Census does not ask any questions about sexual orientation, sexual behavior, or sexual attraction (three common ways used to identify gay men and lesbians in surveys). Rather, census forms include a number of relationship categories to define how individuals in a household are related to the householder. These fall into two broad categories: related persons (including husband/wife, son/daughter, brother/sister, etc.), and unrelated persons (including unmarried partner, housemate/roommate, roomer/border, other non-relative, etc.).

The Census data regarding same-sex couples do not capture all gay men and lesbians in the United States for at least two important reasons. First, the Census only captures data about same-sex couples of which one person in the couple is the partner of the householder. The Census does not identify single gay men and lesbians.

Carpenter and Gates (2008) find that single lesbians and gay men tend to be younger, are less likely to be white, and have lower educational attainment than their partnered counterparts.

In addition, the Census most likely undercounts even the population of same-sex couples. There are several potential reasons for suspecting an undercount. Concerns about revealing their sexual orientation (even indirectly) to the federal government may have led many gay and lesbian couples to indicate a status that would not indicate the true nature of their relationship. Other couples may have felt that "unmarried partner" or "husband/wife" does not accurately describe their relationship. A study of the undercount of same-sex unmarried partners in Census 2000 indicates that these were the two most common reasons that gay and lesbian couples chose not to designate themselves as unmarried partners (Badgett and Rogers 2003). Estimates derived from the 2006 American Community Survey show increases in same-sex couples far exceeding population increases, suggesting the presence of an undercount in Census 2000 (Gates 2007). Census tabulations also do not capture couples living in a household where someone who is not a part of the couple filled out the census form.

In addition to undercounting the number of same-sex couples in the population, the Census 2000 data may also erroneously include some different-sex couples in the same-sex couple population. Gates and Ost (2004) describe a measurement error resulting from different-sex married couples inadvertently checking the incorrect sex of one of the partners. Census Bureau coding procedures changed any same-sex "husband" or "wife" to an "unmarried partner." However, at some small rate, different-sex married couples likely miscode the sex of one of the partners. Under the coding procedure described, these sex-miscoded different-sex married couples would be coded as same-sex unmarried partners. The result is a contamination of the same-sex couple sample with different-sex couples. This error may impact some of the characteristics of same-sex couples. Gates and Sell (2007) describe a procedure that partially identifies those in a same-sex couple most at risk of being part of a mistakenly coded different-sex couple using the marital status imputation flag. These are the couples where a same-sex partner was changed from "husband/wife" to "unmarried partner." If these couples also indicated that they were both currently married, Census Bureau edited the marital status variable as "unmarried partner" couples were not permitted to list

themselves as “currently married.” Those with a marital status imputation correspond to a high degree with same-sex couples where the “unmarried partner” was originally coded as a “husband/wife”. To address the possible inclusion of different-sex couples into the same-sex couple sample, the models control for the presence of a marital status allocation. As a sensitivity check, models were also estimated excluding those in same-sex couples with a marital status allocation.

It should be noted that self-reporting of sexual orientation (via coupling status) could be correlated with (higher) income, potentially biasing the sample. This type of selection bias would result in endogeneity in a wage equation. Unfortunately, the data are not sufficient to resolve these endogeneity problems.

The primary analysis will estimate log linear wage regressions to consider (by sex) the relationship between log hourly wage and a vector of worker characteristics, membership in a same sex couple, and an indicator variable for the existence of an anti-discrimination policy interacted with the same-sex couple indicator variable. This interaction is interpreted as the net impact of the anti-discrimination policy on the wages of men and women who are in same-sex couples. As stated, the dependent variable in each of the regression estimations is the natural log of hourly wage and salary income. The other independent regression variables include, race, potential experience (age-education-6), years of education, presence of children, English language ability, citizenship, race/ethnicity, occupation and industry categories, disability, central city, and veteran status. In an effort to consider differences in economic conditions, the models also control for region of the country. Separate estimates are done for men and women.

Findings

Demographic characteristics

There are notable demographic, geographic, and economic differences between men and women in same-sex couples and other men and women. These differences are shown in Tables 1 and 2.

With regard to race and ethnicity, the patterns for men and women in same-sex couples are similar. They are less likely to be white and more likely to be black than their married counterparts. Conversely, they are more likely than unmarried men and women (non-coupled and those partnered with someone of a different sex) to be white

and less likely to be black. They are also more likely to be Hispanic than are married men and women.

