International Labour Organization

▶ **Inclusion of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in the world of work:** A learning guide

▶ Inclusion of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in the world of work: A learning guide

LGBTIQ+

acronym for lesbian, gay, bisexual, transgender, intersex and queer. The plus sign represents people with diverse sexual orientation, gender identity, gender expression and sex characteristics who identify using other terms.

LESBIAN

woman whose enduring romantic, emotional and/or physical attraction is to women.

GAY

men whose enduring romantic, emotional and/or physical attraction is to men; also, women who are attracted to other women.

BISEXUAL

person who has the capacity for romantic, emotional and/or physical attraction to people of more than one gender.

INTERSEX

people born with sex characteristics that do not fit typical definitions of male and female bodies. Intersex is an umbrella term used to describe a wide range of natural bodily variations. There are more than 40 intersex variations; experts estimate between 0.5 per cent and 1.7 per cent of the population is born with intersex traits.

TRANS/TRANSGENDER

terms used by some people whose gender identity differs from what is typically associated with the sex they were assigned at birth. Trans, transgender and non-binary are umbrella terms representing a variety of words that describe an internal sense of gender that differs from the sex assigned at birth and/or the gender attributed to the individual by society, whether that individual identifies as a man, a woman, or in transition, simply "trans" or "transgender", with another gender or with no gender.

QUEER

traditionally a negative term, it has been reclaimed by some people and is considered inclusive of a wide range of diverse sexual orientations, gender identities and expressions. It may be used as an umbrella term for people with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC), or as an alternative to the phrase "people with diverse SOGIESC" or the acronym LGBT. Queer is used by many people who feel they do not conform to a given society's economic, social and political norms based on their sexual orientation, gender identity and gender expression.

For details
Appendix 1: Language, concepts and terminology.

An overview of the guide

What **?**

This guide provides orientation for initiating and supporting efforts to foster inclusive working environments for lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons.

For whom **?**

The guide is developed especially for the ILO constituents: governments and employers' and workers' organizations. It will also help individuals (employees, employers, supervisors and policymakers), all workplaces, training organizations and civil society organizations to create a world of work inclusive of LGBTIQ+ workers.

Why **?**

Faced in many countries with daily experiences of violence, harassment, stigma and discrimination, LGBTIQ+ workers are often denied opportunities throughout all stages of the employment cycle. The ILO aims to promote decent work for all, leaving no one behind. While it is significantly important to respect the human and labour rights of all, including LGBTIQ+ persons, research has consistently shown the value of investing in diversity in the workplace. The benefits of countering discrimination and promoting inclusion has been shown to improve workplace productivity, job satisfaction, personal and social well-being, as well as overall morale of the workforce.

How can this guide be used **?**

This Guide is an introduction to *LGBTIQ+ persons within the world of work*. It has three sections and appendices. It is designed to support flexible independent learning that can be applied to the participant's work environment. Participants are encouraged to undertake a series of short exercises after reading each section. Each person or organization/workplace will design a unique course. All chapters include examples and references and provide links to different learning resources. The complete course can be undertaken in approximately four to six hours.

Preface

The ILO goal of advancing social justice and promoting decent work cannot be achieved without protecting the rights at work for everyone, and ending discrimination on all grounds, including based on sexual orientation and gender identities (SOGI). Lesbian, gay, bisexual, transgender and intersex (LGBTIQ+) workers face discrimination, exclusion, violence and harassment throughout the employment cycle, from work colleagues and supervisors as well as clients and customers. SOGI-based discrimination is often compounded by discrimination on other grounds, such as race, health and economic status.

In 2021, the International Labour Conference adopted a Resolution concerning inequalities and the world of work that notes that discrimination, including systemic, multiple and intersectional forms of discrimination, remains a persistent and pervasive dimension, and a root cause of inequality. This learning guide, *Inclusion of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons in the world of work: A learning guide*, is a tool that contributes to promoting equality and non-discrimination for all, including LGBTIQ+ persons. It provides information on the challenges and discrimination faced, and guidance on actions to prevent and address discrimination, stigma and exclusion of LGBTIQ+ persons in the world of work.

Research has shown that countering discrimination and promoting inclusion improves workplace productivity, job satisfaction, personal and social well-being, and morale.

The pervasiveness of discrimination against LGBTIQ+ persons across countries and cultures demonstrates the vital need for tailored local responses to ensure equal opportunities and treatment at work, more so now with the already deep-rooted inequalities exacerbated by the COVID-19 pandemic.

We hope this guide will be useful to all striving for a more just, equitable and equal world of work.

Chidi King

Chief
Gender, Equality, Diversity and
Inclusion Branch
ILO, Geneva

Manuela Tomei

Director
Conditions of Work and Equality
Department
ILO, Geneva

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List of acronyms

AIDS	Acquired Immunodeficiency Syndrome
CAPRI	Caribbean Policy Research Institute
CSO	civil society organization
GDP	gross domestic product
GEDI	Gender, Equality, Diversity and Inclusion Branch of the ILO
GSM	gender and sexual minorities
HIV	Human Immunodeficiency Virus
ILGA	International Lesbian, Gay, Bisexual, Trans and Intersex Association
IOM	International Organization for Migration
ILO	International Labour Organization
LBT	lesbian, bisexual and transgender
LGBT	lesbian, gay, bisexual and transgender
LGBTIQ+	lesbian, gay, bisexual, transgender, intersex and queer and people with diverse SOGIESC who identify using other terms
NGO	non-governmental organization
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
PAHO	Pan American Health Organization
SDG	Sustainable Development Goal
SOGI	sexual orientation and gender identity
SOGIESC	sexual orientation, gender identity, gender expression and sex characteristics
UDHR	Universal Declaration of Human Rights
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees/United Nations Refugee Agency

Acknowledgements

Executive summary

Non-discrimination and equality of opportunity and treatment are central to the ILO mandate of "achieving social justice and advancing decent work for all".

This guide aims to contribute towards an equal world for all through the ending of the inequalities, exclusion and discrimination that LGBTIQ+ persons face in the world of work.

The guide is developed as a self-learning tool for ILO constituents: governments, and employers' and workers' organizations. It will also be useful for civil society organizations (CSOs) working to end discrimination and exclusion.

It can also be used as a training tool as it contains links to relevant resources and exercises.

Exercise

Reflect on the following questions:

▶ How do people generally/typically treat LGBTIQ+ persons in your country?

▶ How are LGBTIQ+ persons treated at the workplace by colleagues, managers or clients?

▶ Are LGBTIQ+ communities criminalized? Or do they have some protection in law/policies?

▶ Are persons working on LGBTIQ+ inclusion at risk of harm?

Make your notes. Think what can be done to make positive changes. Can you initiate something at your workplace?

Ending discrimination and unequal treatment of LGBTIQ+ persons in the world of work

Around the world, LGBTIQ+ persons face harassment, violence and discrimination on the basis of sexual orientation, gender identity, gender expression and sex characteristics. The ILO has documented several ways in which these harms affect them at work, primarily through research in Argentina, Costa Rica, France, Indonesia, South Africa and Thailand.[1]

Workplace discrimination of LGBTI persons: China, Philippines and Thailand

In 2018, a survey from the United Nations Development Programme (UNDP) and the ILO found that 21 per cent of respondents in China, 30 per cent in the Philippines, and 23 per cent in Thailand reported being harassed, bullied, or discriminated against while at work because of their sexual orientation, gender identity, gender expression or sex characteristics. Many individuals believed they were denied a job due to their sexual orientation, or gender identity or expression, and more than two thirds said they had seen advertisements that explicitly excluded lesbian, gay, bisexual, transgender and intersex people (LGBTI) workers in the job requirements.

Source: UNDP and ILO, 2018.

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1   ILO, "Discrimination at Work on the Basis of Sexual Orientation and Gender Identity: Results of the ILO's PRIDE Project", Briefing Note, 2015.

Multiple and intersecting layers of discrimination aggravate experiences; for example, when LGBTIQ+ persons have a disability or a health condition, such as HIV, tuberculosis or COVID-19, or when they belong to an ethnic or racial minority. A survey of some 20,000 LGBTIQ+ persons in 138 countries found that 47 per cent faced economic difficulty due to the coronavirus disease pandemic, with a quarter unable to meet basic needs. At the time of the survey, 13 per cent had lost their jobs and an additional 21 per cent expected to lose their jobs in the near future.[2]

A resolution adopted by the International Labour Conference in December 2021 noted that discrimination, including systemic, multiple and intersectional forms of discrimination, remains a root cause of inequality. It calls for development of a strategy to address inequalities in the word of work ensuring gender equality and non-discrimination and promoting equality, diversity and inclusion.[3]

Evolving legal protection for LGBTIQ+ persons

Laws criminalizing LGBTIQ+ persons are changing, though gradually. As of 2021, only 29 countries legally recognized marriage equality, while 34 provided some same-sex partnership recognition. Eleven countries specifically mentioned sexual orientation in constitutional non-discrimination clauses. Legislation banning discrimination in the workplace on the basis of sexual orientation is being adopted across regions. As of December 2020, 81 United Nations Member States provided protection against discrimination based on sexual orientation in employment.[4]

The Universal Declaration of Human Rights (UDHR, 1948) recognizes that discrimination constitutes violation of human rights.[5] The ILO International Labour Standards apply to all workers, unless they specify otherwise. The Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which applies to all workers, including migrant workers, and in all sectors of the economy, provides explicit protection against discrimination based on sex under article 1(1)(a). In addition to the seven grounds prohibited, Convention No. 111 provides for the possibility of Member States determining additional grounds, after consultation with representative employers' and workers' organizations, where such exist, and with other appropriate bodies, when applying the Convention (article 1(1)(b)).

The 2010 ILO Recommendation on HIV and AIDS and the world of work (No. 200)[6] states "[m]easures should be taken in or through the workplace to reduce the transmission of HIV and alleviate its impact by … [p]romoting the involvement and empowerment of all workers regardless of their sexual orientation".

The ILO Convention on ending violence and harassment in the world of work (No. 190) recognizes that everyone has a right to a world of work free from violence and harassment. It states, under article 6, that "[e]ach member shall adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers, as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work".

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2   UNAIDS 2020a and UNAIDS 2020b.
3   More information is available on the ILO website, https://www.ilo.org/ilc/ILCSessions/109/reports/provisional-records/WCMS_831542/lang--en/index.htm.
4   ILGA World 2020a.
5   Includes civil and political rights, such as right to life, liberty, free speech and privacy, and economic, social and cultural rights, such as right to social security, health and education. It contains 30 articles of basic human rights, including rights to education, to organize, to work and to be treated fairly. Also covers freedom of movement, assembly, expression and religion. More information is available on the United Nations website, https://www.un.org/en/about-us/universal-declaration-of-human-rights.
6   More information is available on the ILO website, https://www.ilo.org/global/topics/hiv-aids/WCMS_142706/lang--en/index.htm

Social protection is failing LGBTIQ+ persons

The ILO Social Protection Floors Recommendation, 2012 (No. 202) recognizes that social security is an important tool to: prevent and reduce poverty, inequality, social exclusion and social insecurity; promote equal opportunity, and gender and racial equality; and support the transition from informal to formal employment. Social protection programmes should be reviewed from the perspective of inclusiveness, ensuring LGBTIQ+ persons, persons with disabilities, people living with HIV, and other marginalized groups are effectively included in social protection measures. Barriers that LGBTIQ+ persons face in accessing social protection services should be identified and removed.

> As stated by a respondent in the ILO study, Access to and Effects of Social Protection on Workers living with HIV and their Households:
>
> Some of our transgender friends are so afraid of being discriminated against by service providers, either at the hospital or at the social protection agencies, that they don't even bother to try accessing the services. They just know that they will be ill-treated by those people.

LGBTIQ+ persons must be part of diversity and inclusion strategies in the workplace

Equality, diversity and inclusion are a cornerstone of the "leave no one behind" principle of the 2030 Agenda for Sustainable Development. The benefits of LGBTIQ+ inclusion at work have been confirmed in several international studies[7], and also make good business sense.

Partnerships are key to making a change

Social dialogue involving governments and employers' and workers' organizations is critical in moving forward. It is also important to engage with organizations representing LGBTIQ+ communities.

Governments:

▶ A national policy and labour law review will allow governments to assess a country's work policy environment for LGBTIQ+ persons. This will allow the identification of concrete steps for improving the legal and policy environment, ending discrimination and exclusions, and complying with international instruments.

▶ Consultation with LGBTIQ+ communities and social dialogue with employers' and workers' organizations are key. This will allow the identification of barriers faced by LGBTIQ+ persons when entering the labour market and accessing government schemes, including those on social protection.

▶ Governments can work with diverse partners such as small and medium industry associations, sectoral unions, informal economy workers' associations and CSOs to monitor discrimination in the informal economy, and address stigma and discrimination related to gender and sexual identity.

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7   Shapiro 2020.

Employers' organizations and employers:

▶ It makes business sense to work on LGBTIQ+ inclusion in the workplace. Studies have shown that diversity in the workplace, including LGBTIQ+ persons, is better for business.[8] It signals a creative environment that creates the right conditions for economic growth.[9] Employers' organizations can provide policy guidance to their members, undertake advocacy and raise awareness on including LGBTIQ+ persons in workplaces, promote social dialogue and collective bargaining, and facilitate learning and sharing of good practices among members.

▶ Employers can establish partnerships with governments, workers' organizations and LGBTIQ+ communities on LGBTIQ+ inclusion.

South Africa: An LGBT+ professionals' network

In 2017, The South African LGBT+ Management Forum (The Forum) was launched to create safe and equitable workplaces across the country. Led by volunteer Steering Committee members from the business sector and in partnership with a multidisciplinary team of inclusion specialists, The Forum publishes a biannual South African Workplace Equality Index (SAWEI) to benchmark and celebrate best practices while identifying opportunities to improve.

SAWEI provides a practical, localized framework and set of targets specifically for South African employers. The 2019 SAWEI included 27 companies that employ more than 144,000 people. The Forum also provides educational programmes and advocacy throughout the year to help companies improve their inclusion practices. Nearly all companies who have participated in the programmes were able to improve their ratings in the SAWEI.

Source: South African LGBT+ Management Forum, The South African Workplace Equality Index 2019; Roberto Igual, "Corporate South Africa Comes Out with 1st LGBT+ Employee Network". Mamba Online, 11 October 2017.

Workers' organizations:

▶ Can help ensure LGBTIQ+ workers organize and exercise their right to freedom of association, and issues affecting LGBTIQ+ workers are represented in collective bargaining agreements with employers and in workplace policies and other tools.

▶ Can play an important role in supporting LGBTIQ+ members to meet, organize and advocate effectively for more inclusive working conditions. Many LGBTIQ+ workers, particularly those in smaller workplaces, may feel isolated without visible LGBTIQ+ peers or allies.

▶ Can consult with members, including their LGBTIQ+ members, taking into consideration issues such as security, confidentiality and anonymity. This could be in the form of an anonymous survey, key questions on a broader survey, group discussion and/or presentations and discussions at union meetings.

FNV (Federation of Dutch Trade Unions)
The biggest trade union confederation in the Netherlands, the FNV has more than 1 million members and a "pink section" for LGBTIQ workers. It has developed checklists for collective bargaining and guides on organizing LGBTIQ workers, takes cases on discrimination and has a specific phone number for complaints.

Note: More information is available on the FNV website, https://www.netwerkrozefnv.nl/english/.

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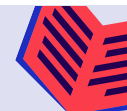
8   Cortez 2021.
9   Open for Business 2015.

Measuring impact of equality, diversity and inclusion strategies

Measuring LGBTIQ+ inclusion is key to disclosing whether the measures, policies and solutions being put into place are effective. It is important to have a baseline in order to set goals and confirm progress towards achieving the inclusion of LGBTIQ+ persons in the workplace. In addition, measuring progress will demonstrate where resources are more needed and help re-evaluate responses so that issues preventing full inclusion can be addressed more quickly. Employers' and workers' organizations have a key role to play in such monitoring exercises.

