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Review Article

HUMAN RESOURCE MANAGEMENT AND SEXUAL ORIENTATION-BASED DISCRIMINATION IN FOOD AND BEVERAGE BUSINESSES

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Abstract

This study examines sexual orientation-based discrimination in the context of human resource management in food and beverage businesses within a conceptual framework. Sexual orientation-based discrimination occurs when individuals are denied equal treatment in the workplace because of their sexual orientation and may have significant effects on organizational processes and employee experiences. The labor-intensive nature of the service sector and its high level of social interaction make this type of discrimination more visible. As an important branch of the service sector, food and beverage businesses require employees to interact directly with customers and involve high levels of emotional labor, which may intensify the effects of discriminatory attitudes and practices on employees. In this study, human resource management practices are evaluated in terms of recruitment, promotion, compensation, performance appraisal, and organizational culture, and the relationship between these processes and sexual orientation-based discrimination is discussed in light of the relevant literature. Adopting a strategic human resource management perspective, the study emphasizes the importance of inclusive, equitable, and anti-discriminatory practices and provides a conceptual assessment aimed at developing fair and sustainable human resource policies in food and beverage businesses.

Keywords: Human Resource Management, Sexual Orientation, Discrimination, Food and Beverage Businesses.

Introduction

Today, discrimination is regarded as a multidimensional social problem that manifests itself in the denial of equal rights and opportunities to individuals because of their actual or perceived identity characteristics (Çelenk, 2010). Sexual orientation-based discrimination, in particular, leads to the exclusion of individuals, their placement in disadvantaged positions, and their exposure to negative attitudes in social, institutional, and organizational settings based on the gender toward which their emotional, romantic, or sexual attraction is directed (Drescher et al., 2009; Kaos GL, 2009; Ataman, 2025). This form of discrimination directly affects not only individuals' social lives but also their participation in the workforce, employment opportunities, and experiences within organizations (Chung, 2001; Weichselbaumer, 2013).

Sexual orientation is defined as a dimension of identity that refers to the direction of an individual's sexual and emotional attraction, independent of biological sex (Drescher et al., 2009). Sexual orientation can manifest in various forms, including heterosexual, homosexual, and bisexual orientations (Munson & Boaventura, 2011). Heteronormative values prevalent in social structures are based on the assumption that gender roles are fixed and biologically determined (Bora, 2012).

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This situation leads individuals whose sexual orientations differ from those of the majority to experience stigmatization, exclusion, and various forms of discriminatory treatment (Çayır, 2012). In this context, sexual orientation-based discrimination constitutes a structural problem that negatively affects individuals' quality of life in essential areas such as education, healthcare, housing, and employment (Yalçinoğlu & Önal, 2014).

The workplace is considered one of the primary settings in which sexual orientation-based discrimination becomes apparent (Güdül & Çolak, 2017). Within organizations, employees may be subjected to unequal treatment in human resource management processes, such as recruitment, promotion, compensation, performance appraisal, and dismissal, because of their actual or perceived sexual orientation (Griffith & Hebl, 2002). Furthermore, discriminatory attitudes manifested through exclusion, stigmatization, workplace bullying, and implicit forms of pressure have been reported to negatively affect employees' levels of job satisfaction (Ulu & Kutanis, 2016). Similarly, such practices have been reported to have adverse effects on organizational commitment and psychological well-being. This indicates that discrimination at the organizational level has significant consequences not only for individuals but also for organizational performance and sustainability (Ozeren, 2014; 1209).

Due to its reliance on intensive human interaction, the service sector is considered one of the areas in which sexual orientation-based discrimination is more visible (Ragins & Cornwell, 2001). Food and beverage businesses, in particular, are organizational settings where the effects of discriminatory attitudes may be more pronounced, as they require continuous and direct interaction between employees and customers (Avcı et al., 2017). The high levels of emotional labor required of employees in these businesses make the effects of discrimination more apparent (Baillie & Gedro, 2009).

Employees whose sexual orientation is not accepted by the majority have been reported to exhibit a tendency to conceal their identities, which may lead to lower levels of job satisfaction (Hebl & Dovidio, 2005).

Food and beverage businesses are also part of a labor-intensive sector in which the quality of service provided largely depends on employees' attitudes, behaviors, and levels of emotional labor (Gökmen, 2018). Employee experiences have been emphasized as having a direct impact on service outcomes (Kaya & Serçeoğlu, 2013). Therefore, discriminatory practices experienced by employees have been reported to produce adverse consequences not only at the individual level but also for service quality and customer satisfaction (Bondanini et al., 2024). In this context, addressing human resource management practices from an inclusive, equitable, and anti-discriminatory perspective is considered a strategic necessity for businesses operating in the service sector (Armstrong & Taylor, 2020).