Men and women in same-sex couples have higher levels of education than do other men and women. They have less potential work experience than married men and women but higher experience compared to other unmarried men and women (non-coupled or partnered with someone of a different sex). This is largely a function of age differences whereby men and women in same-sex couples are, on average, younger than married men and women and older than non-coupled individuals or different-sex unmarried partners.

With regard to the industries where they work, men in same-sex couples are generally more likely than other men to be employed in Education, Retail, Information, Finance, Insurance, and Real Estate, and Professional Scientific Services. They are generally less likely than other men to be employed in Agriculture, Construction, Manufacturing, Wholesale and Transportation. Women in same-sex couples are more likely than other women to be employed in Construction, Administration, Transportation, and Scientific Services. They are less likely than other women to be employed in Retail or Financial, Insurance, and Real Estate services.

In terms of their occupations, men in same-sex couples are more likely than other men to be employed in Sales, Business management, and Professional management. They are less likely than other men to be employed in Farming, Construction and Production. Women in same-sex couples were more likely than other women to be employed in Management positions and in Construction and Production. They were less likely than other women to be in Sales/Office and Service occupations.

Geographically, men in same-sex couples are more likely than other men to live in the South Atlantic and Pacific regions. They are less likely than other men to live in the Midwest. Women in same-sex couples are more likely than other women to live in the Northeast and Pacific regions and are less likely to live in the Midwest.

Men and women in same-sex couples are more urban than other men and women. They are also less likely to have children than men and women in different-sex couples. Men in same-sex couples are less likely than other men to be veterans or serve in the guard or reserve. The reverse is true for women in same-sex couples, who are substantially more likely than other women to be veterans or in the guard or reserve.

Men and women in same-sex couples are more likely than other men and women to live in a state with an anti-discrimination law that includes sexual orientation.

Differences in key demographic characteristics in states with and without an anti-discrimination law

There are several significant demographic differences between the same-sex couples (and other men and women) who live in those states and those who do not (see Table 3). Across all coupling statuses, men and women living in states with an anti-discrimination law are generally older, more educated, more non-white/non-Hispanic, and have higher wages. These consistent patterns across coupling statuses do not hold for raising children. Both same-sex and different-sex unmarried couples are less likely to have children if they live in a state with an anti-discrimination law while their married counterparts are more likely to be raising a child. Non-coupled men are more likely to have children in anti-discrimination states while the opposite is true of non-coupled women.

While these patterns of differences between the states with and without laws are fairly consistent, the magnitude of the differences by coupling status is not, especially regarding education and wage differences between men in same-sex couples and men in different-sex married couples. In states without a law, a third of male same-sex couples have a college degree. In states with an anti-discrimination law, that figure rises to 41 percent, an increase of 8 percentage points. Among married men, the percent with a college degree rises only 3 percentage points from 29 to 32 percent. Perhaps as a result of this key demographic difference, married men in states without a law have average wages 13 percent higher than men in same-sex couples. That wage gap is only 5 percent in states with a law.

The education differences between women in same-sex couples and other women are also much more pronounced in states with an anti-discrimination law. Women in same-sex couples hold a much larger education advantage in those states. Perhaps as a result, the wage advantage that women in same-sex couples hold relative to other women is much larger in states with an anti-discrimination law.

Policy effects and wages of men

Wage regression estimates (see Table 4) show that men in same-sex couples earn wages comparable to other men. However, they earn wages more than 8 percent below those of married men.

To measure the potential effects of state-level anti-discrimination policies, four wage equations were estimated. The first specification includes just an interaction term between indicators of a state policy and being in a same-sex couple. In this case, the coefficient of the interaction can be interpreted as the net effect of living in a state with an anti-discrimination policy on the wages of men in same-sex couples relative to other men. The second specification includes indicators for not being coupled and being in a different-sex unmarried partnership interacted with the policy indicator along with the same-sex partner interaction. This specification is designed to test if the wages of men in same-sex couples are the only ones affected by the anti-discrimination policy. It is certainly possible that a fraction of the non-coupled men are gay, perhaps distorting the results associated with these men. To minimize this potential distortion, the two specifications are replicated without the non-coupled men, comparing only among men in a couple.

The findings suggest the presence of an anti-discrimination policy has positive effects on the wages of men in same-sex couples. Relative to all other men, the findings from the first specification (see Table 5) suggest that men in same-sex couples earn approximately three percent more than other men in states with a policy. Relative to married men, the wage premium is slightly smaller at 2.7 percent. Notably, the results from the second specification suggest that the policy interaction is only statistically significant for men in same-sex couples. When only coupled men are included in the regression estimations, the evidence suggests a wage premium of more than 2 percent for men in same-sex couples. Again, they appear to be the only group affected by the policy.

