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CHEROKEE NATION®

PRIDE MONTH

Pride Month in the Cherokee Nation Reservation

Final Report: Examining LGBTQ+ Access and
Recommendations for the Cherokee Nation
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2024

— TOGETHER —

COMMUNITY • FAMILY • CULTURE

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Executive Summary

This report focuses on the internal policies, practices, and access offered by Cherokee Nation as they relate to LGBTQ+ inclusion. Executive Order 2020-05 and the 2024 Addendum to the Executive Order on Equality which, although primarily aimed at alleviating exclusionary policies impacting Cherokee Nation citizens of Freedmen descent, also includes language supporting equality of gender expression and identity. In a historic first recognition of Pride Month in 2024 in the Cherokee Nation, Principal Chief Chuck Hoskin Jr. directed a study examining LGBTQ+ access in the Cherokee Nation.

In response to that directive, the findings and recommendations presented in this report are based on a thorough review of existing documents, data collection, and consultations with key stakeholders, including the Human Resources department. The examination covers various aspects, including non-discrimination policies, employee benefits, workplace inclusion practices, and training programs. Additionally, the report explores potential opportunities for creating new initiatives, such as the appointment of an Equality Advocate and the establishment of a Pride Ambassadors group, which are intended to further support LGBTQ+ employees and foster a more inclusive workplace culture.

The report is intended to provide the Principal Chief with the information needed to make informed decisions on how best to support the LGBTQ+ community within the Cherokee Nation and its workforce, ensuring that all citizens have equal access to opportunities and resources.

Introduction

The Cherokee Nation has long been a leader in promoting equality, fairness, and inclusivity for all its citizens. Under the leadership of Principal Chief Chuck Hoskin Jr., these values have been further emphasized, particularly in the context of ensuring that all citizens of the Cherokee Nation, including those in the LGBTQ+ community, feel welcomed, respected, and supported.

As part of this ongoing commitment, the Principal Chief has tasked the Chief of Staff and the Secretary of State with conducting a thorough examination of current policies, practices, benefits, and access within Cherokee Nation departments to identify and address any barriers faced by LGBTQ+ individuals. Furthermore, this report explores opportunities for enhancing equality and inclusion across the Cherokee Nation's workforce. The findings and recommendations outlined in this report aim to align Cherokee Nation's practices with its core values of love, inclusivity, and fairness.

The primary objectives of this report are to:

1. ***Examine Current Policies and Practices:*** Conduct a comprehensive review of the existing policies, benefits, and practices related to LGBTQ+ inclusion within Cherokee Nation departments, including assessing whether these policies effectively support LGBTQ+ employees and identifying any areas where improvements may be necessary.

2. ***Refine and Detail Recommendations:*** Based on the findings of the examination, develop refined recommendations for improving LGBTQ+ equity and inclusion. These recommendations are intended to align with Cherokee Nation's values and legal obligations while promoting a more inclusive environment for all. The recommendations comprised in this report will serve as a basis for potential future actions to enhance LGBTQ+ inclusion within the Cherokee Nation.

A demographic analysis revealed that LGBTQ+ representation within the Cherokee Nation workforce includes at least 33 employees with same-gender spouses. These employees are spread across various departments, but the overall representation is relatively small (0.006% of the workforce). Although, it is important to note that we are unaware- due to lack of data- how many employees identify as LGBTQ+. This highlights the importance of ensuring that the voices and needs of LGBTQ+ employees are adequately represented and addressed within the Cherokee Nation.

To conduct a thorough examination of Cherokee Nation departments' LGBTQ+ inclusion, a multi-faceted data collection approach was employed. This process included a detailed review of existing policies, including non-discrimination policies, benefits, and workplace practices to assess their effectiveness in supporting LGBTQ+ employees. Additionally, an analysis of the Cherokee Nation's Employee Handbook, the 2024 Benefits Guide, and other relevant policy documents were conducted. Consultations with key stakeholders, including the Human Resources department and other relevant department heads, provided valuable perspectives on the current state of LGBTQ+ inclusion within the Cherokee Nation, and the strengths and potential gaps in existing practices. Cherokee Nation's current policies and practices were compared against best practices and standards in LGBTQ+ workforce equity and inclusion. This comparative analysis provided a benchmark for evaluating the Cherokee Nation's efforts and identifying areas for improvement. The findings and recommendations in this report are based on the best available data and insights collected through this examination.