The aim of this study is to examine sexual orientation-based discrimination within a conceptual framework in the context of human resource management in food and beverage businesses. To this end, the potential implications of discrimination for organizational processes and working life are explored in light of the relevant national and international literature. By theoretically examining the relationship between sexual orientation-based discrimination and human resource management practices within the labor-intensive and highly interactive structure of the service sector, this study seeks to highlight the importance of inclusive, equitable, and anti-discriminatory approaches to human resource management. In this regard, the study aims both to contribute to the relevant literature at a conceptual level and to provide insights into the strengths and limitations of human resource policies in food and beverage businesses with respect to sexual orientation-based discrimination.

Conceptual Framework

The Concept of Discrimination

Discrimination refers to treating an individual differently and unequally compared with other individuals in similar situations and under similar circumstances, without any reasonable justification or grounds based on the public interest (Çelenk, 2010). Discrimination is also defined as acting in a manner that places members of one group at a disadvantage compared with members

of other groups (Cascio, 2003). Article 14 of the European Convention on Human Rights, which was signed in Rome on 20 March 1950, entered into force on 3 September 1952, and was ratified by Türkiye on 18 May 1954, stipulates that the enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any ground, such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status (Ministry of Justice, 2013). Therefore, subjecting the enjoyment of fundamental rights, including the right to work and the exercise of trade union rights, to discriminatory practices constitutes a clear violation of human rights under both the Universal Declaration of Human Rights and the European Convention on Human Rights (European Convention on Human Rights, 1950). In accordance with international agreements containing provisions on social arrangements aimed at preventing discrimination, Türkiye is obliged to act in compliance with international norms and its legal responsibilities to prevent discrimination.

An examination of Chapter 23, “Judiciary and Fundamental Rights,” of the European Commission’s 2025 Türkiye Report reveals that improving the legal framework and its implementation to ensure the effective protection of women’s rights and gender equality, effectively combat all forms of discrimination and racism, including those directed against LGBTI+ individuals, and ensure the protection of minorities are identified as priority areas (European Commission, 2025). Furthermore, Article 10 of the Constitution of the Republic of Türkiye establishes the principle of equality before the law. According to this article, everyone is equal before the law without discrimination on grounds such as language, race, colour, sex, political opinion, philosophical belief, religion, sect, or similar grounds. State organs and administrative authorities are required to act in accordance with this principle of equality in all their proceedings. The article also emphasizes that ensuring equality between women and men is a responsibility of the state and stipulates that measures adopted for this purpose shall not be considered contrary to the principle of equality. In this respect, Article 10 of the Constitution constitutes a fundamental constitutional safeguard that encompasses not only the prohibition of discrimination but also positive obligations aimed at ensuring substantive equality (Constitution of the Republic of Türkiye, 1982, Art. 10).

In Turkish labor law, the prohibition of discrimination is regulated under Article 5 of Labor Law No. 4857. This provision safeguards the employer’s obligation to treat employees equally throughout all stages of the employment relationship, from its establishment to its termination. The regulation aims to prevent employers from making arbitrary and unjustified distinctions between employees based on unilateral or subjective considerations. Pursuant to Article 5 of the Labor Law, employers may not discriminate on grounds such as language, race, sex, political opinion, philosophical belief, religion, or sect. Furthermore, direct or indirect differential treatment on the grounds of sex or pregnancy is explicitly prohibited. Likewise, making distinctions in wages and supplementary benefits among employees performing work of equal value is considered unlawful (Labor Law No. 4857, 2003, Art. 5).

Furthermore, existing reviews have called for stronger recognition of sexual orientation and gender identity in anti-discrimination standards and for improvements in implementation. The European Commission’s 2023 report discusses concerns raised by Council of Europe bodies regarding the lack of explicit recognition of sexual orientation and gender identity as prohibited grounds of discrimination in Türkiye, as well as administrative bans and law-enforcement interventions affecting LGBTI+ individuals in relation to freedom of expression, association, and peaceful assembly (European Commission, 2023). The European Court of Human Rights has treated sexual orientation as an aspect of personal identity and has examined discrimination claims under Article 14 of the European Convention on Human Rights; the relevant case-law and institutional assessments also raise questions about the justification and proportionality of certain restrictions (European Court of Human Rights, 2010). These materials should not be read as establishing that no legal protection exists in Türkiye. Rather, the European Commission’s Türkiye reports identify the lack of a comprehensive framework that expressly addresses discrimination based on sexual orientation and gender identity, alongside concerns about the practical effectiveness of protection

against hate speech and discriminatory treatment in employment, education, and public spaces (European Commission, 2021, 2022, 2023). Accordingly, the issue involves both the scope and explicit wording of the applicable rules and the way existing safeguards are implemented in practice.

- According to the Universal Declaration of Human Rights, adopted on 10 December 1948 and accepted by Türkiye and many other countries, discrimination is regarded as a violation of human rights. Article 23, paragraph 4, of the Universal Declaration of Human Rights, which explicitly addresses the right to freedom of association in the context of employment, states as follows (UN, 1948):
- Everyone has the right to work, to free choice of employment, to just and favorable conditions of work, and to protection against unemployment.
- Everyone, without any discrimination, has the right to equal pay for equal work and to equal remuneration for work of equal value.
- Everyone who works has the right to fair and adequate remuneration that ensures a dignified existence for themselves and their dependents and is supplemented, where necessary, by other means of social protection.
- Everyone has the right to form and join trade unions for the protection of their economic and professional interests.