Two additional specifications (shown in Table 6) test if the duration of the policy has incremental effects of wages of men in same-sex couples. The evidence suggests that it does. For each year of the anti-discrimination policy, men in same-sex couples earn a wage premium of approximately 0.3 percent. Relative to married men, the premium is about 0.2 percent. Again, it is only men in same-sex couples who receive a premium based on the duration of the policy. In fact, the estimation results suggest that the wages of men in different-sex unmarried couples are reduced by 0.8 percent for each year of the policy.

The final analyses (shown in Table 7) show the predicted wages of single men and those in the various couple statuses in states with and without an anti-discrimination policy, holding all of the independent variables in the wage equation at the mean. The findings show that while, on average, all men living in states with an anti-discrimination law earn more than men in states without the law, men in same-sex couples get the largest increase, more than 11 percent. Further, that difference in wages is substantially higher than those reported for married and single men. Married men show an average increase of only 8 percent and non-coupled men earn nearly 7 percent more. Curiously, unmarried men partnered with women show wage premiums in the states with anti-discrimination laws (10 percent) that are closest to those for men in same-sex couples.

In order to account for the measurement error discussed in the Data and Methodology section, all of these specifications included a variable indicating if the marital status of a man in a same-sex couple was allocated. Recall that those with an allocation are potentially substantially comprised of individuals in a different-sex married couple whose sex was miscoded. As a sensitivity test, all of the regression specifications were repeated by simply dropping all men in same-sex couples with a marital status allocation. This procedure had very little effect on any of the variables of interest. Both the magnitude and statistical significance of all coefficients were either the same or the wage effect premium of the anti-discrimination policy for men in same-sex couples was slightly higher, suggesting that the effects shown in the analyses can be interpreted as a lower bound.

Policy effects and wages of women

Wage regression estimates (see Table 3) demonstrate that women in same-sex couples earn wages that exceed those of other women by more than five percent. So unlike their male counterparts, there are no obvious wage disparities whereby lesbians earn less than other women.

Perhaps it is not surprising then that analyses offer much weaker evidence of an effect of anti-discrimination policies on the wages of women in same-sex couples. Relative to all women, the findings suggest that the women in same-sex couples receive about a two percent wage premium if they live in a state with an anti-discrimination policy (see Table 4) and earn approximately 0.3 percent more for each year of the policy

was in effect (see Table 5). Relative to married women or other coupled women, the effects of the policy for women in same-sex couples are not significant.

Further, like with the men, the analyses were replicated to include only women in same-sex couples who did not have a marital status allocation. Unlike the men, this exclusion had a substantial impact on findings. The coefficients on the interaction of being a woman in a same-sex couple and the anti-discrimination policy were all virtually zero.

The predicted wages shown in Table 6 demonstrate the weaker effect of living in a state with an anti-discrimination law for women in same-sex couples, especially relative to other coupled women. They earn 11.6 percent more if they live in a state with the policy, but married women earn 10.2 percent more and unmarried women partnered with men earn 11.2 percent more. All of these women earn more in the states with a policy than their non-coupled counterparts, who only earn 7.3 percent more. In short, the bulk of any wage premium observed for women in same-sex couples associated with the policy appears to be relative to non-coupled women only. Curiously, in a pattern similar to their male counterparts, women in same-sex couples show wage differences in anti-discrimination states that are most similar to those observed for women partnered, but not married, to men.

Discussion and sensitivity analyses

The findings presented show a convincing effect of state-level anti-discrimination policies on the wages of gay men and a lesser effect on the wages of lesbians. Several factors support these conclusions. First, observed wage premiums that men and women in same-sex couples receive (relative to other men and women in states with an anti-discrimination law) increase with the duration of the law. This sensitivity to duration offers stronger evidence of a causal relationship between the state laws and changes in relative wages of men and women in same-sex couples compared to other men and women. Second, those in same-sex couples are the only ones who show any evidence of a wage premium (relative to others) if they live in a state with an anti-discrimination law. They appear to uniquely benefit from the law. Both of these pieces of evidence strengthen the argument for a causal relationship between sexual orientation anti-discrimination laws and positive effects on the wages of lesbians and gay men.