Conclusion

▶ LGBTIQ+ persons often face discrimination and human rights violations in societies across the globe and in the world of work.

▶ LGBTIQ+ inclusion is key to promoting equality and diversity, driving innovation, providing decent work for all and achieving Sustainable Development Goals.

▶ Including LGBTIQ+ in the world of work is central to the ILO mandate of advancing social justice and promoting decent work for all. This is also essential to implementing the SDG pledge of leave no one behind.

▶ Equality, diversity and inclusion in the workplace make good business sense. There is a need to end discrimination on all grounds, including on the basis of sexual orientation and gender identity.

▶ Collaboration based on social dialogue, including with LGBTIQ+ workers and their representatives, and tripartite action by governments and employers' and workers' organizations are critical to ensuring an all-inclusive world of work.

▶ Governments can provide a legal, policy and social framework for actions towards a world of work free of discrimination and inclusive of LGBTIQ+ persons.

▶ Employers' organizations can ensure, and will benefit from, a workplace environment that is safe and welcoming for LGBTIQ+ employees and reflects the diversity in their organizations.

▶ Workers' organizations can help ensure LGBTIQ+ workers organize and exercise their right to freedom of association and that issues affecting LGBTIQ+ persons are represented in collective bargaining agreements with employers, workplace policies and other tools.

Introduction

This guide aims to contribute towards an equal world for all through the ending of the inequalities, exclusion and discrimination that LGBTIQ+ persons face in the world of work.

The Declaration of Philadelphia, concerning the aims and purposes of the International Labour Organisation, adopted in 1944, noted "lasting peace can be established only if it is based on social justice". The Declaration affirms: "All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity." An inclusive world of work, therefore, is key to the ILO mandate of "achieving social justice and advancing decent work for all".

The decent work agenda encompasses all sectors of work and all population groups, including lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) persons.

The ILO recognizes the world of work is experiencing transformative change, driven by diverse factors such as technological innovations, demographic shifts, climate change, pandemics and globalization. In response to these challenges, the Centenary Declaration for the Future of Work was adopted in 2019.[10] The Declaration issues a call to action for all Member States to "[e]nsure all people benefit from the changing world of work" and achieve "gender equality at work through a transformative agenda".

Discussing the issue of inequality in the world of work, the ILO International Labour Conference in December 2021 recognized that inequality is complex, multifaceted and has many forms and components. The Resolution[11] adopted by the conference notes that discrimination, including systemic, multiple and intersectional forms of discrimination, remains a persistent and pervasive dimension and a root cause of inequality. It calls for a strategy to address inequalities in the world of work, ensuring gender equality and non-discrimination, and promoting equality, diversity and inclusion.

Decent work: a global goal
Decent work is now a global goal, included in major human rights declarations and United Nations resolutions, including in the 2030 Agenda for Sustainable Development, within SDG 8:

"Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all."
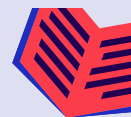
Around the world, LGBTIQ+ persons face harassment, violence and discrimination on the basis of sexual orientation, gender identity, gender expression and sex characteristics. This can range from torture and assassinations, to abuse and bullying. Prejudice and mistreatment are found in various spheres throughout the world, and the workplace is not immune.

The ILO has documented several ways in which these harms affect LGBTIQ+ persons in the workplace, primarily through research in Argentina, Costa Rica, France, Indonesia, South Africa and Thailand.[12] LGBTIQ+ workers face discrimination throughout the employment cycle, including from work colleagues, supervisors, clients, customers, and increasingly, via online harassment. The pervasiveness of LGBTIQ+ discrimination across countries and cultures confirms the vital need for tailored local responses to ensure equal opportunities and treatment for LGBTIQ+ persons at work.

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10 ILO 2019b.
11 More information is available on ILO website, https://www.ilo.org/ilc/ILCSessions/109/reports/provisional-records/WCMS_831542/lang--en/index.htm.
12 ILO 2015.

Multiple and intersecting layers of discrimination aggravate experiences; for example, when LGBTIQ+ persons have a disability or health condition such as HIV, tuberculosis or COVID-19, or when they belong to an ethnic or racial minority. The experience of the HIV epidemic and the COVID-19 pandemic has shown an adverse impact on LGBTIQ+ persons, including difficulties accessing health and social care, social protection and other services.[13]

Exclusion and discrimination against LGBTIQ+ workers – as for other groups within the workforce – is harmful to social stability and bad for business.[14] Happier, healthier and more diverse workforces are more productive, innovative and loyal.[15] Employers are increasingly adopting inclusive policies to attract not only LGBTIQ+ workers, but also business partners, shareholders, customers and clients who care about human rights and share goals of equity.[16,17]

The Office of the United Nations High Commissioner for Human Rights (OHCHR) launched a set of standards for tackling discrimination in 2017, providing five steps that companies can take to align their policies and practices with international norms on the human rights of LGBTIQ+ persons.[18] As of 2021, more than 300 businesses had expressed support for the standards.[19]

> *Despite some progressive laws and policies, LGBTI workers often find themselves without legal redress because of prohibitive costs, drawn-out legal procedures, or lack of trust in the system. In effect they are denied justice and protection.*
>
> *If we truly want a human-centred future of work that leaves no-one behind we must include LGBTI workers. We must also ensure that laws and policies do not criminalize LGBTI workers on the grounds of who they love and who they are.*
>
> *Director-General, ILO*

These standards of conduct complement the UN Guiding Principles on Business and Human Rights, which affirm the obligations of States to protect human rights, the responsibilities companies have to respect human rights, and the necessity of remedy for violated rights.[.20]

As stated by the United Nations Committee on Economic, Social and Cultural Rights, the prohibition of discrimination under the International Covenant on Economic, Social and Cultural Rights (ICESCR) in respect of the rights to work, to just and favourable working conditions and to social protection, includes discrimination based on sexual orientation and gender identity.[21]

Implementing international commitments and obligations that promote universality, equality and non-discrimination is critical to ensuring inclusive workforces and healthy economies, and to fulfilling the commitment made by the 2030 Agenda to leave no one behind.

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13   More information on the ILO website, https://www.ilo.org/global/topics/hiv-aids/publications/WCMS_747263/lang--en/index.htm.
14   More information on the ILO gender identity and sexual orientation: promoting rights, diversity and equality in the world of work (PRIDE) project is available on the ILO website, https://www.ilo.org/declaration/follow-up/tcprojects/WCMS_351654/lang--en/index.htm; Shapiro 2020.
15   Sgroi 2015; Garcia-Buades et al. 2020; Peiró et al. 2019.
16   Badgett et al. 2013.
17   European Commission 2016.
18   See Appendix 5 for summary on tackling discrimination against lesbian, gay, bisexual, transgender and intersex persons.
19   More information is available on the Partnership for Global LGBTQI+ Equality website, https://www.global-lgbti.org/the-supporters.
20   United Nations General Assembly, resolution 17/4. Human rights and transnational corporations and other business enterprises, A/HRC/RES/17/4 2011; OHCHR 2011.
21   See general recommendations 18, 19, 20 and 23. The ICESCR has been ratified by 171 countries.

Everyone in the world of work, at every level, has a role to play in making employment environments safe, welcoming and productive for all workers, including LGBTIQ+ persons.

Learning objectives and how to use this guide

The guide is developed especially for ILO constituents: governments, and employers' and workers' organizations. It will also be beneficial to individuals (employees, employers, supervisors and policymakers), all workplaces, training organizations and CSOs in helping them create a world of work inclusive of LGBTIQ+ persons.

Upon completing the exercises in this guide, users are expected to achieve the following learning objectives:

▶ enhanced knowledge of concepts related to sexual and gender diversity;

▶ improved understanding of the situation of LGBTIQ+ persons within their work and social environments;

▶ increased awareness of the importance of securing the rights of LGBTIQ+ workers to achieving the objectives of decent work for all;

▶ increased knowledge of workplace laws, policies and practices for LGBTIQ+ inclusion;

▶ increased knowledge of the role of ILO constituents in LGBTIQ+ inclusion in the world of work and being able to identify the actions they can take in their working environment.

Figure 1: Content overview

**Text on background concepts
Workplace practices**

Excercises and assignments

Links and appendixes

Application of learning and personal practice
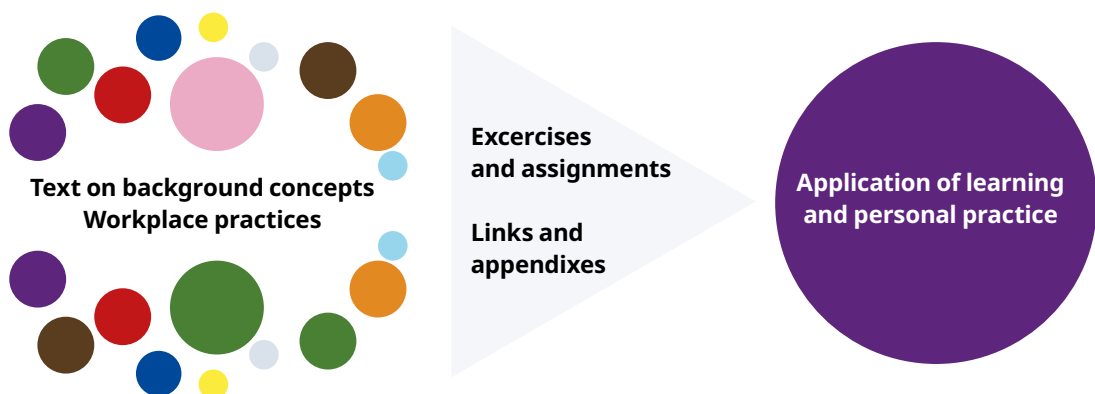
Source: Ken Morrison 2021.

This guide contains links to resources that provide relevant information. The appendices provide examples of good practices, notes for trainers and human resource managers, and suggestions for further reading.

It uses the acronym LGBTIQ+, which stands for lesbian, gay, bisexual, transgender, intersex and queer. The plus sign represents people with diverse sexual and gender identities who identify using other terms. This is an umbrella term to include all people with diverse sexual and gender identities. The acronym evolves over time. See Appendix 1 for more information on language, contexts and terminology.

When discussing LGBTIQ+ inclusion it is important to avoid belittling and hateful language that, intentional or not, can contribute to conflict, misunderstanding and unproductive, unhappy working environments.

How to make the most of this guide

Users are advised to make their own learning plan, depending on their needs and context.

Group learning helps. Therefore, if possible, users are advised to form a small group of two to three persons/colleagues and learn together. If learners opt for group learning, they should:

▶ decide on basic ground rules such as how to connect and when, individual and group tasks, and how to interact;

▶ set a schedule for learning, allowing time to reflect, raise questions and share experiences.

Users are requested to respect differences of opinions, which may arise as throughout the learning cycle.

Table 1: Learning plan

Fill in the following table to get started on your learning journey:

Goal(s)	Frequency/ timing	Approach	Resources needed
Are there any particular aspects of the guide's objectives that resonate with you? Take a moment to ask what is your personal learning goal from this guide? Think about current and future work. For example, fill in X, Y or Z, or make your own related goal or learning objective. - I would like to better understand ___X___. - I would like to be better able to ___Y___. - I would like to be better able to explain ___Z___.	Decide a schedule that works best for you.	The guide has been designed for self-learning but to also be adaptable to group learning. Decide what works best for you or your organization.	A quiet place to read and reflect. You may also discuss together online. Notepad/booklet and pen. Internet access, especially for the exercises (computer/ telephone and Wi-Fi).

Source: Ken Morrison 2021.

> **Getting started: Sexuality and gender**
>
> Sexual orientation describes how a person experiences physical and emotional attraction. Gender identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body and other gender expressions, including dress, speech and mannerisms.
>
> The acronym LGBTIQ+ is used in this guide as an umbrella term to include all persons of diverse sexual orientation and gender identity or gender expression.
>
> Concepts of gender identity vary greatly across the world, resulting in a range of identities and expressions such as *hijra* (Bangladesh, India and Pakistan), *travesti* (Argentina and Brazil), *okule* and *agule* (Democratic Republic of the Congo and Uganda), and two-spirit (indigenous North Americans).[22]

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22   More information is available on the OHCHR website, https://www.ohchr.org/sites/default/files/ GenderIdentityReport_SOGI.pdf.

► Section **A**

LGBTIQ+ persons and the world of work

A.1   Situation across the globe

Around the world, LGBTIQ+ persons face exclusion, stigma, discrimination, violence and harassment based on their actual or perceived sexual orientation, gender identity, gender expression or sex characteristics.[23] Documented acts of violence include attacks, targeted killings, sexual violence, threats and hate speech, perpetrated by both State and non-State actors.[24] Such mistreatment occurs within families, on the streets, at schools, and within business and workplaces.[25]

In all regions and countries, including those with anti-discrimination provisions, LGBTIQ+ persons experience economic and social inequalities and marginalization, including in health, education, employment and access to justice. This happens even though LGBTIQ+ persons, like everyone else, contribute to social and economic development, pay taxes, provide and care for families and contribute to community development.

Discriminatory legislation impacts the ability of LGBTIQ+ persons to join the workforce and be productive members of society. Consensual same sex relationships are criminalized in 70 countries,[26] and in many other countries, same-sex couples are not legally recognized and cannot access spousal and family workplace benefits.[27]

Laws can be used to stigmatize or discriminate against people who do not conform to local gender expectations. Trans, intersex and non-binary persons can face sanctions under vaguely defined laws. For example, in countries that do not legally recognize a person's gender identity, trans, intersex and non-binary people may be unable to obtain the documents required to join the workforce (birth certificates, driver's licences, voter IDs, passports, military registration, pension insurance and diplomas) unless they conceal their sexual orientation and gender identity.[28]

No population census has yet identified LGBT+ persons, though the situation is changing gradually; the United Kingdom and Argentina, for example, are to include questions on sexual orientation and gender identity in their censuses.[29]

According to the Organisation for Economic Co-operation and Development (OECD), 15 countries – Australia, Canada, Chile, Denmark, France, Germany, Iceland, Ireland, Italy, Mexico, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, and United States of America – have included a question on sexual self-identification in at least one nationally representative survey conducted by national statistical offices or other public institutions.[30]

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23   See Appendix 1 for internationally accepted definitions of terms.
24   State actors are those acting on behalf of/representing a government institution: government employees and public servants. For example, police and other State agents of social protection are often cited for violating the rights of LGBTIQ+ persons. More information is available on the OHCHR website, https://www.ohchr.org/sites/default/files/Documents/Publications/LivingFreeAndEqual.pdf.
25   Reid 2020a.
26   information is available on the OHCHR website, https://www.ohchr.org/sites/default/files/Documents/Publications/LivingFreeAndEqual.pdf
27   ILGA World 2020a.
28   ILGA World, 2020b.
29   More information is available on the ILO website, https://ilostat.ilo.org/inclusion-and-diversity-in-the-labour-market-a-call-for-lgbt-labour-statistics/.
30   More information is available on the OECD website, Home | OECD iLibrary (oecd-ilibrary.org)

Civil society has been instrumental in monitoring and reporting cases of discrimination, including against LGBTIQ+ persons, and using the evidence gathered to advocate for social and political change.[31]

The COVID-19 pandemic has exacerbated the challenges faced by all people. The United Nations Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity initiated dialogue with people from more than 100 countries to evaluate the impact of COVID-19 on their lives and concluded that LGBTIQ+ persons have faced more hardship than many others due to their already vulnerable place in society.[32] A 2020 survey of some 20,000 LGBTIQ+ persons in 138 countries found that due to the pandemic, 47 per cent faced economic difficulty, with a quarter unable to meet basic needs. At the time of the survey, 13 per cent had lost their jobs, with an additional 21 per cent expected to lose it in the near future.[33]

When pandemic response measures unfairly target vulnerable groups

Responses to COVID-19 sometimes penalize the most vulnerable in society. UNAIDS has noted "alarming reports" of police powers being used to harass, harm and arrest vulnerable and criminalized groups, including, though not limited to, LGBTIQ+ persons.