An examination of these provisions reveals that, through their broad and inclusive wording, they establish that employees with diverse preferences and characteristics in areas such as age, sex, ethnic origin, lifestyle, religious beliefs, and marital status must not be subjected to discriminatory treatment.

The prohibition of discrimination is recognized as a fundamental human right and a state obligation under national and international legal instruments (İnceoğlu & Akcalı, 2018). In Türkiye, Article 10 of the Constitution establishes equality before the law, while Article 5 of Labor Law No. 4857 regulates equal treatment in employment and lists prohibited grounds of distinction. However, the grounds expressly listed in Article 5 do not specifically name sexual orientation or gender identity. This distinction supports a narrower conclusion: the legal framework contains general equality and non-discrimination provisions, but does not expressly and comprehensively specify sexual orientation and gender identity as protected grounds across the relevant contexts. The literature and reports cited in this study also point to problems concerning the implementation and practical effectiveness of existing safeguards (Karagöz, 2016; Çamurcu, 2021; Kaçan, 2019). The scope of the written rules and the effectiveness of their implementation should therefore be assessed separately.

Sexual Orientation-Based Discrimination

Sexual orientation is an aspect of identity that refers to the direction of an individual's sexual and emotional attraction, independent of their biological sex (Drescher et al., 2009). It is also understood as a concept that describes the gender toward which an individual's interests and desires are directed. Accordingly, sexual orientation can also be defined as an attraction based on emotional, romantic, or sexual desire directed toward individuals of a particular gender (Kaos GL, 2016: 10). Individuals may have different sexual orientations regardless of their gender identity, and individuals who share the same gender identity may exhibit different sexual orientations (Tuzer, 2004; Herek & Garnets, 2007). This variation is shaped, in part, by the sexual identity adopted by the individual toward whom sexual interest and attraction are directed (Ryan & Rivers, 2003). Within this framework, sexual orientations can be classified into three main categories: heterosexuality, homosexuality, and bisexuality (Kaos GL, 2009). Heterosexuality is defined as sexual attraction toward individuals of the opposite sex, whereas homosexuality refers to sexual attraction toward individuals of the same sex. Bisexuality, in turn, refers to sexual attraction toward individuals of both sexes (Munson & Boaventura, 2011). Furthermore, various terms and

definitions have been used to describe sexual orientation. The term LGBTI+, which encompasses many of these identities under an umbrella term, refers to lesbian, gay, bisexual, transgender, and intersex individuals (Valfort, 2017). This term encompasses differences in sexual orientation, gender identity, and sex characteristics. However, the scope of the present study is limited to discrimination based on differences in sexual orientation. Within this scope, sexual orientation-based discrimination is defined as the exclusion of individuals, their exposure to adverse treatment, or the denial of equal rights and opportunities on the basis of their actual or perceived sexual orientation (Kaos GL, 2009; Ataman, 2025). This form of discrimination can occur in various areas of social life and may adversely affect individuals' quality of life in essential domains such as education, healthcare, housing, and employment (Chung, 2001). At the societal level, sexual orientation-based discrimination can restrict individuals' participation in social life through prejudice, stereotypes, stigmatization, and hate speech (Weichselbaumer, 2013). At the root of discrimination based on sexual orientation lies the assumption that gender roles are based on innate, natural, and immutable biological characteristics (Bora, 2012). Individuals whose sexual orientations differ from those supported and accepted by the majority within a given social structure may face various forms of adversity, including social exclusion, humiliation, physical violence, deprivation of fundamental rights, psychological pressure, and, in more extreme cases, threats to their right to life (Çayır, 2012: 10). Furthermore, individuals may be subjected to discriminatory behaviors, such as exclusion from various areas of social life, stigmatization, and hate speech, because of differences in their sexual orientation (Yalçınoglu & Önal, 2014). Discriminatory attitudes and behaviors toward sexual orientation within social structures are not limited to individuals' social lives but also extend to organizational settings and the workplace (Yakubi, 2025). Individuals with diverse sexual orientations may be excluded from the labor market through practices such as being pressured to resign, dismissed from their jobs, subjected to sexual harassment, or humiliated in the workplace (Ulu & Kutanis, 2016). Furthermore, these individuals may feel compelled to conceal their authentic identities in order to avoid negative treatment and discriminatory behaviors in the workplace (Demirdizen et al., 2012).

