



WORKPLACES FOR EVERYONE

8 STEPS TOWARDS A WORKPLACE WITH LBGT + EQUALITY

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PREFACE

This leaflet is for you who are shop steward and who wants to make an effort to include your LGBT+ co-workers in the workplace. The leaflet is meant to be a help in spotting which needs and challenges your current as well as future LGBT+ co-workers may have. Here we give you 8 concrete suggestions as to how you can create a better working environment and secure inclusion for everyone, regardless of their gender identity or sexual orientation.

Half of all Danish LGBT+ people feel that they cannot be open about their gender identity or sexuality in the workplace and many experience bullying and discrimination¹. But why is it important at all to be able to be open about e.g. your sexual orientation or to be able to “come out” as LGBT+ in the workplace? Most people do not even think about it, but heterosexuals also “come out” as heterosexual, several times a day, for example when they talk about their family during the lunch break. It is this kind of freedom to safely “be yourself” in the workplace that we must ensure that all co-workers have access to.

The challenge is that most workplaces are not aware that the culture and the norms in their workplace mean that the LGBT+ co-workers are not included. For example, there may be something in the staff policies, working environment or social conventions that results in LGBT+ co-workers not having the same opportunities as other staff members, and they thereby have greater difficulties joining the community in the same way as their co-workers.

LGBT+ stands for lesbian, gay, bisexual and transgendered people. The plus covers other minorities in regards to gender identity and sexual orientation.

It may be a challenging process to become aware of the norms in the workplace for both yourself and your co-workers. Often, you might discover that you have yourself contributed to creating or maintaining norms that may be exclusive without being aware of it. But as you practice seeing these norms - and become aware of that prejudices that may hide behind them - you can make an active decision to make your workplace more inclusive step by step.

If you run into any words you are not already familiar with, check the vocabulary on page 25.

Norms about gender identity and sexual orientation. A norm is an unwritten rule that contributes to deciding what we expect from each other and how we behave around each other. In most workplaces, you automatically assume that a new co-worker has a partner of the “opposite sex” or you take for granted in the parental leave policies that a family consists of a mother and a father. Often you are not aware of these norms. In the same way, you also expect that everyone views themselves as the gender written on their birth certificates, which is not the case for many transgender people. In most workplaces there is also an expectation that you dress and behave as the gender written on your birth certificate; and unfortunately, the consequences of breaking these norms is in some cases discrimination or bullying. For example, in 2015 3F carried out an industrial case, after a transgendered truck driver was fired because her boss thought she ought to “dial down her femininity”ⁱⁱ.

SHOW YOUR COMMITMENT TO LGBT+ EQUALITY



A good way to show LGBT+ employees that you prioritize LGBT+ equality is to clearly raise awareness that the workplace makes a point of all employees being treated equally regardless of **sexuality**, **gender** and **gender identity**. Therefore, it may be a good idea to add it to your staff policy and on your website so everyone is aware of it. You should also review your staff policy and local agreements to see if there are any sections where the LGBT+ co-workers may be made visible.

“Frederikshavn Municipality must be a diverse and capacious workplace where it is possible to work under special circumstances. And we will make sure you are treated properly and equally regardless of your race, gender, sexuality or religion - equality is a matter of course. That is why Frederikshavn Municipality strives to be open and curious in the recruitment process with the purpose to recruit diversely.”

Excerpt from the Frederikshavn Municipality staff policy

What you can do

- Underline in your staff policy that the workplace makes a point of all employees being treated equally regardless of **sexuality, gender and gender identity**.
- Go through the staff policies and find the sections on family and parental leave. If the section only references mother and father, change the text to the more neutral wording “parents” instead. It is also possible to highlight other types of parental roles: Mention e.g. co-mother/co-father and write what is in effect in regards to adoption to make visible and secure the rights of your LGBT+ co-workers.
- Revise your current policies on bullying or write new ones, where you make it clear that bullying on the basis of sexuality or gender identity is both unacceptable and illegal. The policy must also describe how the workplace handles any cases of bullying.