In April 2020, Peru instituted a gender-based virus prevention measure to limit the number of people in the streets. Men were allowed to leave their homes on odd numbered days, and women on even numbered days. The strict quarantine was enforced by the police. They could impose fines and arrest individuals found outside on the wrong day. Such gender restrictions were used to single out transgender people and penalize them for leaving home. This happened based on the sex marker on their ID or on their gender identity, regardless of whether they attempted to follow quarantine measures when buying essential goods. Reflecting on the experience in Peru and other areas with gender-based COVID-19 policies, the international NGO Human Rights Watch remarked that transgender people were "being humiliated and accused of breaking the law under the quarantine policy simply for being themselves". It urged governments to ensure quarantine measures were implemented in a way that respects the dignity of trans persons.

Source: Liana Woskie et al., "Do Men and Women 'Lockdown' Differently? Examining Panama's Covid-19 Sex-Segregated Social Distancing Policy, *Feminist Economics*, **vol. 27, issue 1–2 (2021): 327–344; more information is available in Panama's Gender-Based Quarantine Ensnares Trans Woman, on the HRW website,** https://www.hrw.org/news/2020/04/02/panamas-gender-based-quarantine-ensnares-trans-woman; The Danger of Being Transgender in Latin America in Times of Quarantine, on the openDemocracy website, https://www.opendemocracy.net/en/democraciaabierta/danger-being-transgender-latin-america-quarantine/; Coronavirus: Peru Limits Movement by Gender to stem Spread, on the BBC website, https://www.bbc.com/news/world-latin-america-52149742; Report 1: Global Impact of COVID-19 on LGBTI Communities, on the Equal Rights Coalition website, https://equalrightscoalition.org/documents/global-impact-of-covid-19-on-lgbti-communities/.

LGBTIQ+ persons are a diverse group. Their vulnerability increases manyfold when they have a health condition such as HIV or tuberculosis, or a disability, or when they belong to a racial/ethnic minority. According to UNAIDS, key populations – including men who have sex with men and transgender persons and their sexual partners – account for 54 per cent of new HIV infections globally. And as stated by OHCHR,[34] lesbian, gay, bisexual, transgender and intersex (LGBTI) persons may be at particular risk during the pandemic, due to stigma and discrimination, and disparities in access, quality and availability of healthcare services.

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31   David Paternotte, "The NGOization of LGBT activism: ILGA-Europe and the Treaty of Amsterdam", *Social Movement Studies*, vol. 3, issue 4 (2016): 388–402; Paul Chaney et al., "Civil Society Organizations and LGBT+ Rights in Bangladesh: A Critical Analysis", *Journal of South Asian Development*, vol. 15, issue 2 (2020): 184–208.
32   OHCHR 2020.
33   UNAIDS 2020c.
34   More information is available on the OHCHR website, https://www.ohchr.org/Documents/Issues/LGBT/LGBTIpeople.pdf.

Key takeaways:

▶ Around the world, LGBTIQ+ persons face violence and discrimination on the basis of their actual or perceived sexual orientation, gender identity, gender expression or sex characteristics.

▶ Discriminatory legislation impacts the ability of LGBTIQ+ persons to access work, progress in their career and be productive members of society.

▶ In all regions and countries, including those with anti-discrimination provisions, LGBTIQ+ persons face economic and social inequalities and marginalization, including in health, education, employment and access to justice.

▶ The experience of the HIV epidemic and COVID-19 exacerbate the challenges faced by LGBTIQ+ persons, as they do for all those already marginalized.

A.2 Discrimination and LGBTIQ+ workers

Stigma is the negative stereotype and discrimination is the behaviour or barrier that results from this negative stereotype or attitudes. Stigma and discrimination affect the health and well-being of LGBTIQ+ persons and prevent them from fully engaging in the world of work. The underlying causes of discrimination are negative or stigmatizing attitudes and perceptions, and unconscious bias.[35] These perceptions, that a person or group has less value than others, encourage the belief they should be disqualified from full social acceptance. Persons who are stigmatized are devalued and rejected, and often denied the opportunities others take for granted.

Thailand: Tolerance but not inclusion

A national survey by UNDP in 2019 found that although Thailand has a global reputation for tolerance, the lives of lesbian, gay, bisexual and transgender (LGBT) persons are negatively affected by stigma and discrimination, which prevents them from reaching their full potential as workers. Of those surveyed, most LGBT respondents reported experiencing at least one form of discrimination and were told to hide who they were at school, in the workplace and at home. Nearly half of respondents had considered suicide and one sixth of respondents had at some point attempted suicide.

Note: More information is available on the UNDP website, https://www.undp.org/content/undp/en/home/librarypage/democratic-governance/tolerance-but-not-inclusion.html.
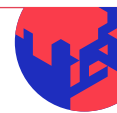
One of the consequences of being stigmatized is the internalization of that stigma. Prolonged stigmatization can result in negative self-perception and protective actions such as self-exclusion and isolation.[36] LGBTIQ+ persons often experience layered, compounded or intersectional stigma. This refers to the convergence of multiple stigmatized identities within a person or group. Recognizing this

Do you know?

The fear of, or discriminatory behaviour towards, gay persons is called **homophobia**.

With transgender persons, this aversion is called **transphobia**.

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35 Unconscious gender bias is defined as unintentional and/or automatic mental associations based on gender, stemming from traditions, norms, values, culture and/or experience. Unconscious bias (or implicit bias) is often defined as prejudice or unsupported judgements in favour of/against a person or group in a way usually considered unfair. See ILO, "Breaking barriers: Unconscious gender bias in the workplace", 2017.
36 Ken Morrison, Breaking the Cycle: Stigma, Discrimination, Internal Stigma and HIV (US Agency for International Development, 2006).

layered stigma means understanding a person may experience discrimination due to their sexual orientation or gender identity, and also for race, ethnicity, class, health status (those living with HIV, for instance), religious affiliation and other identities, all at the same time.[37]

LGBTIQ+ persons can also be subject to structural stigma and discrimination; that is, the societal-level conditions, cultural norms and institutional policies and procedures that constrain the opportunities, resources and well-being of a stigmatized person or group. Whether intentional or unintentional, research shows this stigma has negatively impacted the health and social outcomes of LGBTIQ+ persons.[38]

Workplace discrimination: China, Philippines and Thailand

In 2018, a UNDP and ILO survey found that 21 per cent of respondents in China, 30 per cent in the Philippines, and 23 per cent in Thailand reported being harassed, bullied or discriminated against while at work because of their sexual orientation, gender identity, gender expression or sex characteristics. Many individuals believed they were denied a job due to their sexual orientation, or gender identity or expression, and more than two thirds said they had seen job advertisements that explicitly excluded LGBTI persons in the job requirement.

Source: UNDP and ILO 2018.

Discrimination against LGBTIQ+ workers: What do we know?

Research by the ILO, as well as by many civil society and workers' organizations, businesses and academics, provides a consistent picture of the challenges faced by workers as a result of discrimination on the basis of sexual orientation, gender identity, gender expression and/or sex characteristics. Published ILO literature on this topic indicates the following:

▶ Discrimination takes place across occupations and throughout the employment cycle.
▶ Discrimination against LGBTIQ+ persons is compounded by intersecting factors, including sex, ethnicity, health status, migrant status, nationality, race, social class and differentiated abilities.
▶ Those who publicly transgress gender norms often face the highest levels of discrimination, and violence and harassment, regardless of sexual orientation, gender identity or sex characteristics. Trans workers report extremely high levels of employment discrimination, and violence and harassment, particularly when their gender expression and identity is incongruent with their identity documents.
▶ Homophobic and transphobic verbal abuse is widely experienced and reported, including malicious jokes, slurs, negative remarks and criticism targeting LGBTIQ+ workers.
▶ Prejudice and stigma against LGBTIQ+ persons result in social marginalization in the workplace; for example, through refusal to shake hands, sit together or share rooms during work trips, and exclusion from informal discussions, meetings and other work opportunities.
▶ LGBTIQ+ workers widely report being unfairly denied training and job advancement opportunities, and promotions.
▶ LGBTIQ+ workers report being unfairly dismissed because of their sexual orientation, gender identity or gender expression.

Despite these negativities, more workplaces have inclusive maternity protection, family-friendly policies, parental leave and health insurance benefits for LGBTIQ+ employees. More governments are pursuing policies that positively affect LGBTIQ+ workers. More worker and employer organizations are incorporating LGBTIQ+ inclusion in trainings and collective bargaining.

Note: More information is available on the ILO website, https://www.ilo.org/declaration/follow-up/tcprojects/WCMS_351654/lang--en/index.htm.

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37   Turan et al. 2019.
38   Hatzenbuehler 2016.

Discrimination against LGBTIQ+ persons has an economic cost

In 2014, the World Bank developed a model to estimate the economic cost of stigma and social exclusion of LGBTIQ+ persons. It noted an economy of India's size could lose up to $32 billion per year or 1.7 per cent of that country's gross domestic product (GDP).[39] In 2019, the Caribbean Policy Research Institute (CAPRI) found that anti-gay laws and discriminatory practices cost the workforce about $11 billion annually and cause minority groups to be three times more vulnerable to psychosocial disabilities.[40] Likewise, a study from 2018 revealed that a 1 per cent decrease in the level of homophobia is associated with a 10 per cent increase in GDP per capita.[41]

There is a correlation between workplace bullying and poor physical and mental health, including depression, low self-esteem and suicidal thoughts.[42] Such discrimination results in lost labour time, lost productivity, underinvestment in human capital and the inefficient allocation of human resources. The decreased investment in human capital and suboptimal use of human resources also results in lower output at the broader economy level.[43]

Persistent violence and harassment leads to poor work performance and attendance, which in turn may lead to resignation or dismissal.[44, 45] Concealment of sexual orientation or gender identity due to fear of discriminatory treatment and violence can lead to considerable anxiety and loss of productivity.[46] ILO research shows that trans people sometimes delay or hide gender-affirming procedures[47] and social or physical transition in order to access education and employment.[48] These realities severely inhibit equal work opportunities for LGBTIQ+ persons, with many excluded from the formal economy and others facing discrimination, and violence and harassment, at work.

Developing human capital is a smart investment. Investing in networking and learning opportunities for LGBTIQ+ workers can contribute to finding the right people, help companies better utilize talent and build the social capital of marginalized individuals.[49]

Watch The price of exclusion video, produced by OHCHR under the UN Free and Equal campaign.

Key takeaways:

▶ Stigma and discrimination in the workplace prevent LGBTIQ+ persons from fully engaging. Internalized stigma (negative self-perception) can lead to self-exclusion and isolation.

▶ LGBTIQ+ persons often experience layered, compounded or intersectional stigma. This refers to the convergence of multiple stigmatized identities within a person or group.

▶ Discrimination has an economic cost to LGBTIQ+ persons and their families, enterprises and national economies.

▶ Investing in LGBTIQ+ human capital is a smart investment.

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39 Lee Badgett 2014.
40 Scott 2019.
41 Lamontagne et al. 2018.
42 ILO, *Results of the ILO's PRIDE Project*, Argentina, 2015; Winter et al. 2018.
43 More information on the ILO gender identity and sexual orientation: promoting rights, diversity and equality in the world of work (PRIDE) project is available on the ILO website, https://www.ilo.org/declaration/follow-up/tcprojects/WCMS_351654/lang--en/index.htm; Shapiro 2020.
44 ILO, *Results of the ILO's PRIDE Project*, Argentina, 2015; UNISON, "Lesbian, Gay and Bisexual Workers Rights", Factsheet, 2017.
45 Lee Badgett et al., *The Relationship Between LGBT Inclusion and Economic Development: Emerging Economies*, 2014.
46 ILO, *Results of the ILO's PRIDE Project*, Costa Rica, Indonesia, 2015.
47 See Appendix 1 for further information on gender-affirming or transition.
48 ILO, *Results of the ILO's PRIDE Project*, Argentina, 2015; UNISON 2017.
49 World Bank and UNDP 2016.

A.3 Legal protections for LGBTIQ+ persons

The Universal Declaration of Human Rights (UDHR), a milestone document in the history of human rights, was drafted by representatives with different legal and cultural backgrounds from all regions of the world. It was proclaimed by the United Nations General Assembly in Paris on 10 December 1948.

Recognizing that discrimination constitutes a violation of rights enunciated by the UDHR, the ILO, in its Discrimination (Employment and Occupation) Convention, 1958 (No. 111), determined that the term included: a) any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation; and b) such other distinction, exclusion or preference, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers' and workers' organizations, where such exist, and with other appropriate bodies. [50]

> **The Declaration of Philadelphia**
>
> Adopted in 1944, the Declaration outlined the aims and purposes of the ILO, stating that lasting peace is based on social justice and that:
>
> All human beings, irrespective of race, creed or sex, have the right to pursue both their material wellbeing and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity.

ILO International Labour Standards apply to all workers, unless they specify otherwise.

The Governing Body of the ILO has identified eight fundamental Conventions, covering subjects considered fundamental principles and rights at work: the freedom of association and the effective recognition of the right to collective bargaining; elimination of all forms of forced or compulsory labour; effective abolition of child labour; and elimination of discrimination in respect of employment and occupation.[51] Further, the Governing Body has taken an important step towards the possible inclusion of occupational safety and health as a fundamental principle and right at work.[52]

The 1958 Discrimination (Employment and Occupation) Convention – one of ILO's fundamental Conventions – requires countries, under article 2, to implement "a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view

> **Why is this relevant?**
>
> The realities of daily life for LGBTIQ+ persons severely inhibit equal work opportunities, with many being excluded from the formal economy and others facing discrimination and harassment in the workplace and throughout the employment cycle.

to eliminating any discrimination".[53] Under the Convention, discrimination includes any distinction, exclusion or preference made on the basis of a prohibited ground that has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.[54]

The Convention, which applies to all workers, including migrant workers, in all sectors of the economy, provides an explicit protection against discrimination based on sex under article 1(1)(a). Over the years, the Committee of Experts on the Application of Conventions and

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50 More information is available on the ILO website, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPU-B:12100:0::NO::P12100_ILO_CODE:C111.

51 More information is available on the ILO website, https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm

52 More information is available on the ILO website, https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_839982/lang--en/index.htm.

53 More information is available on the ILO website, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPU-B:12100:0::NO::P12100_ILO_CODE:C111.

54 Article 1(1)(a) lists seven prohibited grounds of discrimination, and article 1(1)(b) allows ratifying countries to declare additional prohibited grounds. Many countries have recognized sexual orientation, gender identity and/or other grounds protecting LGTIQ+ persons from discrimination and have reported periodically to the ILO on application of the Convention.

Recommendations (CEACR) has addressed the importance of gender within the application of the grounds of sex, and stated that under the Convention, sex discrimination includes distinctions based on biological characteristics, as well as unequal treatment arising from socially constructed roles and responsibilities assigned to a particular sex (gender).[55]

In addition to the seven grounds explicitly prohibited, the Convention provides for the possibility of additional grounds to be determined by Member States, after consultation with representative employers' and workers' organizations (where such exist), and with other appropriate bodies, when applying article 1(1)(b).

By 2012, CEACR noted a trend in national legislation/policies towards including a broad range of prohibited grounds of discrimination, including sexual orientation and gender identity, first under article 1(1)(b), but more recently under article 1(1)(a) in a number of countries.[56] In addition to these two grounds (which are the most mentioned), CEACR comments reflect a number of different SOGIESC grounds contained in national legislation/policy, such as gender reassignment, gender expression and sex characteristics.