Organizational Level Sexual Orientation-Based Discrimination

Organizational-level discrimination is defined as the exposure of employees to negative attitudes and behaviors based on their intrinsic characteristics, such as age, ethnic origin, sex, physical attributes, race, culture, language, and sexual orientation, as well as extrinsic factors, including educational level, family structure, social status, income level, leisure activities, personality traits, geographical location, marital status, military service experience, political views, economic circumstances, citizenship, religion, personal values, and work experience (Córdova & Cervantes, 2010: 260). Furthermore, discriminatory attitudes at the organizational level may also manifest themselves through institutional regulations and policies that are discriminatory in nature (Özgener, 2014: 244). Organizational-level sexual orientation-based discrimination refers to situations in which employees are denied equal treatment, placed at a disadvantage, and subjected to negative attitudes and behaviors within an organization because of their actual or perceived sexual orientation (Güdül & Çolak, 2017). Organizational-level sexual orientation-based discrimination may occur in organizational processes such as recruitment, promotion, compensation, performance appraisal, and dismissal. It may also manifest itself in workplace social relationships through exclusion, stigmatization, workplace bullying, and implicit forms of pressure (Ozeren, 2014). Sexual orientation-based discrimination can manifest itself not only in human resource management processes, such as recruitment, promotion, compensation, performance appraisal, and dismissal, but also in workplace social relationships and organizational culture (Tasa & Mamatoğlu, 2025).

The service sector refers to a range of economic activities aimed at providing various services to individuals and organizations rather than producing goods and products (Zhou, 2021). This sector encompasses numerous subsectors, including education, healthcare, tourism, finance, transportation, communication, and food and beverage services (Wirtz & Lovelock, 2017). Food and beverage businesses stand out as one of the subsectors of the service industry that requires the most intensive social interaction. These businesses are defined as establishments that individuals

choose to meet their nutritional needs, socialize, celebrate special occasions, or derive personal enjoyment, and they involve continuous and direct human interaction for both employees and customers (Erdem & Göktaş, 2026). Accordingly, although food and beverage businesses reflect the general dynamics of the service sector, their high level of social interaction and labor-intensive nature make them a particularly relevant area of research in which discriminatory attitudes and practices experienced by employees may become more visible (Zhou, 2021). Particularly in service organizations where sexual orientations accepted by the majority are dominant, employees with different sexual orientations may tend to conceal their identities, which can lead to lower job satisfaction and weaker organizational commitment (Gedro, 2009). These dynamics within the service sector become more pronounced in food and beverage businesses (Avcı et al., 2017). Since these businesses require intensive social interaction for both employees and customers, discriminatory approaches may become more visible in organizational processes and employee experiences (Croson & Gneezy, 2009). Therefore, human resource management practices and customer interactions in food and beverage businesses constitute an important area of research for examining sexual orientation-based discrimination (Ozeren, 2014).

Food and beverage businesses are defined as establishments that provide food and beverage services and are preferred by individuals to meet their nutritional needs in their daily lives or while traveling, socialize, celebrate special occasions, entertain guests, or simply derive personal enjoyment (Erdem & Göktaş, 2026). In recent years, various factors have influenced consumers' preferences for dining and spending time in food and beverage establishments. These factors include rising income levels, increasing work-related demands, the growing number of women in the workforce, the desire to save time, economic concerns, opportunities for socialization and meeting new people, spending time with family and friends, the need for entertainment, the pursuit of convenience, the desire to gain status and prestige, the willingness to seek new experiences, and the avoidance of preparing meals at home (Albayrak et al., 2019: 285). In this context, dining out constitutes a primary source of demand for the food and beverage services sector (Ertürk, 2018). Furthermore, food and beverage businesses are recognized as part of a labor-intensive sector characterized by direct interpersonal interactions (Aksu et al., 2016). Since the quality of services provided in this sector largely depends on employees' attitudes, behaviors, and levels of emotional labor, employees' experiences within the organization have a direct impact on service outcomes (Erikli, 2020). Therefore, discriminatory attitudes and practices encountered by employees may not only have adverse consequences at the individual level but may also lead to a decline in service quality, reduced customer satisfaction, and negative effects on organizational performance (Bondanini et al., 2024).

Strategic Human Resource Management

Human resource management is a concept that encompasses the policies, methods, and practices related to the management of employees within an organization (French, 1998). It is also defined as a strategic function responsible for developing plans and programs to recruit, coordinate, motivate, reward, and develop the right human resources in line with an organization's objectives (Toprak et al., 2022). Accordingly, human resource management assumes responsibility for safeguarding employee well-being from the initial recruitment stage onward, ensuring employment under fair and equitable working conditions, and maintaining the sustainability of these conditions (Özgen et al., 2002). Enhancing employees' organizational commitment, improving their performance, and supporting their career planning are among the core functions of human resource management.