It is important to caveat that the findings regarding women are much less robust. They are more sensitive to specification and do not hold up when attempts are made to adjust the sample to correct for possible measurement error among those in same-sex couples. A less robust effect is perhaps not surprising given that women in same-sex couples begin with a wage advantage relative to other women. However it could be argued that the finding of even a weak effect of the anti-discrimination laws associated with women, given their existing advantage, strengthens the case for a causal connection.

Several important factors that could affect wages were not directly controlled for in the regression estimations. One of these is local labor market conditions. The indicators for region of the country were the only variables that would in any way factor this into the equations. As a check for the effect of this omission, estimates were calculated adding a variable for the percent of those in the labor force who say they are currently unemployed in each state. Adding this variable produces results qualitatively similar to those shown for both men and women in the case where the variable of interest is the interaction of being in a same-sex couple with the presence of a state anti-discrimination law. Men and women in same-sex couples show a wage premium relative to other men and women in the range of 2-3 percent. Relative to married men and women, only men in same-sex couples have a statistically significant wage premium.

The observation (shown in Table 3) that the educational distribution of same-sex couples in states with an anti-discrimination law was substantially different from that in states without a law (and the variation was much wider among same-sex couples than among other men and women) prompted the final set of sensitivity analyses. It is possible that these laws (or the social climate that preceded them) attracted a disproportionate number of more mobile and higher educated lesbians and gay men to these states. Separate estimation of the original regressions for college graduates and those without a college degree were conducted to determine if observed effects of the law were distributed across all educational groups, given that this distribution was so different in states with and without anti-discrimination laws.

The results reveal distinctive differences between men and women with regards to educational attainment and possible wage differences based on sexual orientation

(and how those differences might be affected by state law). The wage gap between men in same-sex couples and other men (whereby men in same-sex couples have lower wages) is more pronounced among men with less than a college education. However, only men with a college degree or higher appear to gain a wage premium relative to other men if they live in a state with an anti-discrimination law. Conversely, only women in same-sex couples with less than a college education evidence a positive wage gap with other women. Neither group shows a statistically significant effect of the anti-discrimination policy on relative wages, but the magnitude of the coefficient is much higher for higher educated women. This suggests that to the extent that anti-discrimination policies affect the wages of lesbians and gay men, it appears that most of that affect is among those with higher levels of education. While lower educated gay men appear to fare worse relative to other men (perhaps evidencing higher levels of discrimination), they still do not seem to benefit as much from the law.

Conclusions

In the only study to date to directly assess the effect of sexual orientation anti-discrimination laws, Klawitter and Flatt (1998) found no real evidence of an impact. The new analyses presented here suggest that with more time and more variation in the data, evidence points to a positive effect of anti-discrimination statutes on the wages of gay men and lesbians. Given that the effect increases with duration of the law, the evidence also suggests that this is not simply an artifact of broad acceptance of lesbians and gay men that help to precipitate enactment of such laws. These findings offer the first clear indication that sexual orientation anti-discrimination laws can help to level the playing field for lesbians and particularly gay men, who many studies find are at a wage disadvantage relative to other men.

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Table 1. Demographic characteristics of men, by couple type.