In 2019, ILO adopted the Violence and Harassment Convention (No. 190) and its accompanying Recommendation No. 206.[57] The Convention notes the importance of addressing violence and harassment in the workplace because it "affects a person's psychological, physical and sexual health, dignity and family and social environment".

It recognizes that everyone has a right to a world of work free from violence and harassment, and states, under article 6, "shall adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers, as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work".

The ILO HIV and AIDS Recommendation, 2010 (No. 200) on the world of work states: "Measures should be taken in or through the workplace to reduce the transmission of HIV and alleviate its impact by … [p]romoting the involvement and empowerment of all workers regardless of their sexual orientation."[58]

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55   ILO, Report III (Part 1B) Giving globalization a human face, International Labour Conference, 101th Session, 2012, para 782.

56   More information on NORMLEX is available on the ILO website, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0::NO:::.

57   ILO, "C190 – Violence and Harassment Convention, 2019 (No. 190)", NORMLEX Information System on International Labour Standards, accessed 15 September 2021.

58   More information is available on the ILO website, https://www.ilo.org/global/topics/hiv-aids/WCMS_142706/lang--en/index.htm.

Social protection is failing LGBTIQ+ persons

Sustainable Development Goal (SDG) 1 commits to ending extreme poverty for all people everywhere by 2030, including through implementing nationally appropriate social protection systems and measures for all, including floors. Fractures in social protection systems have become obvious in the context of the COVID-19 pandemic.

The ILO has adopted a range of international labour standards, with guidance for addressing social protection gaps in the immediate and long term.[59] This is key for building, complementing and strengthening national social protection systems to mitigate the socio-economic impacts on vulnerable populations of COVID-19, and future crises, and to ensure no one is left behind.

The ILO Social Protection Floors Recommendation, 2012 (No. 202) recognizes that social security is an important tool to prevent and reduce poverty, inequality, social exclusion and social insecurity, promote equal opportunity and gender and racial equality, and support the transition from informal to formal employment. Two principles outlined in Recommendation 202 are non-discrimination, gender equality and responsiveness to special needs, and social inclusion, including of those in the informal economy. Social protection programmes should be reviewed from the perspective of inclusiveness, ensuring that LGBTIQ+ persons, those with disabilities and those living with HIV, and other marginalized groups, are effectively included in social protection measures.

> As stated by a respondent in the ILO study, Access to and Effects of Social Protection on Workers living with HIV and their Households:
>
> Some of our transgender friends are so afraid of being discriminated against by service providers, either at the hospital or at the social protection agencies, that they don't even bother to try accessing the services. They just know that they will be ill-treated by those people.

Barriers that LGBTIQ+ persons face in accessing social protection services should be identified and removed.

Key takeaways:

▶ The United Nations and ILO declarations and conventions provide a framework for defending the rights and responsibilities of workers.

▶ International labour standards supply guidance for developing inclusive employment policies, workplace policies and family-friendly policies.

▶ Addressing underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and violence and harassment, is essential for advancing social justice and decent work for all.

▶ Barriers that LGBTIQ+ persons face in accessing employment and social protection need to be identified and removed.

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Go to Exercises Section A ▶

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59   These include the Social Protection Floors Recommendation, 2012 (No. 202) and the Social Security (Minimum Standards) Convention, 1952 (No. 102).
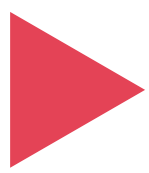
▶ Section B

Progress towards an inclusive world of work for LGBTIQ+ persons

B.1 The changing situation of LGBTIQ+ persons at work

The world is changing rapidly in relation to LGBTIQ+ persons, and their place in society and the workplace. As of 2021, only 29 countries legally recognized marriage equality while 34 provided some same-sex partnership recognition. Eleven countries specifically mentioned sexual orientation in constitutional non-discrimination clauses. Legislation banning discrimination in the workplace on the basis of sexual orientation is being adopted across regions. As of December 2020, 81 United Nations Member States provided protection against discrimination based on sexual orientation in employment.

In 2019, Barbados, North Macedonia and Sao Tome and Principe amended or enacted new labour laws to protect persons regardless of their sexual orientation. Meanwhile, in the Philippines, six municipalities passed local ordinances to prohibit discrimination on the basis of sexual orientation, including employment.[60]

Globally, the courts have also brought protections for LGBTIQ+ persons in the world of work. In Hong Kong, China, the Court of Final Appeal ruled that the government must allow spousal benefits to same-sex couples married under foreign laws.[61] And in the United States in 2020, the Supreme Court ruled that protection for persons with diverse sexual orientations and gender identities should include employment protection.[62]

China: Landmark court ruling for transgender employees

In July 2020, a Beijing court ruled that an employer was wrong to fire an employee who took two months of leave to undergo gender assignment surgery. The court ruled that the employee must be reinstated and has the right to use the women's toilet. News of the ruling sparked debate across Chinese social media with many offering words of support. Only a few workplace discrimination cases involving trans people have been heard in China's courts. In the ruling the court noted:

Modern society is becoming more and more diverse. We are always finding novelties around us, and we learn to gradually accept them unless they threaten others', the collective's, national or social common interest.

Source: Siyuan Meng, "Landmark Court Ruling Offers Hope for China's Transgender Employees", *Radii*, 6 July 2020.

In 2021, an increasing number of companies on the Fortune 500 – the annual list compiled by *Fortune* magazine ranking the largest U.S. corporations – offered benefits to their LGBTIQ+

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60   ILGA World 2020a.
61   Katie Tam, "Hong Kong Court: Same-Sex Couples Entitled to Spousal Benefits", *The Diplomat*, 6 June 2019.
62   More information is available on the Wall Street Journal website, https://www.wsj.com/articles/california-rolls-out-diversity-quotas-for-corporate-boards-11601507471.

employees.[63] Of the Fortune 500:

▶ 96 per cent have non-discrimination policies that include sexual orientation;

▶ 94 per cent have non-discrimination policies that include gender identity;

▶ 71 per cent include transgender-inclusive benefits.

Key takeaways:

▶ The world is rapidly changing in regard to LGBTIQ+ persons and their place in society and the workplace.

▶ As of 2020, 81 United Nation Member States (42 per cent) provided protection against discrimination based on sexual orientation in employment.

▶ As of 2021, 29 countries legally recognized marriage equality, 34 provided some same-sex partnership recognition and 11 specifically mentioned sexual orientation in constitutional non-discrimination clauses. Legislation banning discrimination in the workplace on the basis of sexual orientation is being adopted across regions.

B.2 Diversity and inclusion in the world of work

An ILO report, Transforming Enterprises through Diversity and Inclusion,[64] captures findings from one of the most comprehensive studies on equality, diversity and inclusion. It shows that despite the well-documented benefits, there is more to be done in creating diversity and inclusion within enterprises.

Further, the report refers to four principles to help achieve transformational change on diversity and inclusion, across all workforce groups and levels, as follows:

1. Diversity and inclusion as part of the strategy and culture of organizations.

2. Representation of marginalized groups in top management.

3. Senior managers and staff held accountable as role models for diversity and inclusion.

4. Actions applied across the employee life cycle.

Studies have shown that diversity in the workplace has an economic and social value.[65] Diversity at work drives creativity and innovation, and fosters a feeling of belonging, as workers recognize their personal situation is taken into consideration. This can encourage them to give their best effort and engenders loyalty, which reduces employee turnover. Diversity, and other ways of seeing the world, can contribute to conflict resolution through instilling better understanding, confidence and trust.

Diversity and inclusion in the workplace are a cornerstone of the "leave no one behind" pledge in the 2030 Agenda. Just as diversity has a proven impact on innovation, productivity and market expansion in the workplace, the benefits of LGBTIQ+ inclusion at work has been confirmed in several international studies.[66] Inclusion impacts everyone. An environment where workers have rights, and are empowered to share their views to shape workplace policies, illustrates inclusion at work. Everyone can come to work in a way that suits them, feeling safe, comfortable and confident being themselves, and be mutually respectful and productive.

63   Human Rights Campaign Foundation, "Corporate Equality Index 2022: 20 years of Impact", 2022.
64   More information is available on the ILO website, https://www.ilo.org/actemp/publications/WCMS_841348/lang--en/index.htm.
65   Catalyst 2020.
66   Shapiro 2020.

Equality focuses on ensuring every person can flourish at work, and experience equal opportunities and treatment. That is, all persons, regardless of their personal characteristics, can participate and contribute according to their capacity without the interference of discrimination or bias. Equality recognizes that each person has different circumstances, that historically some groups have experienced discrimination, and that reaching equal outcomes will not be achieved by treating everyone the same. Equality and reaching equal outcomes requires resources and opportunities to be allocated according to circumstance and need.

Diversity in the workplace refers to the similarities and differences that exist between people, and that can impact employment and business opportunities and outcomes. It refers not only to similarities and differences linked to personal characteristics, such as age, disability, gender, gender identity, ethnicity, race, religion, sexual orientation and people living with HIV, but also to those like values, work styles, caring responsibilities, hierarchical levels and work roles. Each person has multiple groups they identify with, which can change over time, potentially influencing and shifting employment opportunities and outcomes.

Inclusion is relational. It refers to the experience people have in the workplace and the extent to which they feel valued for who they are, the skills and experience they bring and the extent to which they have a strong sense of belonging at work. A person's feeling of inclusion at work is related to their personal characteristics, their own behaviour and that of others, and the environment they are in. Creating an inclusive workplace culture and environment enables diverse employees to experience equality and thrive, increases employee engagement and influences business performance.

Source: ILO, *Transforming Enterprises through Diversity and Inclusion, 2022*.

The ILO working paper, The price of exclusion: the economic consequences of excluding people with disabilities from the world of work, estimates a GDP loss of between 3 per cent and 7 per cent due to the exclusion from the labour market in low- and middle-income countries of persons with disabilities.[67]

Breaking down barriers with business coaching in Indonesia
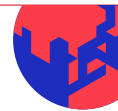
An ILO study in 2016 revealed that only 10 per cent of Indonesian transgender people worked in the formal economy. As a result, many in the transgender community have precarious lives that threaten their health and physical security, and place them at a greater risk for HIV infection. The COVID-19 pandemic has left this community even more economically insecure.

This prompted ILO to step up its support, with coaching for those in the transgender community to help them run their businesses. Just three months after completing the course, participant Lenny Sugiharto was able to consolidate her small restaurant business in Jakarta.

"I feel a new spirit after having the intensive business coaching," she said. "More confident on starting the business and motivated to learn."

In February 2021, Lenny started serving home-cooked meals for low- and middle-income customers and was able to obtain financial support to set up her own restaurant, Warung Makcik, in the Matraman district of East Jakarta.

Note: Based on ILO case studies on business coaching for transgender persons in Jakarta, 2020.

Whether you focus explicitly on LGBTIQ+ inclusion, or look at it within a wider effort towards diversity and inclusion, will depend on the cultural, political and workplace situation. Initiatives directed at a marginalized group, such as persons with disabilities, ethnic/linguistic minorities, radicalized people and those living with HIV, can include elements related to sexual and

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67   More information is available on the ILO website, https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_119305.pdf.

gender diversity. Likewise, a broader initiative to engage on general issues of diversity, equity and inclusion can include information related to sexual and gender diversity. All people are impacted and can benefit from a better understanding of these issues in the workplace.

LGBTIQ+ inclusion in the employment cycle

Figure 2 illustrates the different issues and obstacles LGBTIQ+ individuals can potentially face throughout the employment cycle. It divides the employment cycle into five steps:

▶ Demand – educational opportunities, job searching and employment opportunities.

▶ Onboard – recruitment, hiring and inducting an employee.

▶ Develop – becoming part of a team, on-the-job training, adapting and participating.

▶ Retain – satisfaction, productivity, promotion and career advancement.

▶ Offboard – entry into new employment or search for employment (back to demand).

Figure 2: Potential problems in the work-environment cycle for LGBTIQ+ persons

DEMAND

Unconcious bias or prejudice
Lack of equal protection for LGBTIQ+ persons
Vicious cycle of limited education and job opportunities
Low self-esteem, sense of value and belonging

ONBOARD

Discriminatory or unequal hiring practices
Lack of supportive policies or policies not known
Workplace reflection of society
Self-exclusion as a response to repeated stigma
and discrimination

DEVELOP

Possibilities of harassment at work
Lack of opportunities for learning and networking
Lack of opportunities for input into innovation
Workplace-related safety for LGBTIQ+ persons

RETAIN

Lack of benefits for spouses and/or alternative families
Limited opportunities for advancement
Repetition, lack of growth and job satisfaction
Unfamiliarity with career planning

OFFBOARD

Social protection systems not open to LGBTIQ+ persons
Lack of recognition of alternative families and support systems
Lack of career growth opportunities
Lack of encouragement and guidance

Source: Ken Morrison 2021.

LGBTIQ+ inclusion is needed throughout the employment cycle, by means of expanding the recruitment process to include more LGBTIQ+ applicants, improving opportunities for education and employment (addressing conditions of work, increasing opportunities for on-the-job training and promotion), combating discrimination and avoiding unlawful termination, and providing equal benefits and social protection post-employment.

The business benefits of diversity and inclusion can be summed up as follows:[68]

▶ **Innovation**: diversity provides access to a wider range of talent, creativity and innovation. Bourke's report, *Which Two Heads Are Better Than One?*, for example, shows diversity of thought increases innovation by up to 20 per cent through generating new ideas and better decision-making.[69]

▶ **Productivity**: diversity in the workplace can lead to higher levels of trust and job satisfaction, and to increased employee engagement, retention and well-being. This all contributes to higher levels of productivity. The Boston Consulting Group conducted a joint study with the Technical University of Munich that was reported in the company's April 2017 blog, The mix that matters: Innovation through diversity. It found that in the most recent three-year period, organizations with higher diversity in management earned 38 per cent more of their revenue from innovative products and services than organizations with lower diversity.[70]

▶ **Market expansion**: studies show that consumers are more likely to buy, or consider buying, a product linked with marketing/advertising considered to have a positive message about diversity.[71] This includes high levels of disposable income in groups such as persons with disabilities or LGBTIQ+ persons, as well as consumer willingness to do business with companies or countries with anti-gay policies.[72] Brand enhancement, positive social impact, community empowerment and expanded markets are all possible outcomes of diversity in the workplace.

▶ **Talent pool**: companies that support LGBTIQ+ persons are perceived as more attractive employers, especially to younger generations of workers. Studies have shown that LGBTIQ+ employees are loyal and place greater trust in employers with diverse staffs. Workplaces with peer support for LGBTIQ+ employees increase social bonds between co-workers and encourage a safer, and more open and trusting workplace.

▶ **Workforce performance**: studies have found that employees can perform at higher capacity in the absence of discrimination and unconscious bias. Hiring more openly diverse employees is shown to augment innovation, with proven links between diversity and enhanced business performance.

Economic benefits: the economic benefits of LGBTIQ+ inclusion has been shown to go beyond organizational development. For example, openly supporting LGBTIQ+ equality is seen to contribute to a positive brand image, which can lead to further business opportunities. Organizational commitment to LGBTIQ+ equality can also provide access to new customers, and increase demand for company stock.

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68   Adapted from Shapiro 2020.
69   Bourke 2020.
70   Lorenzo 2017.
71   Sakunasingha 2018.
72   Open for Business 2015.

Key takeaways:

▶ Despite the well-documented benefits, there is more to be done in creating diversity and inclusion within enterprises.

▶ Four principles that help achieve transformational change on diversity and inclusion across all workforce groups and levels are:

▶ diversity and inclusion as part of the strategy/culture of organizations;

- representation of marginalized groups in top management;

- senior leaders, managers and staff as role models for diversity and inclusion;

- actions applied across the employee life cycle.

▶ The business benefits of diversity can be summed up in three key areas:

- innovation: diversity provides access to wider range of talent, creativity and innovation;

- productivity: diversity in the workplace leads to higher levels of trust and job satisfaction, and to increased employee engagement, retention and well-being;

- market expansion: consumers likely to buy/consider buying products linked with marketing/advertising considered to have a positive message about diversity.