Strategic human resource management is fundamentally defined as a set of coordinated arrangements that prioritize the human factor and aim to ensure that employees are more productive, effective, and beneficial to the organization, while enabling them to experience job satisfaction and well-being (Armstrong, 2006). It is also conceptualized as an approach that addresses key human resource management issues strategically and seeks to explain the scope and content of these issues (Wright & McMahan, 1992). A strategic management approach involves evaluating organizational requirements from a broad, long-term perspective to achieve strategic alignment and ensuring that human resource management objectives are integrated with and

supported by business strategies (Armstrong & Taylor, 2020: 25). Achieving an organization's objectives, attaining both tangible and intangible benefits, and ensuring its sustainable and healthy operation depend on maximizing the productivity of its workforce (Okechukwu et al., 2016). Various factors, including global competition, evolving economic conditions, employee expectations, and the increasing prevalence of human interaction and communication processes, necessitate a strategic approach to human resource management (Boon et al., 2018). The strategic implementation of effective human resource management requires evaluating employee-related issues in light of current changes and needs, taking preventive measures against potential future challenges, and developing a management approach that best suits the existing workforce structure (Ketchen et al., 2008). Furthermore, strategic human resource management encompasses a broad range of organizational functions related to employees, including recruitment and selection, compensation and remuneration practices, performance appraisal, training and development, occupational health and safety, employee benefits, employee motivation, and internal organizational communication (Okechukwu et al., 2016: 24).

The development of a strategic human resource management approach within organizations requires the integration of several processes and factors. According to Aktaş & Ülgen (2021), these processes and factors include the following:

- **Strategist Selection and Assignment:** This stage involves identifying the areas in which strategic human resource management will be implemented and selecting experts to address the relevant issues and components within these areas.
- **Strategic Analysis:** This stage consists of analyzing the organization's internal and external environments and identifying its strengths and weaknesses.
- **Strategic Direction:** This stage involves determining the organization's primary goals and objectives and establishing its mission and vision.
- **Strategy Formulation:** *This stage involves making key strategic decisions, determining corporate and sector-specific strategic initiatives, and defining how the selected strategies will be implemented.*
- **Strategy Implementation:** *At this stage, all formulated strategic action plans are put into practice, information and decision-making systems are established, the leadership approach best suited to the organization is developed, and initiatives related to organizational culture and working practices are introduced.*
- **Strategic Control:** *This stage involves monitoring and measuring the performance outcomes of implemented strategies and determining the methods and techniques necessary to ensure the continuity of the control process (Bayat, 2008: 77).*

When human resource management and strategic human resource management approaches are considered together, both can be seen to prioritize the human factor in planning and activities aimed at achieving organizational success (Dessler et al., 2015). However, unlike traditional human resource management practices, strategic human resource management focuses not only on addressing current employee-related issues but also on managing and shaping the workforce in line with the organization's long-term objectives and developing measures to ensure the sustainability of human resource practices (Nusrat, 2018). The forward-looking and proactive nature of strategic human resource management requires organizations to manage differences in a planned, systematic, and effective manner in response to changing workforce structures, the effects of globalization, technological developments, and increasing competitive pressures (Kalyani, 2021). The growing diversity of employee profiles in terms of age, sex, culture, education, experience, lifestyle, and expectations has made it necessary to design human resource policies based on a more inclusive and flexible approach (Thomas, 2005). In this regard, strategic human resource

management must extend beyond performance- and productivity-oriented practices to effectively manage the differences and diversity that emerge within organizations.

The Relationship Between Strategic Human Resource Management, Diversity, and Inclusion

The concept of diversity refers to including individuals with different characteristics in the workplace, such as demographic variables, cultural factors, sexual orientation, and religious perspectives, and ensuring that they have equal access to opportunities. In an organizational context, diversity is concerned not only with visible differences, such as gender and ethnicity, but also with employees' skill profiles, disabilities, cultural backgrounds, geographical differences, and sexual orientations. The concept of inclusion, in turn, aims to create environments in which employees feel valued and respected by effectively managing diversity-related factors within work processes and the organization (Confetto et al., 2023: 125).

Strategic human resource management is directly related to the concepts of diversity and inclusion (Demirel & Özbezek, 2016). While diversity refers to the existence of individual differences within organizations, inclusion involves integrating these differences into organizational processes in a fair, equitable, and effective manner and creating a work environment in which employees feel valued (Özsoy et al., 2022). By upholding the principles of diversity and inclusion across all processes, from recruitment and career management to performance appraisal and training and development activities, strategic human resource management aims to enhance organizational commitment and maximize the potential of employees (Confetto et al., 2023).

Literature Review

According to the findings of the literature review, some studies examining sexual orientation-based discrimination in the service sector and working life are as follows. Güven ve Dönmez (2023) found that the service sector ranks among the sectors in which sexual orientation-based discrimination is most prevalent. According to a study conducted by Lambdaİstanbul (2010) among transgender women living in Istanbul, of the 90 transgender women surveyed, 42 stated that they had left their jobs because they believed they would be dismissed, 30% reported that they had been directly dismissed, 29% indicated that they had been unable to obtain promotions in the workplace, and 24% stated that they had been forced to resign. According to a report by Amnesty International (2011), public officials with diverse sexual orientations had faced decisions to terminate their employment under Article 125 of Civil Servants Law No. 657, which addresses “engaging in acts of a nature and degree incompatible with the status of a civil servant and considered dishonorable and shameful.” According to Özdemir and Açıkgöz (2024), employees with diverse sexual orientations working in businesses in Türkiye are dismissed for reasons other than those explicitly identified as sexual orientation-based discrimination. According to Ineson et al. (2013), employees in the service sector who are subjected to sexual orientation-based discrimination may face various challenges, including having to change jobs frequently, experiencing harassment and mistreatment, and being dismissed from their jobs. In their study, Priola et al. (2014) noted that although the number of studies on diversity in the labor market had increased, research primarily focused on visible minorities, while LGBTI+ individuals were regarded as an invisible minority. The study conducted by Kaos GL (2009) highlighted that the proportion of LGBTI+ individuals in Türkiye who had been employed in the same private-sector workplace for more than three years was considerably low. Lewis et al. (2017) found that tourism and service sectors within its various subsectors stood out as the sectors in which sexual orientation-based discrimination was most prevalent. Karakaş & Orta (2018) found that participants displayed negative attitudes toward the employment of LGBTI+ individuals. According to Hatipoğlu & Aksoy (2021), employees in the service sector are exposed to various forms of discrimination, particularly sexual orientation-based discrimination, because the nature of the sector requires extensive social interaction.