	Same-sex partner	Same-sex partner adjusted	Diff-sex Married	Diff-sex Unmarried	Non-coupled
Hourly Wage	21.33	22.07	23.47	16.18	15.41
White	78.7%	83.9%	79.5%	72.4%	73.5%
Black	9.1%	6.4%	8.2%	14.8%	13.0%
Native American	0.8%	0.8%	*0.7%*	1.4%	*0.9%*
Asian/Pac Islander	3.0%	2.1%	4.1%	1.8%	3.8%
Other	5.7%	4.4%	*5.5%*	7.0%	*6.1%*
Multiracial	2.7%	2.4%	1.9%	*2.6%*	*2.7%*
Hispanic	13.6%	10.8%	12.3%	*13.9%*	*13.5%*
Years of education	13.9	14.6	13.5	12.8	13.0
Potential experience	19.2	17.3	22.4	15.5	13.1
Industry					
Education	17.5%	18.3%	9.8%	6.7%	9.4%
Agriculture/Mining	1.1%	0.7%	2.3%	2.1%	1.9%
Construction	5.7%	3.5%	10.4%	14.8%	10.3%
Manufacturing	13.0%	9.5%	22.5%	19.7%	16.1%
Wholesale	3.4%	3.1%	5.2%	5.0%	4.1%
Retail	11.9%	13.0%	8.9%	*11.2%*	13.8%
Transport/Warehouse/ Utilities	5.6%	4.9%	8.4%	7.3%	6.0%
Information	5.0%	6.1%	3.1%	3.0%	3.4%
Finance/Insurance/Real Estate	7.7%	8.8%	5.1%	4.1%	4.5%
Professional/Scientific Services	10.5%	12.4%	8.1%	8.9%	9.1%
Arts/Recreation	9.2%	10.5%	4.5%	8.3%	11.6%
Service	4.4%	4.3%	3.8%	*4.5%*	*4.0%*
Administration	4.7%	4.7%	6.4%	3.8%	3.9%
Armed Forces/Unemp.	0.5%	0.3%	1.6%	*0.5%*	1.7%
Occupation					
Sales/office	24.5%	26.0%	15.6%	15.9%	20.5%
Mgt-business	17.5%	21.5%	15.4%	8.8%	8.1%
Mgt-professional	22.2%	26.2%	17.7%	11.4%	14.4%
Service	12.7%	11.9%	9.7%	*13.2%*	16.9%
Farm	0.7%	0.4%	1.1%	1.3%	1.3%
Construction	8.5%	5.1%	17.6%	22.4%	16.0%
Production	13.5%	8.8%	22.4%	26.8%	22.1%
Military/Unemp.	0.2%	0.1%	0.5%	*0.1%*	*0.7%*
South Atlantic	20.2%	20.4%	18.4%	18.3%	18.4%
Northeast	5.1%	5.4%	*5.0%*	*5.6%*	*5.0%*
Mid-Atlantic	14.0%	14.3%	*13.5%*	*13.6%*	*13.9%*
East North Central	13.4%	13.4%	16.7%	17.4%	16.3%
West North Central	4.9%	4.5%	7.0%	7.1%	6.8%
East South Central	4.6%	3.3%	6.1%	*4.6%*	5.5%
West South Central	10.5%	9.3%	11.5%	9.1%	*10.5%*
Mountain	6.7%	6.7%	*6.6%*	*7.2%*	*6.6%*
Pacific	20.5%	22.6%	15.4%	17.1%	17.0%
Urban	55.2%	64.2%	33.8%	37.4%	40.3%
Any Children in Home	27.6%	9.9%	58.7%	46.7%	22.4%
Speaks English	95.6%	97.7%	*95.3%*	96.3%	*95.5%*

Citizen	91.4%	94.2%	90.8%	*92.2%*	*90.9%*
Disabled	16.8%	12.4%	15.4%	*16.4%*	18.3%
Veteran	12.2%	11.3%	22.8%	15.7%	13.1%
National Guard/Reserve	2.1%	1.8%	3.3%	*2.2%*	2.4%
Martial Status allocation	42.7%				
State Non-Disc. Law by 1999	28.3%	31.1%	24.1%	25.7%	25.9%

Table 2. Demographic characteristics of women, by couple type.