CREATE A GOOD MENTAL WORKING ENVIRONMENT



A good mental working environment is important in making sure everyone is happy in the workplace and that no one suffers from stress. LGBT+ employees are often at a higher risk of becoming stressed and being bullied if nothing is actively done at the workplace to create cohesion and social conventions where it is normal and accepted to be LGBT+.

To have an everyday life in a workplace marked by bullying or sexual harassment is detrimental and may leave a co-worker with a feeling of not being recognized and appreciated. If one of your LGBT+ co-workers is subjected to bullying or sexual harassment, it is important that you intervene.

Talk to your LGBT+ co-workers about how they experience the mental working environment at the workplace. It may be a good entry point for opening up a dialogue about the working climate and community at the workplace.

Minority stress. If the culture at a workplace is not inclusive, you may as a LGBT+ person quickly be spending a lot of energy on handling your co-workers' prejudices or avoiding seeming different. For example, just mentioning your partner or what you did on the weekend can induce nervous sweating, if you know that your co-workers will frown upon it. Over time, this may result in a state of stress which is also known as minority stress. This is an extra strain on top of any stress that may be connected to the work.

What you can do

- Work to prevent stress. Talk to your co-workers about what pressures are on them and pay special attention to discovering if there is anything in the culture at the workplace that makes the LGBT+ co-workers extra stressed. Find solutions together and involve your boss or supervisor.
- Make sure the staff policy contains a policy on bullying. In this you can e.g. write that it is not acceptable in the workplace to speak in a derogatory way or make jokes about minority groups such as LGBT+ people. See also the section about humour on page 10.
- React quickly when you experience bullying and object to it. Try to create a dialogue between the parties involved and involve the management. The employer has the formal responsibility to prevent bullying, but if the efforts to combat bullying are to be successful, all levels of the workplace must commit to it.
- Take initiative to events and teambuilding that focus on getting to know one another better and being respectful to each other's differences.

Bullying and sexual harassment at the workplace may occur in the shape of scolding, yelling, verbal abuse, crass teasing, threats, derogatory speech or jokes about minority groups such as LGBT+ people; or more or less indirectly and hidden in the shape of gestures, allusions, slander, ignoring the person or an unreasonable distribution of work duties.

HAVE A DIALOGUE ABOUT THE GOOD SENSE OF HUMOUR



Humour can make the working day more fun and simultaneously help to create a sense of community at the workplace. It is often one of the ways we build relationships with our co-workers.

However, humour can also be used to exclude someone from the community. Generally speaking, jokes made at somebody's expense are excluding. Even if one person means well with the joke, it may not be perceived that way by all co-workers. What is funny to some may not be funny to others.

If jokes about LGBT+ people are made in the workplace, it will often carry a negative significance for the well-being and job satisfaction for your LGBT+ co-workers. As mentioned, humour is individual, so even if one LGBT+ person finds it funny, it is not certain that others do too. LGBT+ people are of course as mutually diverse as everyone else.

What you can do

- Have a conversation with your co-workers and agree on some common guidelines about what good humour is to you.
- Raise awareness about the way that humour making fun of being bi-, homosexual or transgender can create a downright unsafe working environment that makes it difficult for LGBT people to be open about their sexuality and gender identity.
- Get rid of jokes that come at the expense of someone.
- Be creative. Practice making jokes without excluding anyone.



SUPPORT YOUR TRANSGENDER CO-WORKERS



Some transgender people are open about their identity, others are not. For that reason, you may have a transgender co-worker without knowing about it. Consequently, in all workplaces it is a good idea to take a look at how you can make the workplace a safe place for transgender people.

If you have a transgender co-worker who chooses to transition, i.e. chooses to begin to live and/or look like the gender the person identifies as, you can make a positive difference by making the process at the workplace as safe as possible. First and foremost, it is important to talk to your co-worker who is going through the transition to understand what kind of support the person needs. This may vary from person to person.

