



LGBT at the Workplace

***A project by the Dutch Trade Union Confederation FNV
and Company Pride Platform the Netherlands***

1. Introduction

Ten years ago in the Netherlands homosexuality hardly seemed to be an issue anymore. Only few incidents of discrimination or mobbing were reported. The law provided for same-sex marriage, leaving only some questions about parenthood for the national parliament to settle. Everyone seemed quite content with the situation: equality before the law and acceptance, sometimes welcoming, of the differences in social life.

Now, in 2009, the situation is different. The social climate is less open than before. There are no concrete proposals to withdraw the legal achievements or any reasons to assume that they will be endangered. Yet, LGBT people feel less safe. Police report that gay bashing is increasing, especially in the larger cities in the West of the country (Amsterdam, Rotterdam, The Hague and Utrecht). In general, this is in line with the government's conclusion that problems may rise when LGBT issues get "too close". This hostility against LGBT people needs to be counteracted. This includes situations at the workplace, companies and institutions.

Fortunately, the Dutch Trade Union Confederation FNV shares these views with others. The national government has issued the policy paper "*Gewoon homo zijn*" (Just being gay) for the period 2008 – 2011. Government wants an active struggle against discrimination and violence against LGBT. The importance of respect for diversity needs to be raised, thus strengthening the social acceptance of homosexuality. Employers, other trade union organisations and LGBT organisations recognise the sense of urgency.

LGBT workers in companies and labour organisations have also taken initiatives to organise themselves, enhancing the visibility and lifting the taboo on mentioning LGBT life, thus contributing to the struggle against LGBT discrimination. In several companies and institutions LGBT networks have been established; and these networks co-operate in the Company Pride Platform¹. This platform is aimed at supporting individual networks by sharing experiences and research, at enhancing the creation of new networks and to put LGBT issues on the human resources agenda of the companies and institutions involved. However, the Company Pride Platform is an organisation of volunteers and needs support from powerful and professional partners.

The workplace is where people spend a significant part of their life. They spend a lot of energy in their work, get respect for their accomplishments from their colleagues and their employers and contribute to society. It is vital that LGBT workers are accepted in a way that they can be who they are. Improvements for LGBT workers are necessary, especially in the labour area and when it comes to subtle types of discrimination, exclusion and mobbing. Together with the Company Pride Platform, the Dutch Trade Union Confederation FNV and Company Pride Platform in the Netherlands gladly takes the lead in improving the situation of LGBT at the workplace. That is why this project proposal has been developed.

¹ At this moment LGBT networks from Cisco, IBM, ING, Philips, TNT and the Dutch Armed Forces are affiliated to the Company Pride Platform. Together, these organisations represent about 150,000 workers in the Netherlands.

2. Project definition

2.1. Problems

From various publications and from personal perception, it is obvious that the main concerns in LGBT organisations are real. The most prominent issues are:

- LGBT emancipation² is not finished yet. Although the general acceptance of LGBT people in the Netherlands is high, it is different if homosexuality gets "too close". Acceptance is mainly at a distance. Apart from that, intolerance is rising in certain parts of society. The increasing number of incidents of intimidation and violence is also of great concern.
- Much has been accomplished at a legal level. The current LGBT equality problems are mainly about social acceptance.
- The workplace is one of the areas in which modern 'homonegativity' (a term from the Social and Cultural Planning Office) is expressed. A change of mentality is necessary. It is vital that LGBT people can be who they are and that they can be open about their orientation and identity. It is also important that types of subtle discrimination and exclusion can be recognised and combated.
- An important condition for improving the position of LGBT workers is visibility and acceptance that homosexuality can be discussed. In a number of organisations the creation of LGBT networks has led to this visibility, but in most of the companies and institutions this has not been possible yet. Insufficient recognition of discrimination problems, low priorities and limited resources budgets play a role in this.
- Many parties are involved in the improvement of the situation of LGBT people. Every party has its own view, its own instruments, and its own responsibilities. But considering the current problems it is vital that the parties co-operate. The Dutch government in its policy paper "*Ge woon homo zijn*" mentions social or societal alliances; there are also pink networks or workplace alliances. The core of this all is co-operation, sharing experiences and taking measures depending on the circumstances.

During the wording of the final version of this project plan we have sought contact with the main Dutch employers' organisation, VNO-NCW, requesting them to sign an ambition statement showing that employers would also support the elaboration of the activities in this area. It turned out that it was too early. Therefore, another element of this project is to involve the employers' organisations in surveying and discussing LGBT issues at the workplace and in putting them on the agenda of the *Stichting voor de Arbeid*³.

It goes without saying that the FNV feels strongly committed to the problems of LGBT at the workplace. For decades union members have been active for LGBT members within the union and at the workplace. The Company Pride Platform gladly joins in these developments.