	Same-sex partner	Same-sex partner Adjusted	Diff-sex Married	Diff-sex Unmarried	Non-coupled
Hourly Wage	18.59	18.90	16.42	13.45	14.89
White	78.0%	82.7%	80.6%	75.8%	68.9%
Black	11.3%	8.7%	8.2%	12.6%	19.6%
Native American	1.0%	1.1%	0.7%	1.4%	0.9%
Asian/Pac Islander	2.2%	1.4%	4.5%	2.2%	3.5%
Other	5.1%	3.7%	4.2%	5.2%	4.7%
Multiracial	2.5%	2.5%	1.8%	2.8%	2.5%
Hispanic	11.1%	8.9%	9.8%	11.5%	10.5%
Years of education	14.1	14.7	13.7	13.2	13.5
Potential experience	18.6	17.0	21.3	13.9	16.0
Industry					
Education	26.8%	30.3%	35.4%	23.5%	28.5%
Agriculture/Mining	0.9%	0.5%	0.7%	0.6%	0.5%
Construction	3.9%	2.3%	1.4%	1.6%	1.1%
Manufacturing	12.6%	10.3%	10.6%	11.7%	9.5%
Wholesale	3.2%	2.8%	2.4%	2.7%	2.2%
Retail	10.2%	9.9%	11.2%	14.2%	14.1%
Transport/Warehouse/ Utilities	4.8%	4.2%	3.0%	2.9%	3.0%
Information	3.7%	4.4%	2.8%	3.3%	3.4%
Finance/Insurance/Real Estate	6.5%	6.3%	8.8%	8.3%	7.7%
Professional/Scientific Services	9.5%	10.3%	8.0%	9.9%	8.8%
Arts/Recreation	7.1%	7.7%	6.5%	13.1%	12.0%
Service	4.3%	4.2%	4.0%	3.7%	4.1%
Administration	6.0%	6.6%	4.9%	4.1%	4.7%
Armed Forces/Unemp.	0.4%	0.2%	0.2%	0.2%	0.4%
Occupation					
Sales/office	26.0%	24.8%	36.4%	38.3%	38.7%
Mgt-business	14.9%	16.4%	12.5%	11.0%	10.3%
Mgt-professional	26.3%	31.8%	27.1%	17.3%	20.6%
Service	13.9%	13.5%	14.2%	21.1%	20.5%
Farm	0.5%	0.3%	0.5%	0.5%	0.3%
Construction	5.7%	3.5%	0.6%	1.1%	0.9%
Production	12.6%	9.7%	8.6%	10.9%	8.6%
Military/Unemp.	0.1%	0.0%	0.1%	0.0%	0.1%
South Atlantic	19.1%	18.1%	18.5%	18.4%	19.2%
Northeast	6.7%	7.8%	5.3%	6.0%	5.3%
Mid-Atlantic	13.4%	12.8%	13.5%	14.0%	14.8%
East North Central	13.3%	13.6%	17.1%	17.1%	16.3%
West North Central	5.9%	6.1%	7.8%	7.3%	6.6%
East South Central	5.0%	3.4%	6.2%	4.6%	5.7%
West South Central	9.9%	8.4%	10.8%	8.7%	10.7%
Mountain	7.0%	7.4%	6.3%	7.1%	6.0%
Pacific	19.7%	22.4%	14.4%	16.7%	15.3%
Urban	47.0%	52.0%	32.6%	37.4%	41.4%

Any Children in Home	41.2%	25.7%	55.7%	43.5%	38.4%
Speaks English	97.1%	98.5%	96.4%	97.4%	97.4%
Citizen	94.5%	96.9%	93.5%	94.8%	94.5%
Disabled	15.8%	8.7%	12.8%	14.9%	17.3%
Veteran	8.2%	13.4%	1.6%	1.7%	1.9%
National Guard/Reserve	2.4%	6.3%	1.5%	1.2%	1.6%
Martial Status allocation	45.1%				
State Non-Disc. Law by 1999	28.3%	31.3%	23.4%	25.7%	24.8%

Table 3. Selected demographic characteristics by couple status and state anti-discrimination law status.

	Men							
	No Anti-discrimination law				Anti-discrimination law			
	Same-sex partner	Diff-sex Married	Diff-sex Unmarried	Single	Same-sex partner	Diff-sex Married	Diff-sex Unmarried	Single
Age	38.85	**41.89**	**34.14**	**32.05**	*39.54*	**42.01**	***34.67***	**31.98**
College	0.33	**0.29**	**0.15**	**0.18**	*0.41*	***0.32***	***0.21***	***0.23***
Non-white/non-Hispanic	0.27	**0.24**	**0.32**	**0.31**	0.32	***0.35***	***0.37***	***0.38***
Any children	0.28	**0.58**	**0.47**	**0.22**	0.25	***0.61***	***0.45***	*0.25*
Hourly wage	20.16	**22.81**	**15.46**	**14.67**	*24.30*	***25.56***	***18.25***	***17.53***
% Difference in wage from SS		13%	-23%	-27%		5%	-25%	-28%
% Difference between No-law and Law					21%	12%	18%	20%
	Women							
Age	38.34	**40.87**	**32.89**	**35.40**	*39.45*	***41.30***	***33.80***	**35.35**
College	0.33	**0.28**	**0.18**	**0.22**	*0.43*	***0.32***	***0.24***	***0.26***
Non-white/non-hispanic	0.26	**0.22**	**0.28**	**0.35**	*0.29*	***0.32***	***0.33***	***0.39***
Any children	0.42	**0.55**	**0.44**	**0.39**	*0.38*	***0.57***	***0.41***	*0.37*
Hourly wage	17.32	**15.68**	**12.74**	**14.47**	*21.80*	***18.79***	***15.52***	***16.16***
% Difference in wage from SS		-9%	-26%	-16%		-14%	-29%	-26%
% Difference between No-law and Law					26%	20%	22%	12%

Note: **Bold** indicates a statistically significant difference between same-sex and other couple statuses ($p<0.05$). *Italics* indicate statistically significant difference within couple status between those in states with or without anti-discrimination laws.