Existing Policies and Practices

An analysis of current policies and practices demonstrates that Cherokee Nation has a strong foundation in place for supporting LGBTQ+ employees. While there are opportunities for further enhancement, the Cherokee Nation has already actively taken steps to ensure that all employees feel respected and supported in their work environment.

Workplace Inclusion Practices

The Cherokee Nation has implemented practices aimed at fostering a workplace culture of inclusion and respect for all employees. Cherokee Nation follows the best practice of

allowing individuals, including employees and guests, to access and use the restroom of the gender with which they identify.

The establishment of general diversity and inclusion training opportunities for employees is one such practice.

Non-Discrimination Policies

The Cherokee Nation has established comprehensive non-discrimination policies that explicitly protect employees based on sexual orientation and gender identity. These policies are aligned with the Cherokee Nation's commitment to fostering an inclusive and equitable work environment for all employees, regardless of race, religion, sexual orientation, gender identity, or nationality. During the review process, it was determined that these policies are robust and effectively cover the rights and protections of LGBTQ+ employees. No changes to the current non-discrimination policies were deemed necessary at this time, as they already align with the best practices in workforce equity.

LGBTQ+ Employee Benefits and Practices

Cherokee Nation offers a range of benefits that are inclusive of LGBTQ+ employees, demonstrating a strong commitment to supporting diverse family structures and the unique needs of LGBTQ+ individuals. Key benefits include:

- **Coverage for Same-Gender Spouses:** Cherokee Nation's benefit plans include coverage for same-gender spouses, ensuring that LGBTQ+ employees receive the same health and welfare benefits as their heterosexual counterparts. Currently, 33 employees are utilizing this benefit, representing 0.006% of the total employee population.
- **Family-Friendly Policies:** Cherokee Nation provides several family-friendly policies that support all employees, including those in the LGBTQ+ community:
 - *Paid Maternity Leave:* Eligible employees are entitled to up to 8 weeks of paid maternity leave at 100% of their salary.
 - *Family Leave:* For employees who do not qualify for maternity leave, up to two weeks of paid leave is available for the birth or adoption of a child through Cherokee Nation Indian Child Welfare.
 - *Paid Foster Parent Leave:* Employees are entitled to up to 10 days (or 15 days in the case of multiple children) of paid leave for foster placement.
- **Gender Reassignment Procedures:** Cherokee Nation's health plans cover gender reassignment surgery, hormone therapy, and related counseling, subject to preapproval and diagnosis of gender dysphoria. This benefit is in line with the best practices for supporting transgender employees.
- **Employee Assistance Program (EAP):** The EAP offers a variety of counseling, referral, and consultation services, including support for LGBTQ+ employees facing personal or professional challenges.

- **Inclusive Healthcare:** Critical categories of transgender healthcare, such as mental health services, hormone therapy, surgical procedures, and short-term leave for surgeries, are covered under the Cherokee Nation's health plans. This comprehensive approach ensures that transgender employees have access to necessary medical care.

Recommendations

While the Cherokee Nation has made significant strides in supporting LGBTQ+ inclusion, various gaps and challenges were identified during this examination. These recommendations are designed to build on the existing strengths of the Cherokee Nation's policies and practices while addressing the identified gaps. By implementing these recommendations, the Cherokee Nation can continue to advance its commitment to creating a workplace where all employees feel valued, respected, and supported. These actions would further the Cherokee Nation's dedication to being a leader in promoting equality and inclusivity for all its citizens.

Based on a thorough review and analysis, the following key recommendations are proposed:

Establishment of an Equality Advocate

We recommend establishing a position of Equality Advocate, which could be assigned as an extra duty to an existing Cherokee Nation employee. The Equality Advocate would chair the Pride Ambassadors group and coordinate their activities. This position would help to ensure that LGBTQ+ voices are represented in organizational decision-making and related issues are effectively addressed within the Cherokee Nation's workforce.