According to the findings of the literature review, several studies indicate that strategic human resource management practices have been insufficient in preventing sexual orientation-based discrimination. Everly and Schwarz (2015) found that human resource policies implemented in organizations were inadequate in preventing not only sexual orientation-based discrimination but also other forms of discrimination arising from individual differences. Acar & Özgünlü (2020)

reported that LGBTI+ employees face systematic discrimination and that human resource policies remain insufficient to prevent discrimination in such environments. In their study, which aimed to highlight the role of human resource policies in supporting LGBTI+ employees, Bansal et al. (2024) emphasized that the absence of key strategies, such as explicit anti-discrimination policies, gender-neutral language, training, and LGBTI+-focused employee groups, creates significant gaps in organizations' efforts to prevent discrimination. In studies examining the role of strategic human resource management in creating an inclusive work environment, Özsoy et al. (2022) noted that managers emphasize the need to design anti-discrimination policies as an essential component of a strategic human resource management approach. However, these studies indicate that anti-discrimination policies remain absent or inadequate in many organizations and that explicit and effective policies addressing sexual orientation-based discrimination have not been developed in particular. This situation reveals a significant gap between the discourse and practice of strategic human resource management and demonstrates that existing strategies remain limited in their ability to create an inclusive work environment. According to the findings of the Kaos GL Association's Situation Reports (2020-2024), longitudinal research data on LGBTI+ individuals employed in both the private and public sectors in Türkiye indicate that employees are unable to openly disclose their sexual orientation and gender identity and largely adopt strategies of concealment. Although employers may dismiss employees or engage in discriminatory behavior based on their actual or perceived sexual orientation, effective policies or enforcement mechanisms to address such conduct are often lacking within organizations. Furthermore, evidence indicates that organizational policies in Türkiye do not effectively prevent discrimination against LGBTI+ employees, a situation associated with significant gaps in human resource practices. In their study, Özdemir & Açıkgöz (2024) emphasized that existing human resource and organizational practices have a limited capacity to prevent discrimination.

The studies reviewed address two related but distinct issues: the explicit scope of legal provisions and the implementation of existing anti-discrimination safeguards. The Report on Monitoring Discrimination Based on Sexual Orientation or Gender Identity in Türkiye identifies shortcomings in policies and protection mechanisms and gaps in the implementation of anti-discrimination provisions (Karan & Eryılmaz, 2010). Acar and Özgünlü (2020) describe discrimination in working life through both formal and informal practices, including recruitment and dismissal, and point to weaknesses in workplace policies and practices intended to prevent it. Kudret (2020) argues that explicit provisions protecting sexual orientation under Turkish law are limited or absent, while Akı (2024) discusses limitations in the legal framework and access to effective protection in cases involving sexual orientation and gender identity. Taken together, these sources support the conclusion that sexual orientation and gender identity are not expressly and comprehensively addressed as prohibited grounds in all relevant provisions; they also identify practical and implementation-related shortcomings. They do not, however, establish that all general legal safeguards or avenues of redress are wholly absent.

Methodology

The aim of this study is to examine, through the conceptual analysis method, the extent to which human resource management policies implemented in food and beverage businesses are effective and adequate in preventing sexual orientation-based discrimination against employees. The existing literature indicates that the relationship between human resource management practices and sexual orientation-based discrimination in the food and beverage sector has not been systematically examined, particularly in the context of Türkiye, which constitutes the research problem. At the conceptual level, the study seeks to clarify the concepts of human resource management and sexual orientation-based discrimination and contribute to the development of inclusive practices in businesses. To this end, the conceptual analysis method was employed. Conceptual analysis is a research method that aims to systematically examine the meaning, scope, dimensions, and forms of use of a particular concept (Abdolrahimi et al., 2017). This method enables the identification of common and divergent elements by comparing different definitions and applications of a concept in the literature (Foley & Davis, 2017). The conceptual analysis process generally begins with a

literature review, followed by the collection of definitions and examples of the concept's use, the identification of its key characteristics, antecedents, and consequences, and finally the clarification of its scope to establish a more coherent framework (Levering, 2002). Conceptual analysis is particularly important in the social sciences and management studies for achieving theoretical clarity, establishing a common language in research, and evaluating the applicability of concepts (Karataş, 2015). This method enables researchers to define complex or multidimensional concepts accurately, develop theoretical frameworks, and ground policy or practice recommendations in a sound theoretical basis (Baltacı, 2019).