Exercise

Are there policies in your workplace related to discrimination?
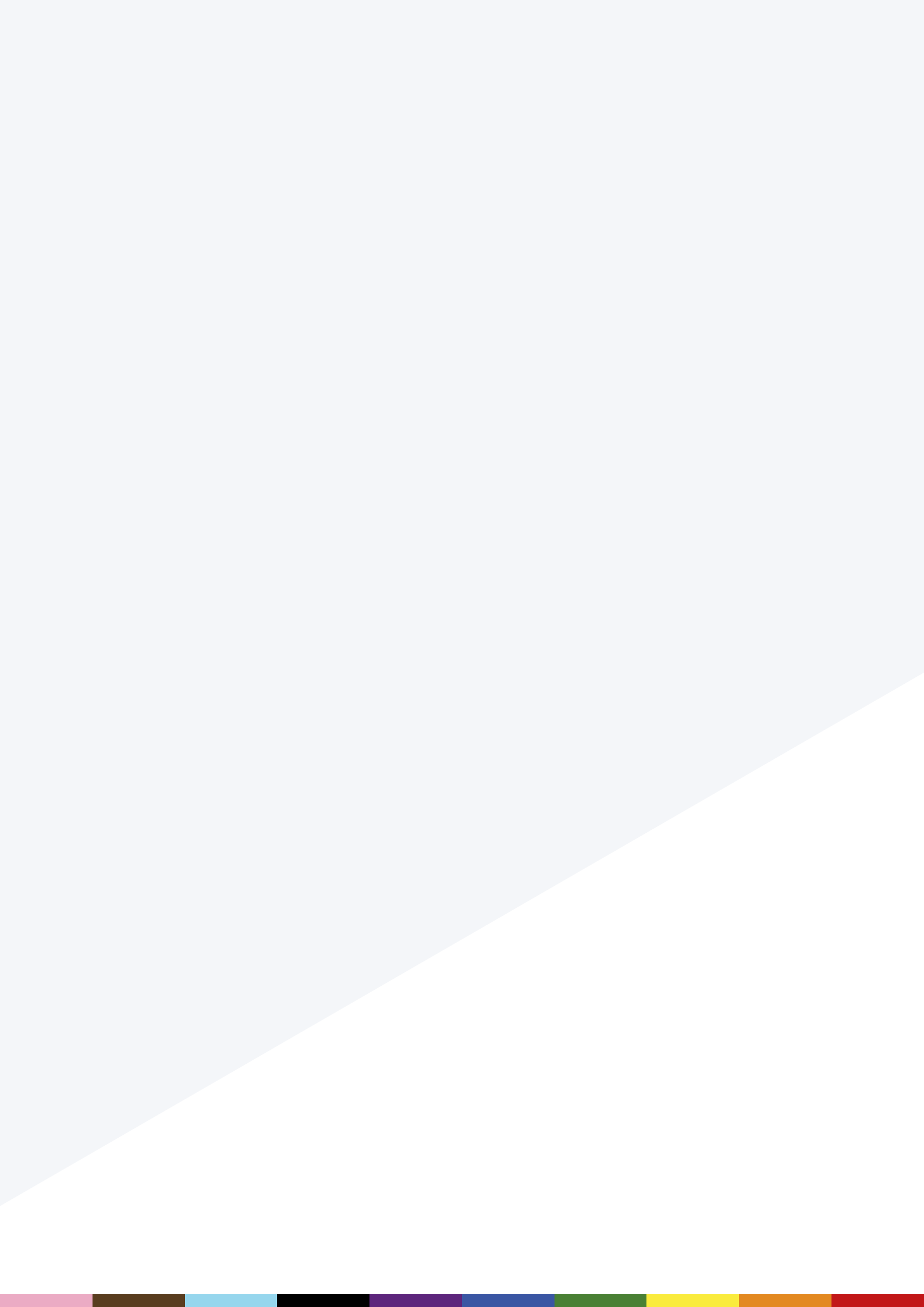
If you are not sure, this is an opportunity to research and/or exchange with other colleagues to find out.

Locate a copy and review. Are LGBTIQ+ persons explicitly or implicitly protected under the policies?

If not, look for policies in your country on addressing discrimination. Are they inclusive of LGBTIQ+ persons? Do they apply to workplaces?

▶ Section C

The way forward: From policy to practice

This section explores action related to the inclusion of LGBTIQ+ persons by governments, and employers' and workers' organizations. Social dialogue – finding solutions through dialogue – is key to implementing sustainable rights-based initiatives in the workplace.

Chapters C.2, C.3 and C.4 are specific to particular partners, but roles and responsibilities often overlap. Read your respective chapter but also glance over other relevant sections.

C.1   Taking action through partnerships

Partnerships are key to making change. Areas that stand out for multiple partner (tripartite or bipartite) collaboration for LGBTIQ+ inclusion comprise: consulting with LGBTIQ+ workers to assess the situation; raising awareness about LGBTIQ+ discrimination and workplace inclusion; working together to eliminate violence and harassment in the workplace; facilitating opportunities for networking and learning based on reliable information; and collaborating for policy reform. Exploring these areas with your own constituency is a good place to start.

> There are signs chief executive officers (CEOs) and companies are broadening and strengthening their sense of social purpose in the highly fluid and uncertain environment brought on by COVID-19. The Deloitte report is the result of a survey with some 9,000 business and HR leaders from 119 countries. Belonging and well-being feature at the top of priorities in 2020, with 80 per cent and 79 per cent of respondents, respectively, citing them as important or very important to their organization's success in the following 12–18 months. Deloitte notes this is one of the highest rates of consensus it has seen on an issue in a decade of its Global Human Capital Trends reports.
>
> Source: Deloitte, The Social Enterprise at Work: Paradox as a Path Forward. 2020; KPMG, *KPMG 2020 CEO Outlook*: *COVID-19 Special edition*, 2020.

Consultation and assessment

To begin a process of LGBTIQ+ inclusion, it is important to step back and review the situation of LGBTIQ+ persons in your working environment, to determine where you might best contribute. This process can include a context review, situation analysis, gender assessment, diversity analysis or policy environment review, and can be a relatively simple, rapid assessment.

While social dialogue involving governments, and employers' and workers' organizations is key, it is critical to also consult the LGBTIQ+ workers or organizations representing LGBTIQ+ persons, including CSOs. Those with first-hand experience are often overlooked, despite being an important source to help identify priority issues.

Advancing equality through legal reform

LGBTIQ+ persons face discrimination and harassment throughout the employment cycle. Effective advocacy and evidence-informed debate can open a path to equal participation in employment, through the adoption of legal protections against discrimination and repeal of discriminatory laws that can be used to criminalize or otherwise target LGBTIQ+ persons. Benefits go beyond LGBTIQ+ communities.

The passing of legal protections for LGBTIQ+ persons, for example, seems to have an impact on the integration of other groups, such as women, in the labour force.[73]

Legal standards that explicitly prohibit discrimination in employment and social security based on gender and sexual diversity provide an important framework for advancing labour rights in this area and ensuring more equal workforce participation.

Laws provide a basis for protection from discrimination, and policymakers should bear this in mind in regard to LGBTIQ+ persons.

Fighting vague laws that target LGBTIQ+ persons

In 2019, the Eastern Caribbean Alliance for Diversity and Equality launched five legal challenges against buggery and indecency laws used to target and criminalize LGBTIQ+ persons in Antigua and Barbuda, Barbados, Grenada, Saint Kitts and Nevis, and Saint Lucia. Such laws are the remnants of colonial-era rule in the Caribbean. According to Alliance Executive Director Kenita Placide:

While the process of litigation is important, the main part of this journey was to strengthen the organizations and the communities within the countries they serve. We also needed to understand how these laws contribute to the stigmatization of lesbian, gay, bisexual, transgender, queer and intersex people, how they legitimize hate speech, discrimination and violence and tear at the heart of the family that our society, including our governments, have sworn to protect.

Source: "This is Four Years in the Making. Eastern Caribbean LGBT Organization Launches Five-country Legal Challenge to Anti-gay Laws", *The Star.* 1 November 2019.

Laws are slowly being changed, or adopted, to ensure couples in same-sex relationships are treated on an equal basis in social security coverage, and that LGBTIQ+ parents have equal rights in relation to maternity protection, parental leave and recognition of partner and family relationships. Trans people should have access to legal gender recognition[74] based on self-identification.[75] Additionally, States should ensure forced or coerced genital surgeries, including when performed on intersex people, are prohibited. Such practices, often done without informed consent, can cause lifelong harm and suffering and may amount to torture or other cruel treatment. It should also be kept in mind that intersex workers might need regular medical leave and reasonable workplace adjustments to participate in work.

A coalition against discrimination

Since 2016, 450 companies operating in the United States, including more than 200 leading businesses, have joined the Human Rights Campaign's Business Coalition for the Equality Act. These companies have operations in all 50 states, a combined $7.1 trillion in revenue, and employ 14.9 million people in the country. They have pledged support to the Equality Act – legislation being considered by U.S. Congress that would add clear, comprehensive non-discrimination protections to civil rights laws for LGBTQI+ people.

Source: "HRC Announces Unprecedented Support for the Equality Act from 200+ Leading Businesses", *Human Rights Campaign* (blog), 8 May 2019.

SUPPORTING LGBTQ EQUALITY IS
GOOD FOR BUSINESS
EQUALITY ACT
#EqualityAct
HUMAN RIGHTS CAMPAIGN

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73   OECD 2020. According to the OECD review of laws/policies of their 37 member countries, those countries with the most legal protections for LGBTIQ+ people on average show more than double the share of women in parliament compared with those where legal LGBTI inclusion is lowest, a one third increase in female labour force participation and a 30 per cent decrease in the gender wage gap.

74   Trans and intersex persons face discrimination as a result of having identity documents that are not congruent with their name, gender identity and gender expression, often excluding them from employment at the application stage.

75   In a review of good practice, OHCHR affirmed that trans people should have access to legal recognition of their gender identity and that the process should be based on self-identification, allow for recognition of non-binary identities, be a simple administrative process, and not require applicants to present medical certification, or undergo surgery, sterilization or divorce. More information is available on the OHCHR website, https://www.ohchr.org/en/issues/discrimination/pages/lgbt.aspx.

Addressing violence and harassment in the workplace through an integrated approach

The ILO Convention on ending Violence and Harassment, 2019 (No 190) – or C190 – at work acknowledges an "inclusive, integrated and gender-responsive approach, which tackles underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination and unequal gender-based power relations, is essential to ending violence and harassment in the world of work".[76] Violence and harassment in the workplace affects relations, worker engagement, worker health and productivity, and the quality of public and private services, as well as enterprise and/or country reputation. The ILO guide on C190 and its accompanying Recommendation 206[77] explain the definitions, core principles and measures they enshrine. The guide helps in understanding the scope of the instruments, and highlights, by providing a rich selection of examples of national laws on HIV and AIDS, policies and other measures, how Member States have moved forward in preventing and eliminating work-related violence and harassment.

Figure 3 outlines the component strategies for an integrated approach to addressing the many forms of violence[78] in the workplace applicable to LGBTIQ+ persons.[79]

Figure 3: Integrated approach to addressing violence in the world of work

ILO Ending violence and harassment against women and men in the world of work

- To prohibition of world of work violence and harassment
- A comprehensive prevention strategy
- Enforcement and monitoring, including safe and accessible complaints mechanisms
- The right of all workets to a violence and harassment-free world of work
- **Integrated approach to addressing violence in the world of work**
- Sanctions for perpetrators and remedies and support for victims
- A comprehensive definition of violence and harassment
- Tools and policy frameworks for addressing violence and harassment in the world of work

Source: ILO 2021.

Raising awareness

Discriminatory views related to diversity in sexual orientations, gender identities, gender expressions and sex characteristics are often rooted in fear, and a lack of correct knowledge and understanding.

Raising awareness and challenging myths and stereotypes can go a long way towards combating stigma and promoting inclusivity. Sometimes people may not realize that jokes and offhand remarks in the workplace are harmful and may incite discrimination. Others may have been actively taught negative perceptions of LGBTIQ+ individuals without ever knowing them. This may be reinforced when laws criminalize or otherwise discriminate against people on the basis of actual or perceived sexual orientation or gender identity, and here a culture of impunity exists around violence against LGBTIQ+ persons.[80]

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76   ILO 2019c.
77   ILO 2021a.
78   See Appendix 4 for forms of violence. The ILO, in "Work-related Violence and its Integration into Existing Surveys", 2013, describes different forms of violence that can be perpetrated against LGBTIQ+ persons, as well as others.
79   ILO 2018b.
80   Impunity usually refers to exemption from punishment; for example, if doing something usually results in punishment, but you do it with impunity, you will not be punished for the act. For more information see ILO, *Addressing Impunity*, 2019.

What to cover in awareness sessions?

Awareness-raising activities can cover several topics depending on the context of the organization:

▶   understanding basic terminology and concepts around sexual orientation, gender identity, gender expression and/or sex characteristics;

▶   addressing myths and stereotypes through evidence;

▶   understanding obstacles faced by LGBTIQ+ persons more broadly in society, including through laws, policies and practices;

▶   understanding obstacles facing LGBTIQ+ people in employment;

▶   sharing cases of successful inclusion of LGBTIQ+ persons in the world of work;

▶   creating safe and welcoming workspaces that respond to negative comments and acts of discrimination;

▶   sharing principles of inclusive employment policies for LGBTIQ+ persons.

Stakeholders in the world of work influence how LGBTIQ+ persons are understood, perceived and accepted. Chief executives, management, and human resources and communications staff, for example, have an important role in how LGBTIQ+ workers are included in the workplace.

While it is imperative that decision-makers and public figures are sensitized, the attitudes of co-workers, peers, unions, clients and customers all make a difference to how LGBTIQ+ workers are treated. Good intentions can be reinforced with accurate and sensitive language, facts and practical guidance. In the process, one's own unconscious bias towards LGBTIQ+ persons must be recognized. Safety and security considerations should always guide activities and meetings, including when deciding on location, communications and choice of participants. Awareness and capacity-building sessions can provide practical advice to the different stakeholders involved in developing a diverse and inclusive workforce, ranging from how to combat discrimination in the workplace to what positive steps might be taken to address the particular needs of LGBTIQ+ workers.

Exercise

Change starts from self: reflect on how you would react to an LGBTIQ+ person if they were part of your family.

Networking and learning opportunities

Governments and employers' and workers' organizations have a role in facilitating networking and learning opportunities and career advancement. The right to reliable information is related to freedom of association. Misinformation, distortion of information and misunderstood research can prevent societies, companies and organizations from moving forward efficiently, effectively and equitably. All sectors should base their work on reliable information sources, and on providing trustworthy information to all constituents.

Key takeaways:

▶   To begin a process of LGBTIQ+ inclusion, it is important to step back and review the situation of LGBTIQ+ persons in your working environment, to determine where you might best contribute. Most importantly, consult with LBGTIQ+ persons/CSOs.

▶   An inclusive, integrated and gender-responsive approach that tackles underlying causes and risk factors is essential to ending violence and harassment in the world of work.

▶   Raising awareness and challenging myths and stereotypes can go a long way to combating stigma and promoting inclusivity.

▶ Supporting opportunities for networking and providing trustworthy information are valuable ways to demonstrate commitment to equality.

▶ Legal standards that explicitly prohibit discrimination in employment and social security based on gender and sexual diversity provide an important framework for advancing labour rights in this area and ensuring more equal participation in the workforce.

C.2   Governments and government employees

This chapter is designed primarily for labour/employment ministry officials, managers, human resources personnel, trainers and government employees. It provides concrete examples for improving LGBTIQ+ inclusion in the workforce.