This project proposal is a result of this.

² This document sometimes uses the term 'emancipation' (as the Dutch original) since this is the official title of the portfolio for the Minister who is responsible for LGBT issues (at present the Minister for Education, Culture and Sciences).

³ Founded in 1945 as the central body where delegates of the national government, the employers and labour unions discuss trends in salaries and collective labour agreements, and try to establish common policies.

2.2. Aims and objectives

The main goal of the project closely relates to the main aim of the government. The wording of the main goal is: "enhancing social acceptance of LGBT at the work floor." We derive five objectives from this:

1. scoping problems in the workplace environment for LGBT workers and developing a broad and flexible toolkit with products, services and measures to improve this climate and enhance the creation of networks;
2. putting LGBT (related) issues on the agenda of the *Stichting voor de Arbeid*, the place where employers, government and trade union officials meet. Such issues on the agenda need to be accompanied by relevant study materials and show basis for actions.
3. surveying and describing the factors important for failure or success in company networks that focus on LGBT issues;
4. developing a digital expertise database on LGBT issues with experiences, best practices, projects and products;
5. developing a program enabling LGBT workers in companies and institutions to organise in networks and enhance their visibility and acceptance.

2.3 Project design

2.3.1 General approach: three pillars

The project has three pillars, which will be developed independently at first. During the project they will get closer to each other and gradually be integrated.

All activities need to have a high degree of practicality. This means that the themes and problems to work on will be based on real experiences of LGBT workers and that the solutions need to be applicable.

The elaboration and development of the three pillars are divided into three stages: first a stage to register, then a stage to elaborate, and finally a stage to implement. After each stage and for every pillar a working conference will be organised in which the people involved in the previous stage will look at the data gathered and translate that into activities for the next stage. In this way, practice will be central in the project: looking back at experiences and analysing them will lead to common proposals for the next steps. The working conferences will also safeguard the coherence between the three pillars.

2.3.2 Networks and alliances

Creating a safe and enjoyable situation at the workplace for LGBT is not just an issue for workers; neither is it an issue for only LGBT in the work organisation. After all, a good working climate is in everyone's interest, and it is the responsibility of everybody: the workers and the management, the LGBT and their straight colleagues.

In current years consensus has grown about a broad-spectrum approach, including the encouragement of in-company or enterprise-wide networks. These networks ensure visibility, draw attention to problems and start discussions about solutions.

The networks that have been created are the result of initiatives by LGBT in companies. However, it is obvious that the networks can not function properly without support from the senior executives in the organisations and from straight colleagues.

Apart from that, the co-operation between organisations working on the equality for LGBT has been expanded and improved. This has created social alliances that contribute to equality, on a temporary or a permanent basis, sometimes by developing new insights, sometimes by support of networks, sometimes by direct actions.

Networks and alliances are also at the centre of this project. This is true for both the realisation of project activities and targets. In places where networks and alliances exist, the project aims to use that knowledge and experience. In places where no networks or alliances exist, the project will encourage their formation.

The experiences acquired along the years within the three pillars of the project will be used to direct the project implementation and results.

2.3.3. Elaboration of the pillars

1st Pillar: the workplace social climate: behavioural limits

Which problems do LGBT people at work face? Do they perceive inclusion or exclusion? Is there any disfavoured or mobbing, or do they get along quite well? And if there are problems: what is the problem really about, and which solutions can be found?

The answers to such questions will vary from one company or institution to another, from one sector to another. The situation will be different for gay men, for lesbians, bisexuals and transgender people. A solution might be found in creating a diversity policy within the human resources policies. In some cases the policies are there, but not implemented properly or fullheartedly. In other companies awareness raising and training will be the proper measures to advance. Results from previous studies will be used in this quest, as well as results of studies that are yet to be concluded; such as the survey by the Verwey-Jonker Institute, requisitioned by the National Commission for Equal Treatment.

It is vital to use the proper measures for the problems encountered. A standard approach or product will certainly not provide the desired result. This pillar of the project therefore aims at developing a broad scope of measures, to be applied in a flexible way depending of the circumstances.

An extra demand is that the measures enhance the formation of networks. After all, a successful approach will only last if there is a network at company or enterprise level. The first steps in this process (formation of a network, analysing the situation in a company and choice of measures) will therefore be crucial in developing the measures.