Findings and Discussion

The literature review and conceptual analysis conducted within the scope of this study indicate that human resource management practices in food and beverage businesses are inadequate in preventing sexual orientation-based discrimination. Due to the high levels of social interaction and customer relations involved, the service sector is among the sectors in which sexual orientation-based discrimination is most prominently experienced (Güven & Dönmez, 2023). In particular, LGBTI+ employees in food and beverage businesses face problems such as dismissal, denial of promotion opportunities, psychological pressure, and social exclusion, while organizational processes appear to reinforce these negative experiences (Lambdaİstanbul, 2010).

An examination of strategic human resource management practices indicates that policies intended to prevent discrimination are absent or inadequately implemented in some organizations (Everly & Schwarz, 2015). The lack of inclusive language, explicit internal anti-discrimination policies, training programs, and LGBTI+-focused employee groups may contribute to discrimination persisting in organizational settings (Bansal et al., 2024). This points to a gap between policy design and practical implementation. In the legal context, Article 10 of the Constitution establishes the principle of equality before the law and Article 5 of Labor Law No. 4857 regulates equal treatment in employment. Nevertheless, sexual orientation and gender identity are not expressly named in the list of grounds in Article 5, which raises a question about the explicitness and comprehensiveness of protection on these grounds. The reports and studies cited here also identify difficulties in the practical operation of anti-discrimination safeguards (Eryılmaz & Karan, 2010; European Commission, 2021, 2023). These are distinct findings: one concerns the formulation and scope of legal provisions, and the other concerns implementation and the effectiveness of organizational and institutional responses. The literature reviewed suggests that both areas warrant improvement, without implying that no legal protections exist at all. In food and beverage businesses, discriminatory attitudes may also affect employees' job satisfaction and psychological well-being and, in turn, service quality and customer satisfaction (Bağcı et al., 2023).

The literature review conducted within the scope of this study indicates that employees working in service-sector establishments, such as food and beverage businesses, may be exposed to sexual orientation-based discrimination and that this situation has adverse effects at both individual and organizational levels. At the organizational level, discrimination is defined as employees being subjected to negative attitudes and behaviors based on their intrinsic characteristics, such as age, ethnicity, gender, physical attributes, race, culture, language, and sexual orientation, as well as external factors, including educational level, social status, income level, and work experience (Córdova & Cervantes, 2010). In this context, sexual orientation-based discrimination manifests itself in the unequal treatment of employees, their placement at a disadvantage, and their exposure to negative attitudes because of their actual or perceived sexual orientation (Afifi, 2007).

From an organizational perspective, sexual orientation-based discrimination may occur in human resource practices such as recruitment, promotion, compensation, performance appraisal, and dismissal. It may also manifest through implicit behaviors in workplace social interactions, including exclusion, stigmatization, and workplace bullying (Tasa & Mamatoğlu, 2025). Such discriminatory practices adversely affect individuals' job satisfaction, organizational commitment, and psychological well-being, leading to negative consequences for both employee and organizational performance (Benli & Şahin, 2004). In the service sector, particularly in food and

beverage businesses, sexual orientation-based discrimination becomes more visible due to the intensive social interaction required between employees and customers (Bağcı et al., 2023). Particularly in service organizations where sexual orientations accepted by the majority are dominant, employees with different sexual orientations may tend to conceal their identities, leading to reduced job satisfaction and weakened organizational commitment (Hebl & Dovidio, 2005).

Studies conducted in Türkiye indicate that employees in the service sector are frequently exposed to sexual orientation-based discrimination. According to Lambdaİstanbul (2010), a considerable proportion of transgender women are forced to leave their jobs due to fear of dismissal or direct discrimination. Reports by Amnesty International (2011) also reveal that public-sector employees with diverse sexual orientations face discrimination during dismissal processes. Similarly, studies by Ineson et al. (2013) indicate that service-sector employees encounter problems such as sexual orientation-based harassment, mistreatment, and frequent job changes. Research by Lewis et al. (2017) suggests that long-term employment rates among LGBTI+ individuals in both the private and public sectors in Türkiye are low and that discrimination is more prevalent in the tourism and food and beverage sectors.

The literature indicates that strategic human resource management practices are inadequate in preventing sexual orientation-based discrimination. While Everly and Schwarz (2015) noted that human resource policies are insufficient to prevent discrimination based on individual differences, Acar & Özgünlü (2020) reported that LGBTI+ employees face systematic discrimination and that human resource practices fail to provide adequate support. In their study, Mehta (2026) emphasized that the lack of explicit anti-discrimination policies, measures addressing gender-based discrimination, training, and LGBTI+-focused employee groups contributes to the persistence of discrimination within organizations. The Kaos GL Situation Reports (2020-2024) and Özdemir & Açıkgöz (2024) further indicate that LGBTI+ employees in Türkiye largely adopt strategies of concealing their identities and that businesses lack effective policies to prevent discrimination.