1. Policy review

A policy and labour law review is a practical place to begin a process of change. This will allow you to assess your country's employment policy and legal environment for LGBTIQ+ persons in order to identify particular means for improving it. It can assist reporting on compliance with international conventions to which your government is a signatory. A LGBTIQ+ policy review can be part of a broader review related to issues of diversity and/or gender in the workforce. It can also be a rapid assessment exploring issues more specific to the situation of LGBTIQ+ workers. The text box below illustrates some key questions related to LGBTIQ+ inclusion and the world of work that you might consider in a national policy review. Some reviews, however, focus only on a few locally relevant issues.

National policy review: Example questions to explore related to LGBTIQ+ inclusion

▶ **What is the national legal framework on non-discrimination?** Does it explicitly include gender identity? Sexual orientation? Sex characteristics? Are there laws that criminalize or otherwise discriminate on these grounds? Is it prohibited to teach or organize on LGBTIQ+ issues?

▶ **What international labour and human rights treaties or conventions have been signed or ratified by your government?** Have UN mechanisms provided the State with recommendations or guidance on issues related to LGBTIQ+ persons? Have these already been implemented?

▶ **More generally, what issues do LGBTIQ+ persons face in your country?** Are same-sex relationships recognized? Is violence a common occurrence for LGBTIQ+ persons? Are hate crimes or hate speech common? Are trans people required to undergo sterilization, surgery or divorce in order to have their gender legally recognized? Are intersex people subject to forced genital surgeries? Are lesbians forced to marry men? Do LGBTIQ+ organizations operate safely or are they subject to attacks by the police, religious groups, the media or the State?

▶ **What policies on equality and/or discrimination exist?** Are LGBTIQ+ persons explicitly included? Do policies explicitly or implicitly differentiate between gender identity, sexual orientation and sex characteristics? Are there any LGBTIQ+ communities that are not represented? Are there examples of employers or workplaces that have adopted specific policies related to LGBTIQ+ inclusion in the workplace?

▶ **What data exists?** Has there been an effort to collect data on issues facing LGBTIQ+ persons in the workforce? Are there public reports available? Are there community-generated reports? How up-to-date are reports? What might have changed since publication? If there is no local data available, are there comparable examples of states that have recent data on issues related to LGBTIQ+ inclusion in the workforce?

▶ **Who can tell you more?** Are there LGBTIQ+ workers, unions/union groups, CSOs, human resource personnel, management, employee resource groups or others who can help develop a fuller picture?

▶ **What are the possible risks?** Will anyone be put at risk of harm, arrest, job loss, or discrimination or rejection in our review process?

Other levels of reviews (state or municipal government) might address more local questions

▶ To whom do we go for national guidance or assistance in addressing issues related to LGBTIQ+ discrimination in the workforce? Are there local organizations, educators or technical assistance providers with experience in gender diversity with whom you might collaborate?

▶ How do we currently address inclusion for new employees from diverse backgrounds? Does that include LGBTIQ+ persons?

▶ What is the social environment related to sexual and gender diversity? How does our community/municipality address LGBTIQ+ discrimination and acceptance? How might this affect LGBTIQ+ employees in our local workforce or local government employees?

2. Engaging in consultations with LGBTIQ+ communities

Community consultations are key to better knowing your workforce. Below are some considerations for engaging in dialogue with LGBTIQ+ communities. Depending on local circumstances, it might be more discreet or open.

Engaging in dialogue with LGBTIQ+ communities

Reach out: reach out to LGBTIQ+ organizations. Keep in mind diversity in these communities. Organizations may only work with a subset of the population; for example, only gay men or trans women. For meaningful dialogue, it is important to reach out to the various representatives of lesbian, bisexual, gay, transgender and intersex people. In some communities some of these groups will seem invisible. Although certain issues experienced by different subgroups are interrelated, they are also distinct. You can explore specific issues such as health, violence and/or harassment and how they differ between subgroups.

Demonstrate interest and commitment: in communications with LGBTIQ+ individuals or groups, it can be helpful to acknowledge the challenges at hand and suggest initial thoughts around a process to review laws and policies from a perspective of understanding local situations and needs.

Request input and successful models: invite LGBTIQ+ members of the workforce to provide input to a review process, and thus influence and shape it based on real experience. This is important to build trust and ensure future steps reflect the needs of the affected populations. Some organizations may welcome a reciprocal contribution, such as an offer to speak at their group about workplace policies, facilitating learning opportunities or supporting their local endeavours. LGBTIQ+ employers, employees or officials – positive models willing to discuss their cases – could also be invited.

Host meetings and discussions: in-person meetings can be helpful in developing partnerships between government ministries, trade unions, employers' organizations and community organizations. They can also provide an opportunity to provide further information and context on the challenges faced by LGBTIQ+ persons in seeking or undertaking work. In some situations, it will open the door to dialogue and intersectoral learning.

Agree on common goals: depending on your local situation, you can explore common goals on which you might collaborate. Many specific steps may be taken to move towards meaningful workplace inclusion for LGBTIQ+ persons, without discrimination

or harassment. For example:

- reviewing existing national legislation and policies, including legal protections and/or discriminatory laws;
- representation of LGBTIQ+ persons in policy review processes and/or discussions;
- adopting legal protections and/or repealing discriminatory laws outlined in the review;
- undertaking secure, ethical and confidential workforce data collection to better understand LGBTIQ+ workers' situations;
- assessing knowledge of LGBTIQ+ issues among ministry officials, management and/or government representatives;
- conducting capacity-building activities with labour administration officers, such as labour inspectors, and with judges on LGBTIQ+ issues;
- raising awareness on LGBTIQ+ issues broadly with the public and/or engaging in sensitization workshops with specific stakeholders, such as government labour ministry employees, health providers or security forces;
- undertaking outreach sensitivity training with workplace allies, including employers' organizations and/or workers' organizations such as unions;
- strengthening complaints and response mechanisms.

3. Reaching out to LGBTIQ+ persons in the informal economy

Workers in the informal economy are particularly vulnerable to exploitation as work frequently lacks labour and social protections and earnings are often precarious. Stigmatized populations, including LGBTIQ+ persons, are overrepresented in the informal economy because of the relative ease of entry.[81] Workplace discrimination often contributes to LGBTIQ+ individuals being unemployed or underemployed.

The digital platform economy is rapidly transforming the world of work.[82] Innovations in information and communications technologies have enabled exchange of data and information, and economic transactions between individuals, businesses and devices at an unprecedented level.

The development of digital labour platforms has the potential to provide workers, including LGBTIQ+ persons, with income-generating opportunities. However, lack of a regulatory framework and discrimination on online web-based platforms are major reasons for exclusion from work opportunities or low pay, on the basis of nationality and gender.[83]

The fundamental principles and rights at work are particularly relevant to the informal economy and to LGBTIQ+ workers – the conventions[84] that ban forced labour, child labour and discrimination in employment and occupation, and commit Member States to respect and promote rights to freedom of association and effective recognition of the right to collective bargaining, and the governance conventions relating to labour inspection, employment policy and tripartite consultation. Governments can work with diverse partners, such as CSOs and informal economy workers' associations, to monitor discrimination in the informal economy, and address stigma and discrimination related to gender and sexual diversity.

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81   Reid 2020a.
82   ILO 2021b.
83   Lee Badgett et al., *The Relationship Between LGBT Inclusion and Economic Development,* 2014.
84   The ILO Governing Body identifies eight fundamental conventions, covering subjects considered basic principles and rights at work: freedom of association and the effective recognition of the right to collective bargaining; elimination of all forms of forced or compulsory labour; effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. More information is available on the ILO website, https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm.

Key takeaways:

▶ A national policy and labour law review will allow governments to assess your country´s work policy environment for LGBTIQ+ persons to identify concrete means for improving it, as well as to assist with reporting on compliance with international conventions.

▶ Consultation with LGBTIQ+ communities and social dialogue with employers' and workers' organizations is key.

▶ Governments can work with diverse partners such as small and medium-size industry associations, sectoral unions, informal economy workers' associations and CSOs to monitor discrimination in the informal economy, and address stigma and discrimination related to gender and sexual diversity.

C.3 Employers' organizations and employers

This chapter is designed primarily for employers and their representative organizations, and is also particularly pertinent for managers, human resources personnel and company trainers. It provides concrete examples of business practices for improving LGBTIQ+ inclusion in the workplace.

1. The business benefits of LGBTIQ+ inclusion

There are numerous reasons for undertaking LGBTIQ+ inclusion in the workplace (see Section B for a review), including improved economic opportunities and business and individual performance. Studies have shown that diversity in the workplace, including LGBTIQ+ persons, is better for business.[85] It signals an environment that creates the right conditions for economic growth.[86] LGBTIQ+ discrimination may inhibit companies from connecting to global markets and result in brain drain (the loss of skilled workers), whereas inclusion results in greater enterprise creativity and innovation.

Sexual and gender diversity is associated with higher levels of foreign direct investment and improved brand appeal.[87] Companies that are more diverse are able to compete for talented employees. Individuals working in open, diverse and inclusive environments are not only more likely to have better job satisfaction, they also often go beyond their formal job description and make innovative contributions to company culture.

Besides the benefits of LGBTIQ+ inclusion, there may be business risks resulting from exclusion. Depending on the country and culture, these include violating anti-LGBTIQ+ laws, inadvertently inciting violence or local backlashes, as well as the potential to alienate millennial consumers[88] and employees, or contravene global standards and legal obligations such as safety in the workplace or those related to anti-discrimination laws and policies. Any workplace must find the means and manner to undertake inclusion that best fits their local and global situation.

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85   Cortez 2021.
86   Open for Business 2015.
87   Open for Business 2015.
88   A 2021 Deloitte study defines millennials as born between January 1983 and December 1994. See https://www2.deloitte.com/content/dam/Deloitte/global/Documents/2021-deloitte-global-millennial-survey-report.pdf.

2. Engaging in dialogue with LGBTIQ+ persons

Change begins with understanding concepts, and knowing your workers, shareholders and market. To identify key issues in your workplace, it is essential any measures to improve LGBTIQ+ inclusion result from safe and constructive dialogue with the relevant populations. Depending on the size of your company or business, this can take different forms. Some companies have LGBTIQ+ resource groups.[89] In many cases, the company might already have developed relationships with LGBTIQ+ communities through work on health, gender or justice.

Companies can also engage in social dialogue with unions, as several advocate for inclusion and an end to discrimination on all grounds, including sexual orientation and gender identities.

Turkey: LGBTI+ rights are union rights

In its blog LGBTI+ Rights are Union Rights, the Kaos GL, short for Kaos Gay and Lesbian Cultural Research and Solidarity Association, provides resources for trade unionists on LGBTI+ rights to increase positive examples and strengthen unions' stand against LGBTI+ discrimination. It notes that:

In the struggle against the heterosexism and bi-gender regime, it is important to develop permanent policies starting from the very structure of the union, to maintain advocacy regularly and open to public knowledge and to show the will to be one of the catalysts of social transformation, starting with its own members.

Source: Yiğit E Korkmaz, "LGBT+ Rights are Union Rights", KAOS (blog), 10 June 2020.

Leadership on LGBTIQ+ inclusion from the highest level of the organization, combined with dialogue, especially with your own workforce, is essential for a situation review or assessment that can identify matters of concern and solution-oriented strategies. Because LGBTIQ+ communities include a diverse range of people, beginning dialogue on inclusion can be a stepping stone towards a broader discussion on general diversity in the workplace. For example, many companies undertake gender assessments within their workplace, including looking closely at recruiting methods, communication and/or distribution systems. Such a review can be a rapid assessment of company policies, social norms and workplace issues related to diversity, and should be undertaken in consultaton with workers and their organizatons.

Involving key actors in a review shows initiative, builds trust and provides guidance. When reviewing policies and practices, depending on company and national legislations,[90] discuss possible questions on gender diversity with LGBTIQ+ workers and their trade unions. For example:

▶ Does the policy use gender-neutral language such as he/she or they as a non-specified pronoun? Take note of language that is not gender neutral such as do spousal/partner benefits refer to husband and wife?

▶ Is there a policy on the use of derogatory language and workplace harassment?

▶ Do policies specify different uniforms or attire for male and female employees?

▶ Does existing policy extend family/partner benefits to same-sex couples?

▶ Does the policy outline a process for work travel to, or through, dangerous locations that might put LGBTIQ+ persons at risk of arrest or violence?

▶ Do health or social benefits consider gender-affirming care or treatment?

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89 For more information, see section C.4 on workers and workers' organizations.
90 If aspects related to LGBTIQ+ persons are subject to criminalization, companies may be forced to make the work environment inclusive in more general ways. Issues regarding explicit LGBTIQ-related language may prove difficult.

The OHCHR Standards of Conduct, which provides five steps companies can undertake to align their policies and practices with international standards on human rights of LGBTIQ+ persons, are outlined in its 2017 publication Tackling Discrimination against Lesbian, Gay, Bi, Trans and Intersex People: Standards of Conduct for Business.

Note: See Appendix 5 for a summary of tackling discrimination against lesbian, gay, bisexual, transgender and intersex persons.

Considerations for consulting with LGBTIQ+ workers as part of a situation review

Review the existing policy environment through a gender or diversity lens that includes an LGBTIQ+ focus. If possible, this should include consultations with your LGBTIQ+ employees, including via the trade union and LGBTIQ+ employee resource group if one exists. A rapid review can be both cost-effective and strategic. The trade union, employee resource group, managers and human resources personnel might already have identified concerns in the existing policy and will likely welcome a business bringing the issues to them for discussion.

Make arrangements that respect the communities involved and respond to the personal needs and safety of individuals; for example, discussions might need to be informal/undertaken outside the office.

An anonymous survey/questionnaire can be an effective way to glean the perspectives of employees and get a sense of the proportion of LGBTIQ+ workers in the company. A result showing few LGBTIQ+ workers could indicate the need for more inclusive recruitment strategies. It could also illustrate a reluctance of people, even anonymously, to reveal their sexual orientation or gender identity due to fear of possible penalties career-wise. A survey might best be conducted with general questions related to diversity or gender with some specific questions on LGBTIQ+ persons and situation. See below considerations for data collection related to LGBTIQ+ employees, plus Appendix 6 for possible questions and language to consider.

LGBTIQ+ workers might be more attracted to employers that already have inclusive policies in place. Developing such policies can be an initial way to attract a more diverse workforce. General inclusive policies for LGBTIQ+ workers are discussed in the next section.

Employers' and workers' organizations can play a key role in providing guidance, tools or dialogue opportunities for a review process.

3. Creating an inclusive and welcoming workplace

There is more to an inclusive work environment than open goodwill or the absence of harassment. The following aspects provide guidance for employers' and workers' organizations to meaningfully include and welcome workers with diverse sexual orientations, gender identities, gender expressions or sex characteristics. LGBTIQ+ persons should face no discrimination preventing their advancement so that they can be found at all levels of the company hierarchy, from entry to top management and board level. It is critical that diversity and inclusion are not only reflected in policy but also practised at all stages of recruitment and promotion, and the workforce reflects the community that the company serves. Freedom of association, the right to organize, social dialogue and collective bargaining are vital to ensuring inclusive and welcoming workplaces.

Ways to create a more LGBTIQ+ inclusive workplace

▶ **Inclusive policies and organizational culture**

Inclusive policies include considerations on personal characteristics such as gender, race, sex, disability, HIV status and other characteristics, zero tolerance for violence and harassment, and making available dedicated resources to pursue diversity and inclusion, as well as addressing specific issues workers might face with regard to their gender and

sexual diversity. Formalizing an inclusive workplace culture by creating and publishing, in consultation with workers and their organizations, policies that recognize and celebrate diversity, communicates to current/potential staff, and to clients, consumers and partners, your company's commitment to respecting the dignity of all workers.