The majority of the population identifies with, i.e. views themselves as the gender written on their birth certificate. This is called being cisgender. Transgender people, however, do not identify with the gender written on their birth certificate. Or they do not (exclusively) wish to express themselves as the gender on their birth certificate. There are many ways to be transgender, and one can e.g. identify as a man or a woman or something other, e.g. gender queer or non-binary.

What you can do

Generally

- Support your transgender co-workers by calling them the name and the pronoun, e.g. "he", "she" or "they", that they wish to be called and help your co-workers do the same. It is important to practice, because it can create a feeling of insecurity and sadness to be called your old name or a wrong gender pronoun.
- It may take time to get co-workers used to using a new name or saying e.g. "he" instead of "she". You can contribute to the process by nicely reminding your co-workers to use the correct pronoun or name. If you make a mistake, it is better to just apologize and correct it than ending the conversation and making a big deal of it.
- Make sure all co-workers can choose freely between any different versions of the work attire. E.g. between smock and pants if those are the options. This contributes to making sure that everyone - including possible transgender co-workers - work in clothes they feel comfortable with.
- Work to ensure the availability of toilet and bath facilities that your transgender co-workers also feel comfortable using. The easiest solution is often to have gender neutral toilets at the workplace and separate shower stalls.
- If the toilet and bath facilities in the workplace are separated by gender, you as a representative can help to find a suitable solution for changing, e.g. showering in turns. The solution must consider the transgender people's right to use the facilities that they want - and the possible reactions or needs of the other

co-workers. The co-workers might need to get more knowledge and a better understanding of what it means to be transgender, so that everyone feels comfortable with the situation.

With regard to transition

- If your transgender co-worker wants to inform the other co-workers of possible changes and a new name with regard to their transition, you can offer your support. It may be that your co-worker wishes to do the informing themselves. It may also be that they want either your help or your supervisor's help to do it.
- If there are co-workers who gossip or badmouth your co-worker's transition, first try to stop it by entering into a dialogue with them to eliminate possible prejudices or ignorance.
- If your co-worker is bullied, harassed or discriminated against, it must immediately be stopped. Read more in section 2 or 8 about how to handle it.
- Help your co-worker get the days off they need for possible medical or legal appointments connected to the transition. You can make a local agreement to secure this.
- A transitioning process can be an extensive process both physically, mentally and socially. Because of that, it may be that the co-worker in question, for a period of time, needs to have the work planned in a way that takes this into consideration. You can thereby support the co-worker by looking into options for adjusting the work to make it possible for the co-worker to thrive and maintain their attachment to the workplace.

Transition.

There are many different ways to go through a transition or a “gender change”. For some it is mainly a social process where you change your appearance and name. For others, it is also a medical process where you start taking hormones or go through surgical operations. Some also change their civil registration number.



SECURE YOUR LGBT+ CO-WORKERS RIGHTS TO PARENTAL LEAVE

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Parental leave is a right to which it is important that all parents have the same access. Generally speaking, there are many types of family and many ways to have children, and this is also the case among LGBT+ people. Some families consist of two women who have a child by an anonymous sperm donation or by a known donor. Other families consist of two men who e.g. adopt a child together or have a child with a woman. There may also be families where a transgender man gives birth to the child. There are also families without any children, families with a single parent and families where more than two adults take care of the children. This is good to know when helping your co-workers use their right to parental leave.

What you can do

- When you make local agreements in the workplace or write about parental leave in the staff handbook or staff policies, it is important to also communicate that families can be something other than a father and a mother. You can do this by using gender neutral terms, such as “parents” or the phrasing “the parent who gives birth”. Another option is to use the terms mother and co-mother, father and co-father.
- If your collective agreement does not use gender neutral terms in regards to parental leave, you can make a local agreement that secures the rights of your LGBT+ co-workers.