With regard to the legal framework, the sources reviewed identify limitations in the explicit recognition of sexual orientation as a prohibited ground of discrimination and in the practical effectiveness of protection. The report by Istanbul Bilgi University (2010) discusses shortcomings in policies, protection mechanisms, and implementation. Acar and Özgünlü (2020) examine discrimination in working life and weaknesses in workplace policies and practices; Kudret (2020) notes the limited or absent explicit provisions protecting sexual orientation; and Akı (2024) discusses limitations concerning legal protection and access to justice. These findings should be distinguished: the first concerns the wording and coverage of legal provisions, while the second concerns how existing rules and mechanisms work in practice. They do not by themselves demonstrate that every legal remedy or general equality safeguard is unavailable.

Conclusion and Recommendations

The literature review and conceptual analysis suggest that LGBTI+ employees in the service sector, including food and beverage businesses, may encounter sexual orientation-based discrimination and related individual and organizational challenges. Such experiences may take the form of exclusion, stigmatization, or workplace bullying during recruitment, promotion, compensation, performance appraisal, dismissal, and workplace social interactions (Ozeren, 2014; Tasa & Mamatoğlu, 2025). The studies reviewed discuss possible relationships between discriminatory practices and employees' job satisfaction, psychological well-being, and organizational commitment. They also suggest that these experiences may have implications for service quality and customer satisfaction; however, the present conceptual study does not empirically test or establish direct causal effects on these outcomes (Bağcı et al., 2023). The reviewed literature further indicates that some organizations may lack explicit internal anti-discrimination policies, inclusive language, training, or LGBTI+-focused employee groups, or may not implement such measures adequately (Everly & Schwarz, 2015). These observations should be understood as themes emerging from the literature rather than as findings from a quantitative assessment of food and beverage businesses. Regarding the legal framework in Türkiye, Article 10 of the Constitution provides a general equality guarantee

and Article 5 of Labor Law No. 4857 regulates equal treatment in employment; however, sexual orientation and gender identity are not expressly listed among the grounds stated in Article 5. The cited studies and European Commission reports also raise concerns about the practical effectiveness and implementation of safeguards (Eryılmaz & Karan, 2010; Akı, 2024; European Commission, 2021, 2023). Accordingly, the reviewed sources point to issues concerning both the explicit scope of relevant provisions and the implementation of existing safeguards, without establishing that legal protection or complaint mechanisms are wholly absent. Overall, the conceptual analysis identifies plausible links between workplace discrimination, employee well-being, and service-related outcomes, but the nature and magnitude of these links require further empirical investigation.

Based on these findings, the following recommendations have been developed:

- **Strengthening Strategic Human Resource Policies:** Businesses should implement human resource policies that incorporate inclusive language, explicit anti-discrimination policies, support for LGBTI+ employee groups, and regular training programs. These measures can help ensure that employees feel safe within the organization.
- **Improving Legal Clarity and the Implementation of Protection Mechanisms:** The findings suggest that the explicit recognition of sexual orientation and gender identity in relevant anti-discrimination provisions should be considered, alongside measures to improve the accessibility and practical effectiveness of existing safeguards. Employers' responsibilities should be communicated clearly, and safe, accessible complaint and reporting procedures should be implemented for employees who experience discrimination.
- **Awareness and Training Initiatives:** Awareness training programs should be organized for managers and employees to help them recognize and prevent sexual orientation-based discrimination and develop inclusive behaviors. Such training should be provided periodically, particularly in the service sector and in occupational settings that require intensive social interaction.
- **Transforming Organizational Culture:** Businesses should implement practices that foster an inclusive and egalitarian organizational culture. Mechanisms and support systems should be established to ensure that employees can participate in work processes without being subjected to discrimination.
- **Expanding Research and Monitoring Mechanisms:** Longitudinal field studies and data collection efforts should be expanded to measure and monitor sexual orientation-based discrimination. This would enable organizations and policymakers to make informed and effective decisions.
- **Addressing sexual orientation-based discrimination in the service sector,** including food and beverage businesses, is relevant to employee well-being and may have implications for organizational processes and service outcomes. However, because this study is conceptual and does not test these relationships empirically, it cannot establish that discrimination directly causes changes in service quality, customer satisfaction, or organizational performance. The analysis instead identifies potential relationships discussed in the reviewed literature and areas that warrant further investigation. It also distinguishes between the scope of the existing legal framework—particularly the absence of explicit reference to sexual orientation and gender identity in some relevant provisions—and concerns about the implementation and practical effectiveness of existing safeguards. Improvements in the clarity of legal protections, the implementation of existing rules, and organizational human resource practices may help support a more inclusive and equitable working environment. Future quantitative and field research could examine whether, and to what extent, these practices are associated with employee outcomes, service quality, customer satisfaction, and organizational performance.

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