Establishment of a Pride Ambassadors Group

Currently, there is no formalized support network or group specifically for LGBTQ+ employees. To fill this gap, we recommend the creation of an employee-led networking group of LGBTQ+ representatives, known as Pride Ambassadors. This group would be chaired by the Equality Advocate and provide a platform for LGBTQ+ employees to connect, share experiences, and advocate for their needs. The Pride Ambassadors would meet quarterly to address LGBTQ+ issues and produce an annual report.

Maintenance and Enhancement of Non-Discrimination Policies

While current non-discrimination policies are robust and inclusive of sexual orientation and gender identity, ongoing monitoring and potential enhancements are recommended to ensure continued compliance with best practices in LGBTQ+ workforce equity and legal standards. Maintaining these policies is crucial for guaranteeing that LGBTQ+ employees are protected from discrimination and that the Cherokee Nation continues to uphold its commitment to equality.

Review of LGBTQ+ Employee Benefits

The Cherokee Nation offers a range of benefits that are inclusive of LGBTQ+ employees, including coverage for same-gender spouses and gender reassignment procedures; however, there is an opportunity to further promote and ensure awareness of these benefits among all employees. We recommend maintaining these benefits and exploring additional family-friendly policies. Current benefits should be well-promoted and accessible to all employees. This may include improved on-boarding materials, a standalone benefits summary sheet listing LGBTQ+ inclusive benefits, and the use of multiple communication channels to communicate such benefits and how to access them to the Cherokee Nation's workforce. The exploration of additional policies might involve the consideration of expanding benefits to further support LGBTQ+ employees and their families, such as including services for surrogacy and adoption in the benefits package.

Development of Training and Education Programs

To address gaps in LGBTQ+ education, we recommend implementing a more specific training focused on LGBTQ+ inclusion. This training could cover topics such as LGBTQ+ terminology, gender-neutral language, implicit bias, and the proper channels for reporting harassment, discrimination, or bullying. To make new trainings most accessible to all employees, the Otsoliga may be an appropriate platform to utilize. The development of a toolkit for supervisors would further equip departments to improve understanding and inclusivity by ensuring that departmental leadership has appropriate guidance and communication strategies, along with knowledge of current policies, to best support LGBTQ+ staff and maintain an inclusive environment among colleagues.

Implementation of a 360-Degree Feedback Tool

We propose introducing a feedback tool to assess and improve leadership's inclusive behavior, with a focus on LGBTQ+ coaching and learning opportunities. As there is currently no formalized process for gathering feedback on leadership's inclusive behavior, this tool would provide valuable insights and help identify areas for improvement in practices.

Inclusion of Pronouns in Email Signatures

Encouraging employees to include personal pronouns in their email signatures is recommended as a practice to help normalize diverse gender identities and foster a more inclusive environment. The Communications department should develop email signature block designs for the Cherokee Nation workforce, including one that incorporates the use of pronouns that employees can choose to utilize.

Extension of Survivor Benefits

We recommend ensuring that survivor benefits are extended to employees in same-sex marriages, aligning with Cherokee Nation's commitment to equality. This may involve reviewing and updating benefit forms and documentation to reflect this inclusivity.

Conclusion

The Cherokee people have always strived to love, support, and care for one another. Today, the Cherokee Nation continues to uphold these values, operating on a strong and unwavering commitment to ensuring equality and supporting all our citizens and employees. With the prior implementation of robust non-discrimination policies, inclusive benefits, and other best practices, the Cherokee Nation has fostered equality and inclusivity across the workforce.

While the examination of Cherokee Nation's policies, practices, and access as they pertain to LGBTQ+ inclusion has revealed areas for improvement, the recommendations presented in this report aim to build on the existing strengths of Cherokee Nation. Seeking to address the gaps identified, these recommendations may serve as the foundation for future actions to enhance LGBTQ+ equity and inclusion within the Cherokee Nation. This report represents a significant step forward in ensuring that the Cherokee Nation remains a place where all employees – regardless of their sexual orientation or gender identity – feel valued, supported, and empowered. Together, we will continue to create a stronger, more inclusive Cherokee Nation, where diversity is celebrated, and all citizens can thrive.