The right to parental leave is secured both on account of legislation and by collective agreements. In total, two parents to a newborn baby have a combined 52 weeks of leave with a daily benefit. 18 of these weeks are set aside for the birth mother/parent, 2 weeks are set aside for the father/co-mother/the non-birth parent and 32 weeks may be split between the parents. As the legislation stands now, the leave may only be split between 2 parents. In addition, a couple of the same gender who adopt have almost the same parental leave rights as biological parents. Most collective agreements also grant homosexual couples - both couples who adopted and couples where one gave birth - the same access to parental leave with pay as heterosexual couples. Check your collective agreement to see what applies in your case.





THROW STAFF PARTIES THAT INCLUDE EVERYONE

Christmas parties, summer parties and other social events in the workplace can help create a good sense of solidarity among co-workers. Here we can meet in a more informal way outside of normal working hours and it is a chance for us as co-workers to get to know each other better.

At the same time, it is also typically where situations arise where different norms for gender, gender identity and sexuality come into play without us necessarily being aware of it. One example may be writing in the party invitation that men should dress in suits and women in dresses. This may create a feeling of not fitting in, if this is not the way you like to express your gender.

What you can do

- Use a gender-neutral term such as spouse or partner, whenever partners are invited to a party, so that everyone regardless of their sexual orientation feels that they and their partners are welcome.
- If you want to include the co-workers who are single, you can also write that people can bring along a good friend.
- Avoid traditional expectations for division of labour, attire or seating arrangement. In this way the party becomes more inclusive for LGBT+ co-workers and others who do not feel comfortable with stereotypical expectations as to what men and woman can and must do at a party.



PUT RECRUITMENT AND DIVERSITY ON THE AGENDA



If you as shop steward have influence on recruitment and the hiring of new co-workers, you can be involved in making sure that the workplace both has the most qualified employees and that LGBT+ people are not discriminated against. This you can do by becoming more aware of how new employees can be recruited in a way where everyone regardless of gender, sexuality and gender expression have the same opportunity to be hired.

Here are some ideas that you as a representative can bring into the recruitment process. If you work in a smaller company who hires new employees without a recruitment process as such, a first step may be to talk with your supervisor about the issue.

"We see diversity and difference as a resource and therefore encourage everyone regardless of gender, gender identity, age, disabilities, religion, sexual orientation and ethnicity to apply for a job with us."

What you can do

Job advertisement

- Make it clear in your job advertisement and on your website that you want everyone regardless of personal background to apply for the position - and remember to include sexuality and gender identity in this.
- Consider how different wordings in the job advertisement may be interpreted by different applicants. You might consider it a positive wording if you write that “there is a casual and blunt tone of communication” in the workplace. But some LGBT+ applicants may understand this to mean that they should expect to listen to a lot of discriminatory jokes and may choose to reject the job advertisement for this reason.

Choose the right applicants

- It also matters how you select job applicants, and in this area norms about gender and sexuality may have great influence unconsciously if you do not work systematically to avoid it. Draw up a profile for the individual position - and go through it critically based on which professional skills and human qualities the company needs. Use it as a baseline for choosing the people you invite to an interview.
- Another way to avoid unconscious discrimination is to blur the applicants’ identities before the applications are presented to the hiring committee. By doing so, the focus of the selection is on the person’s skills and experience.
- Alternatively, you can make sure that there is a broad representation of ages, genders, ethnicities, disabilities, sexualities and gender identities among the applicants invited to an interview.

Job interview

- Consider how the hiring committee is composed. Because we have a tendency to choose people who are like us, a more variedly composed hiring committee will notice different qualities in the applicant.
- Find out how you will conduct the interview in a way where you can discover more about the person you have invited to an interview. Ask all applicants the same questions, regardless of their personal background.
- Additionally, ask about the applicant's possible partner in a gender-neutral way, e.g. say "what does your partner do" rather than "what does your husband/wife do." In this way, you may avoid that the applicant uses unnecessary energy on considering if he/she should explain that he/she is bi- or homosexual. This may consequently end up stealing focus from the applicant's professional skills in the interview.