Table 4. OLS regression estimation of hourly wage for men and women (employed, age 18-65), Census 2000

	Men				Women			
Dependant variable: Ln Wages	Coef.	t	Coef.	t	Coef.	t	Coef.	t
Black	**-0.121**	-26.53	**-0.107**	-23.37	-0.007	-1.58	-0.004	-1.06
Native American	**-0.142**	-10.29	**-0.131**	-9.59	**-0.072**	-5.05	**-0.071**	-4.98
Asian/Pac Islander	**-0.034**	-4.69	**-0.037**	-5.15	**0.033**	4.60	**0.033**	4.51
Other	**-0.015**	-2.08	**-0.015**	-2.08	-0.005	-0.64	-0.005	-0.62
Multiracial	**-0.045**	-5.14	**-0.040**	-4.54	**-0.020**	-2.00	-0.019	-1.94
Years of education	**0.065**	104.30	**0.062**	98.84	**0.067**	98.36	**0.067**	98.08
Pot Exp	**0.067**	83.41	**0.060**	73.63	**0.061**	75.47	**0.061**	73.91
Pot Exp^2	**-0.002**	-50.04	**-0.002**	-44.81	**-0.002**	-52.63	**-0.002**	-52.02
Pot Exp^3	**0.000**	37.45	**0.000**	33.15	**0.000**	42.37	**0.000**	42.04
Northeast	**0.098**	16.35	**0.103**	17.13	**0.102**	18.05	**0.102**	18.13
Mid-Atlantic	**0.087**	19.94	**0.091**	20.73	**0.106**	24.48	**0.106**	24.57
East North Central	**0.047**	11.61	**0.047**	11.69	0.004	1.06	0.004	1.07
West North Central	**-0.025**	-4.61	**-0.025**	-4.51	**-0.043**	-8.19	**-0.043**	-8.19
East South Central	**-0.058**	-10.15	**-0.062**	-10.95	**-0.077**	-13.88	**-0.077**	-13.93
West South Central	**-0.031**	-6.63	**-0.035**	-7.38	**-0.066**	-14.22	**-0.066**	-14.25
Mountain	**-0.012**	-2.21	**-0.012**	-2.14	**-0.031**	-5.63	**-0.031**	-5.60
Pacific	**0.097**	22.73	**0.102**	24.11	**0.099**	22.99	**0.100**	23.10
Urban	**0.057**	20.95	**0.063**	23.27	**0.080**	30.06	**0.081**	30.20
Any Children in Home	**0.086**	33.28	**0.039**	13.80	**-0.034**	-12.50	**-0.036**	-13.02
Speaks English	**0.069**	8.62	**0.072**	9.07	0.007	0.77	0.008	0.83
Citizen	**0.023**	3.97	**0.030**	5.15	**0.022**	3.28	**0.023**	3.38
Hispanic	**-0.065**	-11.75	**-0.064**	-11.56	-0.009	-1.62	-0.009	-1.57
Disabled	**-0.071**	-19.90	**-0.064**	-18.14	**-0.042**	-11.26	**-0.041**	-11.06
Veteran	**-0.025**	-7.32	**-0.028**	-8.27	-0.009	-0.94	-0.009	-0.89
National Guard/Reserve	0.001	0.13	-0.004	-0.51	**0.033**	3.06	**0.033**	3.06
Martial Status allocation	**-0.035**	-3.71	-0.011	-1.20	**0.047**	5.60	**0.047**	5.68
Single			**-0.145**	-44.88			**-0.009**	-3.38
Different-sex Unmarried Partner			**-0.114**	-20.87			**-0.014**	-2.69
Same-sex Unmarried Partner	-0.009	-1.38	**-0.082**	-12.63	**0.052**	9.21	**0.047**	8.15
Constant	**0.932**	70.51	**1.105**	80.08	**0.947**	67.43	**0.955**	67.37
R-squared	0.314		0.320		0.267		0.266	
N	347,943		347,943		331,026		331,026	

Source: Author calculations using Census 2000 5% and 1% Public Use Microdata Samples
Note: Estimates include a vector of indicators (not shown) for 14 Industry categories and 7 Occupation categories

Table 5. Effect of state-level sexual orientation anti-discrimination policies on wages of men and women (employed, age 18-65) in same-sex couples, Census 2000