▶ **Language**

Using gender-neutral language in company communications, workplace policies and programmes and forms, fosters gender equality and can help gender non-conforming workers feel included;[91] for example, using the pronoun they instead of he/she, or (s)he where the gender of a person is unknown, avoiding titles such as Miss, Mrs, Señora or Mademoiselle, asking what pronouns or title people use rather than guessing, offering your own preferred pronoun (he, she, they) when introducing yourself, and respecting the preferred pronouns of others at all times, in front of them and when they are not present.

▶ **Leadership and visibility**

A visibly inclusive work culture can help LGBTIQ+ workers feel comfortable, welcomed and open in the workplace. This could include displaying inclusivity posters or rainbow flags during the month of June and/or having openly LGBTIQ+ staff in public or senior positions. Companies can participate in or support community events, donate to local organizations or programmes, and/or have explicit diversity statements in recruitment materials. It is important that senior executives and management show commitment to diversity and inclusion, offer sponsorship (such as advise and create opportunities for under-represented groups), and speak against discriminatory behaviour.

▶ **Preventing and addressing violence and harassment**

LGBTIQ+ workers often face high rates of exclusion, and violence and harassment in the workplace.[92] This can lead to decreased motivation or greater anxiety, mental and physical health issues, and even increased sick days. Having clear policies against discriminatory behaviour, putting into place, in consultation with workers' representatives, a reporting and dispute resolution mechanism, and responding effectively to complaints of violence and harassment, plus including LGBTIQ+ awareness in staff trainings, are methods that contribute to an integrated approach to prevent harassment.

▶ **Recognizing and accommodating diversity in gender identity or gender expression**

Regardless of sexual orientation or sex characteristics, workers have diverse gender expressions and gender identities. All individuals express some elements of their gender in ways that traditionally are considered more masculine or feminine.[93] Workers who express their gender in appearance or behaviour that is different from social expectations often face higher rates of discrimination, and violence and harassment.[94] Considerations for the workplace include:

- Workplace attire: does your workplace have separate uniforms/dress codes for male and female employees? Gender-neutral dress codes that apply to all benefit workers of all genders and help gender non-conforming workers feel more comfortable and therefore more productive in the workplace.

- Facilities: employers should support workers' ability to safely use sex-segregated facilities such as toilets and locker rooms that correspond to their gender identity. Using sex-segregated facilities can be distressing, and even risky, for gender

91 Gender non-conforming is behaviour or appearance not in alignment with prevailing cultural expectations related to a particular gender. The term can apply to all individuals, regardless of sexual orientation or gender identity.

92 ILO 2015e.

93 UN Women, "Concepts and Definitions", OSAGI fact sheets; UNESCO, "Baseline Definitions of Key Concepts and Terms", Gender Mainstreaming Implementation Framework.

94 More information is available on the Ontario Human Rights Commission website, http://www.ohrc.on.ca/sites/default/files/Policy%20on%20preventing%20discrimination%20because%20of%20gender%20identity%20and%20gender%20expression.pdf.

non-conforming and non-binary workers, and gender-neutral facilities can be an option.[95]

▶ **Workplace adjustments**

In some cases, diversity policies designed for issues such as workers with disabilities or living with HIV may be relevant to LGBTIQ+ persons. These may include policies designed to support medical leave and workplace adjustments. It is important, both when staff access workplace entitlements and in general practice, to respect the right of workers to confidentiality, including regarding their intersex status and any relevant diagnostic information.

4. Data collection to know your workforce and track progress in LGBTIQ+ inclusion

Safe, secure and confidential tracking and measuring of employee needs via data collection is an important step to identify and address the challenges facing different segments of the workforce. In many societies, matters related to LGBTIQ+ inclusion can be controversial, affecting the capacity to understand elements of diversity in the workforce. There are many situations where data collection, and drawing attention to LGBTIQ+ persons, could potentially place them at risk of violence and harassment, inadvertently or not. Therefore, it is important to engage with trade union representatives and LGBTIQ+ workers throughout this process. Ensure you have made an ethical assessment of the data collection process and questions you intend to ask, to avoid harm. It is vital to address issues of confidentiality, informed consent, anonymity, acceptability and potential pressure from others. Ensure there is secure information storage that people trust; for example, when considering ways of overcoming reluctance to divulge personal information.

Knowing your workforce can help focus and advance commitments to developing an inclusive and welcoming workplace. What positions do LGBTIQ+ workers hold in the organization? Are LGBTIQ+ persons in management? In administration or communication? In projects you implement? It can also provide an opportunity to review the effectiveness of existing equality policies and practices. Are employees aware of existing policies related to discrimination and/ or equality in the workplace? Have employees heard discriminatory remarks or observed discriminatory behaviour from co-workers? From management? Has this had an effect on absence, participation or promotion? Asking for worker input is an important indication of caring, demonstrating that their opinions and situation matter to you and your business.

Benefits of data collection related to LGBTIQ+ inclusion:

▶ Obtains accurate picture of employees – advancing inclusion requires an understanding of the composition, characteristics and identity of your workforce, and the specific needs of diverse segments.

▶ Generates effective support systems – provides insight into necessary workplace adjustments, policy change and compliance to existing policies, and drives transparency as part of the development of an inclusive culture.

▶ Encourages participation – a participatory process can encourage connections, and build trust and a willingness to share. It can also give permission for a conversation in the context of often difficult cultural complexities.

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95   Many societies recognize only the two genders of male and female. This is sometimes called a gender binary, because binary means "having two parts" (here, male and female). Non-binary is one term used to describe genders that do not fall into one of these two categories.

Challenges exist at several levels: in society, the data collection process itself, and on an organizational level and for the individual worker.[96] They include:

Table 2: Challenges for data collection

SOCIAL	PROCESS	ORGANIZATIONAL	WORKER
- Legal - Voluntary quotas/ targets - Terminology - Cultural acceptance	- Data collection systems - Confidentiality/data privacy/data handling	- Gender diversity not prioritized - Insufficient managerial engagement - Insufficient resources	- Willingness to self-identify - Unconvinced of value - Concerns about stigma

Considerations for data collection and LGBTIQ+ inclusion:

▶ The lived experience of ongoing discrimination can mean a reluctance to share. Employees can learn to understand the value of sharing and feel more comfortable with engaged leadership and senior management role modelling.

▶ Clear and consistent communication on the purpose and use of the information is vital.

▶ Conforming to data privacy laws and ethical considerations is key. Ensuring confidentiality, informed consent and reliable data management systems is a must.

▶ Collaborative and consultative processes work best. Social dialogue with workers' representatives is essential to building trust throughout the organization. Consider also consulting a resource group, local organization or government agency. Within your company, work across departments.

▶ Use inclusive language that facilitates understanding.[97] Consider exploring and/or using local terminology (some expressions might need to be explained in local languages).

▶ Consider whether a trusted third party is best suited for gathering and analysing sensitive information in your situation.

▶ Many variables can be checked to indicate areas where existing policies and practices could improve to better ensure an inclusive workplace for LGBTIQ+ employees. See Appendix 6 for sample questions related to gender diversity. Choose only what is relevant to your business or circumstances.

Employers' organizations can be vital to the process of LGBTIQ+ inclusion. With their membership, they can provide exchange mechanisms for collective learning and showcasing good practice, raising awareness on diversity and the benefits of inclusion, and contribute to collective development of good policy guidance. Building a relationship with LGBTIQ+ communities can be a good place to begin through hosting meetings, promoting dialogue on LGBTIQ+ inclusion and developing standardized models and incentives to mutually learn, grow and contribute.

Around the world, employers' organizations have shown they can make an impact, playing a key role in promoting gender equality in the workplace[98] and opportunities for people with disabilities,[99] and in addressing disasters[100] and health crises such as HIV[101] and the COVID-19 pandemic.[102]

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96 More information is available on the Business Disability Forum website, https://businessdisabilityforum. org.uk/knowledge-hub/resources/report-collecting-global-employee-disability-data/, and the IBM website, https://www.ibm.com/downloads/cas/WVRO4E5Z.
97 See section B.2, and terminology in Appendix 1.
98 ILO 2017b.
99 ILO 2019d.
100 ILO 2020b.
101 More information on ILO case studies on employers' organizations and HIV/AIDS is available on the ILO website, https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/ publication/wcms_120343.pdf.
102 ILO 2021c.

South Africa: An LGBT+ professionals' network

In 2017, The South African LGBT+ Management Forum (The Forum) was launched to create safe and equitable workplaces across the country. Led by volunteer Steering Committee members from the business sector and in partnership with a multidisciplinary team of inclusion specialists, The Forum publishes a biannual South African Workplace Equality Index (SAWEI) to benchmark and celebrate best practices while identifying opportunities to improve.

SAWEI provides a practical, localized framework and set of targets specifically for South African employers. The 2019 SAWEI included 27 companies that employ more than 144,000 people. The Forum also provides educational programmes and advocacy throughout the year to help companies improve their inclusion practices. Nearly all companies who have participated in the programmes were able to improve their ratings in the SAWEI.

Source: South African LGBT+ Management Forum, The South African Workplace Equality Index 2019; Roberto Igual, "Corporate South Africa Comes Out with 1st LGBT+ Employee Network". Mamba Online, 11 October 2017.

Key takeaways:

▶ Leadership on LGBTIQ+ inclusion from the highest level of the organization combined with social dialogue and consultation are essential steps to identify issues and solution-oriented strategies. Involving key actors, including workers' representatives, in a review shows initiative, builds trust and provides guidance. It is critical that diversity and inclusion are not only reflected in policy but also practised at all stages of recruitment and promotion, and that the workforce reflects the community the company serves.

▶ Undertaking safe, secure and confidential tracking and measuring of employee needs through data collection is an important step to identify and address challenges facing different segments of the workforce.

▶ Employers' organizations can provide exchange mechanisms for collective learning and showcasing good practice, raising awareness on diversity and the benefits of inclusion, and contribute to collective development of good policy guidance.

C.4 Workers' organizations and workers

This chapter is designed primarily for workers' organizations, representatives and union employees. It provides concrete examples for improving LGBTIQ+ inclusion in the work environment. Worker's organizations are also employers in their own right, and as such, might benefit from reading the chapter on employers.

1. Freedom of association and consulting with diverse workers

Workers' organizations have long been allied with LGBTIQ+ inclusion in many countries. They have championed equality, equity, diversity and inclusion. While we may have good intentions, sometimes our actions have difficult consequences for others. It is best, whenever possible, to talk to the workers most concerned. When consulting with people, it is important to consider LGBTIQ+ diversity in terms of subgroups, geographic communities, economic status and cultural background, as well as gender and gender and sexual diversity.

A consultation process will vary greatly, depending on work situations, legal context and levels of social discrimination. In all contexts it could include such things as: meeting with civil society representatives working in this area; interviewing workers who are part of LGBTIQ+ communities and are comfortable talking about their situation; discussion groups with various representatives of LGBTIQ+ diversity; and, where possible, a group discussion with LGBTIQ+ workers. This process should strive to avoid putting persons at risk or inadvertent disclosure,

especially in situations where individuals could be targeted or harassed due to their sexual orientation or gender identity. In some circumstances, identifying LGBTIQ+ persons may not be possible without putting them at harm. When this is the case, reliance on documented evidence and information from reliable online sources can be an alternative.

> **The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)** is engaged in advocating for the rights of LGBTI workers.
>
> Note: More information on IUF work and resources is available on the IUF website, https://www.iuf.org/what-we-do/lgbti-workers/.

Workers' organizations can consult with their members, including their LGBTIQ+ members, taking into consideration issues such as security, confidentiality and anonymity. This could be in the form of an anonymous survey, a few key questions on a broader survey, a group discussion and/or presentations and discussions at a union meeting.

2. Collective bargaining for LGBTIQ+ workers' rights

Workers' organizations can encourage employers to adopt measures to address identified problems within the collective process of creating a safe, collaborative and welcoming workspace. Workplace cooperation (workers and managers resolving issues of common concern through consultation and discussion)[103] can provide opportunities for LGBTIQ+ inclusion. Unions can also address these considerations in union organization, spaces and events.

Collective bargaining has the potential to significantly improve the lives of LGBTIQ+ persons.[104] Through influencing changes in employment benefits and policies, LGBTIQ+ workers can move from having their needs ignored and marginalized to being more fully included, not just in the workforce but in society more broadly. LGBTIQ+ work-related issues are as varied as the communities themselves and include such things as better means and measures to prevent and address violence and harassment, equitable recognition of partners and families, and the ability to safely transition without fear of losing a job. With changes, even small ones, the burden of anxiety and stress can be lifted for workers and their workmates.

> **FNV (Federation of Dutch Trade Unions)**
> The biggest trade union confederation in the Netherlands, the FNV has more than 1 million members and a "pink section" for LGBTIQ workers. It has developed checklists for collective bargaining and guides on organizing LGBTIQ workers, takes cases on discrimination and has a specific phone number for complaints.
>
> Note: More information is available on the FNV website, https://www.netwerkrozefnv.nl/english/.
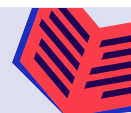
Begin with an assessment of the situation in which workers find themselves. Involve LGBTIQ+ workers and explore such elements as: what is the policy framework on non-discrimination and equality in the workplace? What issues are LGBTIQ+ people facing more broadly? What workplace policies are already in place related to discrimination, equality and/or LGBTIQ+ workers? What data exists on the local situation of LBGTIQ+ communities? Is there regional data? Who can tell you more or offer guidance and technical assistance? What are the possible risks? Are safety and security measures for all persons involved taken into account?

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103 ILO 1999.
104 Cory Maks-Solomon and Josiah Mark Drewry, "Why Do Corporations Engage in LGBT Rights Activism? LGBT Employee Groups as Internal Pressure Groups". *Business and Politics* vol. 23, issue 1 (2021): 124–152.

These are all important questions to ask in assessing the priority issues to address and the risks and benefits of collective bargaining for LGBTIQ+ workers. A situation analysis, even a rapid assessment, should provide enough information to identify key areas of concern and gauge priorities for advocacy and/or consideration in collective bargaining. It is essential priorities are defined with LGBTIQ+ workers and that they do not undermine ongoing efforts for productive change.

Considerations related to LGBTIQ+ workers that workers' organizations/employers could explore within collective bargaining over a broad spectrum:

▶ Explicitly commit to an inclusive and diverse workforce through equal opportunities in recruitment, training, promotion and equal pay.

▶ Prohibit workplace violence and harassment, including on the basis of sexual orientation, gender identity, gender expression and sex characteristics.

▶ Respect the self-identified gender and name of trans workers, regardless of physical or legal transition.

▶ Use gender-neutral language wherever possible.

▶ Ensure benefits packages apply equally to persons in same-sex relationships as those in different sex relationships.

▶ Ensure employer-provided health insurance benefits include transgender provisions, such as coverage for treatments related to gender-affirming procedures. Include a sample gender transition process for trans employees that outlines a timeline, covering when and how co-workers will be informed, name and pronoun change on workplace communications and medical leave required for gender-affirming procedures. Consider policies that treat the refusal to use new name and gender pronouns as elements of harassment and/or protection of confidentiality.

▶ Provide training and sensitization for workers.

▶ Provide mechanisms to address concerns about work travel to or through places where workers might face violence, arrest or harassment on the basis of their gender diversity.

▶ Provide a procedure for effective complaints mechanisms.

▶ Refrain from gendered workplace attire or uniforms.

▶ Provide gender-neutral restrooms and locker rooms. Allow workers to use these facilities in line with their self-identified gender identity.

▶ Support LGBTIQ+ worker resource groups or other opportunities for networking.

3. Opportunities for networking and learning

Opportunities for learning and networking between workers can be an important part of the LGBTIQ+ inclusion process. Often, small- and medium-sized businesses are not large enough for efficient networking. Workers' organizations such as trade unions can in many situations provide opportunities for networking, participatory analysis and learning exchange.