Make sure you ask the same questions to all applicants. Surveys show that women are more often asked about their family than men because of the norm that family is specifically a female responsibility. Women of ethnic minorities experience this in a particular degreeⁱⁱⁱ.



PROTECT YOUR LGBT+ CO- WORKERS AGAINST DISCRIMINATION



Everybody has the right to be treated equally in the workplace, and these rights are secured in the Discrimination Act and the Equal Opportunities Act. Bisexual and homosexual people are protected by the The Discrimination Act. Likewise, case law sets out that transgender people are also protected by The Discrimination Act and Equal Opportunities Act, even though neither gender identity nor gender expression are mentioned as separate causes for discrimination in the acts.

Both laws are in effect in the labour market between employer and employees in all phases of the employment, i.e. during recruitment, during the employment and at the possible termination of the employment. They also apply if a supervisor witnesses that an employee is discriminated against by e.g. co-workers without interfering.

What you can do

- Write in the staff policy that discrimination will not be tolerated.
- If a co-worker who feels subjected to discrimination tells you about it, it is your duty in cooperation with your branch to advise and aid the co-worker. The first step is that you as shop steward via conversation with the co-worker get an overview of the specific situations that form the basis of the co-worker's approach. If the conclusion is that there may have been an occurrence of discrimination, you can talk to your branch, who will help you with the next steps.
- Read more about the process in connection to a case of discrimination in FIU-Ligestilling's publication "Discrimination and unfair treatment".

ORDLISTE

Bisexual*: Person who is sexually, romantically and/or emotionally attracted to people of more than one gender.

Cisgender*: Person whose experienced gender and gender expression matches the gender that person was assigned at birth, i.e. was written on their birth certificate.

Gender queer*: Person who cannot or will not identify as either man or woman or who identifies as both man and woman. Gender queer people have in common that they oppose the idea that there are only two genders.

Heterosexual*: Person who is exclusively sexually, romantically and/or emotionally attracted to people of the opposite gender.

Homosexual*: Person who is exclusively sexually, romantically and/or emotionally attracted to people of the same gender.

Non-binary*: To define oneself as other than inside one of the categories "man" or "woman".

Intersex*: Person who has a congenital variety in their anatomical sex.

Gender identity: The gender(s) that a person identifies with. Examples of these may be man, woman, non-binary or gender queer.

Gender expression: The way of expressing your gender through clothing, hair, makeup, movement, speech, social behaviour, etc.

Co-father*: A man who is a social parent to a child to whom his male partner is the biological father.

Co-mother*: A woman who is the social parent to a child her female partner has given birth to.

Sexual orientation: Covers who you fall in love with and/or are sexually attracted to. You can be bisexual, homosexual, heterosexual, etc.

Transgender: Umbrella term for people whose gender identity or gender expression to a lesser or greater extent does not match the gender assigned to them at birth, i.e. was written on their birth certificate.

*The definitions marked with * are from LGBT Denmark's "LGBT+ dictionary". Some have been shortened. You can find the dictionary (in Danish) in full here:*

<http://lgbt.dk/viden-og-materialer/lgbt-ordbog/>

REFERENCES

ⁱ "Lige og ulige? - Homoseksuelle, biseksuelle og transkønnedes levevilkår" Casa, June 2009; "EU LGBT Survey", 2012; "Status of the Danish LGBT Workplace", Q-Factor 2014

ⁱⁱ Verdict pronounced 9 June 2015 by the City Court of Aarhus, case no. BS 72-45/2014. Read the article about the case in 3F's journal on 30 July 2015 here:

<https://fagbladet3f.dk/nyheder/97af8e6c20a54f17943d3651a35985c0-20150730-firma-doemt-for-at-diskriminere-transkoennet>

ⁱⁱⁱ Iben Jensen: "Jobsamtaler med etniske minoriteter", Roskilde Universitetsforlag 2014





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