	All Men				All Women			
Dependant variable: Ln Wages	Coef.	t	Coef.	t	Coef.	t	Coef.	t
State Non-Disc. Law by 1999	**0.073**	18.36	**0.079**	17.35	**0.087**	22.39	**0.098**	20.84
Single			**-0.143**	-40.14			-0.003	-1.06
State Non-Disc. Law by 1999 * Single			-0.012	-1.93			**-0.027**	-4.54
Diff-Sex Unmarried Partner			**-0.119**	-18.87			**-0.017**	-2.72
State Non-Disc. Law by 1999 * Diff-Sex Unmarried Partner			0.018	1.45			0.008	0.69
SS Couple	**-0.020**	-2.74	**-0.092**	-12.45	**0.044**	6.90	**0.041**	6.33
State Non-Disc. Law by 1999 * SSCouple	**0.031**	3.01	**0.027**	2.51	**0.023**	2.43	0.012	1.28
R-squared	0.315		0.321		0.267		0.267	
N	347,943		347,943		331,026		331,026	
	Coupled Men				Coupled Women			
State Non-Disc. Law by 1999	**0.087**	18.50	**0.086**	17.78	**0.096**	19.69	**0.095**	18.82
Diff-Sex Unmarried Partner			**-0.108**	-16.90			**-0.028**	-4.50
State Non-Disc. Law by 1999 * Diff-Sex Unmarried Partner			0.015	1.22			0.007	0.60
SS Couple	**-0.074**	-9.81	**-0.088**	-11.68	**0.037**	5.61	**0.033**	5.00
State Non-Disc. Law by 1999 * SSCouple	**0.022**	2.10	**0.023**	2.19	0.012	1.22	0.012	1.28
R-squared	0.274		0.275		0.246		0.246	
N	236,709		236,709		215,043		215,043	

Source: Author calculations using Census 2000 5% and 1% Public Use Microdata Samples
Note: Estimates include all covariates from regression estimation shown in Table 1 along with a vector of indicators for 14 Industry categories and 7 Occupation categories

Table 6. Effect ofduration of state-level sexual orientation anti-discrimination policies on wages of men and women (employed, age 18-65) in same-sex couples, Census 2000

	All Men				All Women			
Dependant variable: Ln Wages	Coef.	t	Coef.	t	Coef.	t	Coef.	t
Years of Non-Disc. Law by 1999	**0.004**	10.96	**0.005**	10.84	**0.006**	14.48	**0.007**	14.11
Single			**-0.144**	-41.23			-0.005	-1.60
Years of Non-Disc. Law by 1999*Single			-0.001	-1.53			**-0.002**	-3.71
Diff-Sex Unmarried Partner			**-0.113**	-20.30			**-0.013**	-2.35
Years of Non-Disc. Law by 1999 *Diff-Sex Unmarried Partner			**-0.008**	-2.44			**-0.009**	-2.64
SS Couple	**-0.018**	-2.58	**-0.090**	-12.54	**0.045**	7.22	**0.042**	6.60
Years of Non-Disc. Law by 1999 * SSCouple	**0.003**	2.81	**0.002**	2.17	**0.003**	2.53	0.002	1.44
R-squared	0.315		0.320		0.267		0.267	
N	347,943		347,943		331,026		331,026	

Source: Author calculations using Census 2000 5% and 1% Public Use Microdata Samples
Note: Estimates include all covariates from regression estimation shown in Table 1 along with a vector of indicators for 14 Industry categories and 7 Occupation categories

Table 7. Predicted wage differences of men and women (employed, age 18-65) by coupling status and state-level sexual orientation anti-discrimination policies, Census 2000

	Men				Women			
	Same-sex partner	Diff-sex Married	Diff-sex Unmarried	Single	Same-sex partner	Diff-sex Married	Diff-sex Unmarried	Single
Est. hourly wage in states without Anti-disc. Law by 1999	$15.27	$16.74	$14.86	$14.51	$11.27	$10.82	$10.64	$10.78
% wage difference from same-sex partners		9.6%	-2.7%	-5.0%		-4.0%	-5.6%	-4.4%
Est. hourly wage in states with Anti-disc. Law by 1999	$16.96	$18.11	$16.36	$15.51	$12.59	$11.93	$11.83	$11.57
% wage difference from same-sex partners		6.7%	-3.5%	-8.6%		-5.2%	-6.0%	-8.1%
% Difference in wages in states with an Anti-disc. Law relative to those without a law	11.1%	8.2%	10.1%	6.9%	11.6%	10.2%	11.2%	7.3%