The next project activities will be developed in three stages:

- scoping: we will have interviews with eight to twelve companies in different sectors and of different sizes (middle-class, large). The interviews will include companies with LGBT networks, but also companies where such networks failed or have never existed. In these interviews we will include staff involved in the wording and adoption of human resources management policies. The interviews will lead to an overview of experiences and possible solutions.
- elaboration: in the second stage the conclusions and possible solutions will be elaborated into products and activities. This may include workshops, elements for a Code of Conduct, models for analysis, descriptions of best practices, articles for magazines, training modules, models or policy declarations or collective labour agreement drafts. In this way, we will get a toolkit full of instruments that can be applied according to the situation. Apart from using the materials collected in the first stage, existing materials will also be used.
- implementation: in the third stage the toolkit will be tested, evaluated, improved, and made available. HR managers will be involved in checking the practicability and their suggestions will be used for improving previous versions.

Materials developed in the second stage and improved in the third stage will also be used in the preparation of scheduling LGBT issues on the agenda of the *Stichting voor de Arbeid*. First, this agenda is about the need to prevent or mitigate possible problems (also based on the conclusions from the *Verwey-Jonker Institute*). Secondly, it is about providing useful tools and materials for effective actions at the workplace. Ultimately, the *Stichting voor de Arbeid* can promulgate adequate materials among the organisations represented.

2nd pillar: LGBT networks at the work floor

In general, the creation of networks at the company or enterprise level is considered a successful step in LGBT equality at the workplace. But how should these networks function? How should they be composed? What is their agenda? And how can they indeed be successful? Which activities should they organise? Is there a general pattern in all this, or is it depending on the sector or company where they operate?

Pillar 2 seeks an answer to these questions. Here, too, the approach will be step by step. In a number of selected companies networks will start the activities mentioned in pillar 1 and 3 off the project. Those networks will also need to analyse their own role according to some predefined criteria, and correct it if necessary, using the way of 'reflection in action'. The experiences will provide insight in the conditions for failure or success. That will be worded in a brochure, and of course be absorbed in the network of expertise.

The pillar has three project stages:

- scoping: selection of networks to participate in pillar 3; developing an approach for selection, evaluation and reporting;
- elaboration
- implementation: final evaluation; description of the results in a brochure and making them available for the knowledge network. Dissemination of information to gay-straight alliance staff who can safeguard the sustainability of the results and encourage other companies and sectors to use the outcome.

This pillar will need to lead to a program enhancing LGBT networks in labour organisations, and improving the effectiveness of the networks in addressing LGBT related issues in their companies by exchange of experiences, 'best practices' and co-operation with other LGBT organisations

3rd pillar: digital knowledge network LGBT at work

Active members of the LGBT working parties of FNV member unions know each other and know how to contact each other. They have their own experience coming out at their workplace, and have heard the stories of others; they have experience in improving the working climate and drafting proposals for equal rights.

The third pillar is about the availability of this knowledge. The first step is recording this information. The second step is making it accessible and available. An important aspect in the second step is that there are several target groups. Not only the active members of the unions and the networks, but also the straight colleagues, whether they are union members or not. Finally, we consider anyone involved in alliances that (may) work on LGBT equality also a target group

The third pillar will also be developed in three stages:

- scoping: interviewing active union groups, after which the structure of the digital network can be developed (research, technical design, draft design). Other activities in this stage will be translating data, acquiring the system and getting commitment from all the parties involved.
- elaboration: building the digital network, data entry and training active members involved with the management. Of course, the results of the first pillar will get a prominent place in the digital network.
- implementation: presentation, publicity, program and content management. When the project is over, maintenance and content management will become a regular part of the FNV work.

Role of the FNV

Special attention is needed for adapting the trade unions' general role taking care of the personal interests of their membership if it comes to LGBT members.

FNV unions assist their members in case they get in conflict with their employers or their colleagues. LGBT issues are hardly mentioned, although active members of the LGBT groups in unions do get messages that these issues are at stake in several cases.

Therefore it is essential that those FNV member unions that take care of individual interests will become more perceptive for signals indicating exclusion, intimidation or discrimination of LGBT workers.

Firstly, the project will draft a tool for the unions' legal advisors to check how they can improve their awareness and perception of direct or indirect signals from LGBT members.

- scoping and selecting relevant cases and supporting legal materials (General Equal Treatment Act, EU directives etc.)
- elaborating and developing a workshop or training module for legal services
- implementation: present and facilitate the workshop or training module. develop checklists and integrate the information into the knowledge system.

2.4 Project results

In summary, the project results should be:

- a toolkit with a broad-spectrum of products, activities and texts that can be used at the workplace;
- employers and their organisations being aware of the issues and possible problems for LGBT at the workplace;
- checking if the quality of (part of) the materials and the tools can be assessed by the *Stichting voor de Arbeid*, and if this body can submit these to their members with positive endorsement;
- a digital knowledge system with the experiences of active members, research data, project results and evaluations, etc.;
- a brochure and an evaluation report about in-company networks: description of the issues relevant for success or failure; interviews with the people concerned and advice for companies and sectors.