Supporting LGBTIQ+ union members to meet and organize

Workers' organizations can play an important role in supporting LGBTIQ+ members to meet, organize and advocate effectively for more inclusive working conditions. Many LGBTIQ+ workers, particularly those in smaller workplaces, may feel isolated without visible LGBTIQ+ peers or allies. Engaging with other workers facing similar challenges can foster solidarity and confidence to communicate needs and demands effectively and safely. Supporting LGBTIQ+ workers to meet and organize is an important step in demonstrating solidarity and should ideally result in guidance for unions on how to better assist them in advocating for their rights, including through collective bargaining:

▶ **Create a safe and inclusive union**

Does the union have inclusive policies? Does it use inclusive language? Does it address bullying or discrimination against LGBTIQ+ persons? Does the leadership express explicit support for LGBTIQ+ inclusion? Are the specific issues and needs of such workers included in collective bargaining? If the union is openly inclusive, it creates a safe space for dialogue.

> ▶ **Support meetings**
>
> There are various ways unions can support meetings of LGBTIQ+ members who might not know each other or have a channel for contact. Having unions reach out to membership can broaden the support base. Unions can also provide meeting space and resources. It is critical that information regarding meetings of LGBTIQ+ workers is kept secure where this might put people in danger of harassment, job loss or violence.
>
> ▶ **Encourage and follow LGBTIQ+ leadership: nothing about us without us**
>
> LGBTIQ+ workers might want to meet for social reasons, but it is likely they will come together to address common workplace concerns that require attention. Whether and how the union chooses to address LGBTIQ+ issues should be guided by the conversations and negotiations coming out of meetings with LGBTIQ+ members. Union leadership showing a commitment to LGBTIQ+ inclusion can provide a model to motivate others to change.
>
> ▶ **Educate members**
>
> Some union members – even a majority – may need to be sensitized on issues facing LGBTIQ+ workers, or may not see these as priorities for collective action. Unions should stress the intersectional concerns facing workers, whether it be age, ethnicity, gender, sexual orientation, gender identity or sex characteristics. It can be helpful to work with LGBTIQ+ community groups to raise awareness and demystify LGBTIQ+. Many films and videos exist that help with awareness raising.[1]
>
> ▶ **Participate in community events**
>
> Having a visible presence in LGBTIQ+ community events, including film festivals, Pride marches and regional conferences, can demonstrate commitment to inclusion, while fostering positive relationships with LGBTIQ+ organizations and recruiting new union membership. Memorial days such as the International Day Against Homophobia, Biphobia and Transphobia (17 May), Intersex Awareness Day (26 October), International Day of Trans Visibility (31 March), Transgender Day of Remembrance (20 November) and World Aids Day (1 December) can be opportunities to express solidarity through statements and events.
>
> [1] See 2014 film *Pride*, which is based on the true story of how LGBT activists supported the striking National Union of Mineworkers in the United Kingdom in 1984. Despite the eventual outcome, it illustrates how solidarity between different movements can unite people for effective advocacy.

Key takeaways:

▶ Workers' organizations have long been an ally for LGBTIQ+ inclusion in many countries, and have championed diversity.
▶ Workers' organizations can consult with their members, including their LGBTIQ+ members where appropriate and where issues such as security, confidentiality and anonymity have to be considered.
▶ Workers' organizations can encourage employers to adopt measures addressing acknowledged problems within the collective process of creating a safe, cooperative and welcoming workspace.
▶ Workers' organizations in many situations provide opportunities for networking, participatory analysis and learning exchange.

C.5 Measuring LGBTIQ+ inclusion

Measuring LGBTIQ+ inclusion is key to disclosing whether the measures, policies and solutions being put into place are effective. It is important to have a baseline that lets us know where we stand in order to set goals and confirm progress towards achieving the inclusion of LGBTIQ+ persons in the workplace. In addition, measuring progress will demonstrate where resources are more needed and help re-evaluate responses so issues preventing full inclusion can be addressed more quickly. Employers' and workers' organizations have a key role to play in such monitoring exercises.

UNDP and World Bank have developed an index for measuring LGBTIQ+ inclusion, which proposes indicators for the five most important dimensions of human freedom: health, economic well-being, education, political and civic participation, and personal security and violence. In a 2016 discussion paper prior to publication, UNDP stated:

Access to opportunities and achievement of outcomes for LGBTI people, as captured in an LGBTI Inclusion Index, as well as human development and other relevant indices, including for those who experience multiple forms of stigma and discrimination. An LGBTI Inclusion Index should measure the extent to which these opportunities and outcomes exist in each country, both universally and with respect to certain groups within a country.[105]

Figure 4: The five dimensions for LGBTIQ+ inclusion index
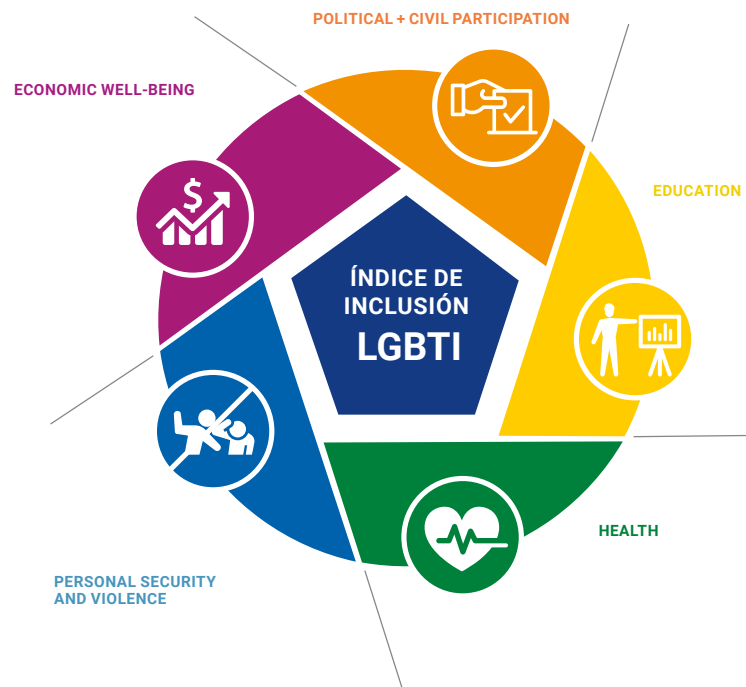
Source: World Bank and UNDP 2016.

Of the five proposed sets, economic well-being includes indicators related specifically to the world of work. They can be adapted as follows to make them relevant to the specific work context:

▶ **Indicator on employment and non-discrimination law or policy**. Presence of a law, constitutional provision, national or workplace policy, or regulation prohibiting SOGIESC discrimination in public and private sector workplaces at national level.

▶ **Indicator on implementation of employment and non-discrimination law or policy**. A national equality body or human rights institution, or a body at workplace level, responsible for handling charges of employment discrimination related to sexual orientation, gender identity and sex characteristics.

▶ **Indicator on experiences of employment discrimination**. Percentage of LGBTIQ+ persons who report experiencing employment discrimination in the past 12 months.

▶ **Indicator relative to unemployment rate**. Ratio of percentage of LGBTIQ+ labour force that is unemployed to percentage of overall labour force that is unemployed.

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105 Lee Badgett and Sell 2018.

Table 3: Indicators for LGBTIQ+ inclusion

Indicator	Comment (justification, explanation or issues)	Potential sources of data	Lesbian	Gay	Bisexual	Transgender	Intersex	Queer
Presence of a law, constitutional provision, national or workplace policy, or regulation prohibiting SOGIESC discrimination in public and private sector workplaces at national level.	Non-discrimination laws increase opportunities for LGBTIQ+ people in the workplace, and including private and public sectors captures the full range of employment. Could also include presence of State/provincial/local policy to create a percentage covered variable. The measure should also include deductions if exceptions are allowed (e.g. religious exemptions) or if coverage is not complete.	Review of national law, case law and other policies required to establish the presence of this policy, including data from ILGA and World Policy Center.						
A national equality body or national human rights institution (alternatively a body at the workplace level) is responsible for handling charges of employment discrimination related to sexual orientation, gender identity and sex characteristics.	Assignment of responsibility for implementation of law is the first step towards enforcement. Should consider subnational bodies. This indicator should be consistent with geographic coverage of the indicator for presence of an employment non-discrimination law.	Review of national law and practice required to establish the presence of this policy. European Union Agency for Fundamental Rights collects some data for EU countries on these issues. Equinet, the European Network of Equality Bodies, also collects some data for European countries.						
Percentage of LGBTIQ+ persons who report experiencing employment discrimination in the past 12 months.	Provides more direct information about experiences of discrimination, especially where they are underreported or cannot be reported to a national equality body.	Some LGBT data available. Cross-national results for EU countries in FRA survey. Asked on some surveys in Canada and U.S.						
Ratio of percentage of LGBTIQ+ labour force that is unemployed to percentage of overall labour force that is unemployed.	The unemployment rate measures the percentage of people in the labour force who want to work but cannot find jobs. Measure is one minus the employment rate (measured as a percentage of labour force). The relative measure assesses whether the unemployment rate is higher than average for LGBTI people.	No known data source. Will require population-based surveys that include questions on SOGIESC and/or LGBTI-specific samples.						

Source: Adaptation from World Bank and UNDP 2016.

All five dimensions are, however, relevant to the world of work. Indicators proposed under any dimension can be adapted to a specific work context to measure progress of LGBTIQ+ workers in: (i) participation in decisions taken at the workplace; (ii) access to training and career development; (iii) coverage and access to, for example, social protection schemes; and (iv) level of security and absence of violence, stigma and discrimination.

Data collection is key for measuring progress in LGBTIQ+ inclusion. As outlined in section C.3 on employers' organizations and employers, it must factor in a series of considerations related to the type of information gathered, process of collection and storage of such information.

Conclusion

▶ LGBTIQ+ persons often face discrimination and human rights violations in societies across the globe and in the world of work.

▶ LGBTIQ+ inclusion is key to promoting equality and diversity, driving innovation, providing decent work for all and achieving Sustainable Development Goals

▶ Including LGBTIQ+ in the world of work is central to the ILO mandate of advancing social justice and promoting decent work for all. This is also essential to implementing the SDG pledge of leave no one behind.

▶ Equality, diversity and inclusion in the workplace make good business sense. There is a need to end discrimination on all grounds, including on the basis of sexual orientation and gender identity.

▶ Collaboration based on social dialogues, including with LGBTIQ+ workers and their representatives, and tripartite action by governments and employers' and workers' organizations are critical to ensuring an all-inclusive world of work.

▶ Governments can provide a legal, policy and social framework for actions towards a world of work free of discrimination and inclusive of LGBTIQ+ persons.

▶ Employers' organizations can ensure, and will benefit from, a workplace environment that is safe and welcoming for LGBTIQ+ employees and reflects the diversity in their organizations.

▶ Workers' organizations can help ensure LGBTIQ+ workers organize and exercise their right to freedom of association and that LGBTIQ+ issues are represented in collective bargaining agreements with employers, workplace policies and other tools.

Together workers, employers and governments can achieve social and economic change.

From...

Potential problems in the work-environment cycle for LGBTIQ+ persons

DEMAND

Unconcious bias or prejudice
Lack of equal protection for LGBTIQ+
Vicious cycle of limited education and fewer job opportunities
Low self-esteem, sense of value and belonging

ONBOARD

Discriminatory or unequal hiring practices
Lack of supportive policies or policies not known
Workplace reflection of society
Self-exclusion as a response to repeated stigma and discrimination

DEVELOP

Possibilities of harassment at work
Lack of opportunities for learning and networking
Opportunities for input into innovation
Workplace-related safety for LGBTIQ+

RETAIN

Lack of benefits for spouses and/or alternative families
Limited opportunities for advancement
Repetition, growth and job satisfaction
Unfamiliarity with career planning

OFFBOARD

Social protection systems open to LGBTIQ+
Recognition of alternative families and support systems
Career growth opportunities
Lack of encouragement and guidance

…To

Potential points of entry for LGBTIQ+ inclusion in the world of work

DEMAND

Recognize and address unconcious bias
Legal or national policy review (gender, diversity, and/or LGBTIQ+)
Illustrate leadership and openness
Reach out to marginalized groups

ONBOARD

Public commitment to welcoming environment for diverse employees
Assessment of policy and practice
Ensuring free association and dialogue with LGBTIQ+
Collective bargaining includes LGBTIQ+

DEVELOP

Address harassment at work
Awareness raising
Opportunities for on-the-job learning
Workplace protection and redress systems
Neutral language and equity in participation

RETAIN

Ensuring benefits for alternative families
Opportunities for promotion and advancement
Assessment of job satisfaction
Minimum standards, support systems, incentives that take LGBTIQ+ employees into consideration

OFFBOARD

Pension packages and social responsibilities
Equality in social protection systems and opportunities
LGBTIQ+ worker protection in informal and platform economy
Mentoring, encouragement and guidance

Appendices

Appendix 1:
Language, concepts and terminology

The language used to describe SOGIESC (sexual orientation, gender identity, gender expression and sex characteristics) varies greatly around the world, determined by factors such as location, language, age and cultural references.

It is important to recognize that terms representing concepts of personal identity are not universal. That includes the terms lesbian, gay, bisexual and transgender. People may use other terms, or none at all, because diverse gender and sexuality is considered unspeakable where they live. Sometimes a person prefers no labels or social categorization. Some terms may make people feel uncomfortable. It is critical to try to use language that respects the autonomy of individuals in defining their own identities.

LGBTIQ+: acronym for lesbian, gay, bisexual, transgender, intersex and queer. The plus sign represents people with diverse SOGIESC who identify using other terms. In some contexts, LGB, LGBT or LGBTI are used to refer to particular populations. Additional characters may be added, such as A for asexual, agender or ally, 2S for Two-Spirit or P for pansexual. The letter order can vary; for example, LGBTQI+ or GBLTQI+.

lesbian: woman whose enduring romantic, emotional and/or physical attraction is to women.

gay: men whose enduring romantic, emotional and/or physical attraction is to men, and also women who are attracted to other women.

bisexual: person who has the capacity for romantic, emotional and/or physical attraction to people of more than one gender.

trans/transgender: terms used by some people whose gender identity differs from what is typically associated with the sex they were assigned at birth. Trans, transgender and non-binary are umbrella terms representing a variety of words that describe an internal sense of gender that differs from the sex assigned at birth and/or the gender attributed to the individual by society, whether that individual identifies as a man, a woman, or in transition, simply "trans" or "transgender", with another gender or with no gender.

intersex: people born with sex characteristics that do not fit typical definitions of male and female bodies. Intersex is an umbrella term used to describe a wide range of natural bodily variations. There are more than 40 intersex variations; experts estimate between 0.5 per cent and 1.7 per cent of the population is born with intersex traits.

queer: traditionally a negative term, queer has been reclaimed by some people and is considered inclusive of a wide range of diverse sexual orientations, gender identities and expressions. It may be used as an umbrella term for people with diverse SOGIESC, or as an alternative to the phrase "people with diverse SOGIESC" or the acronym LGBT. Queer is used by many people who feel they do not conform to a given society's economic, social and political norms based on their sexual orientation, gender identity and gender expression.

This appendix is organized in nine parts:

1. Acronyms and umbrella terms
2. Gender
3. Gender identity
4. Gender expression
5. Sexual orientation
6. Sex characteristics

7. Diverse terms illustrating gender and sexual diversity around the world
8. Other health, legal and research terms
9. Helpful resources

We encourage you to learn relevant terms in your own context, and, when in doubt, ask colleagues or connect with a local organization supporting the rights of persons of gender and sexual diversity.

Language with negative connotations and terms to avoid in English

The following are examples of terms considered disrespectful in many English-speaking countries. They should be avoided when talking to or about people with diverse gender and sexual expressions. Sometimes a community or group of individuals may embrace and reclaim a term once considered negative as a way to feel empowered and gain control over their self-definition. The term queer, for example, originally a pejorative term, in many circumstances has become an expression of pride.

If a person uses a term and specifies that you may, too, when referring to them, you might consider it.

This list focuses on English terms to reconsider using but is by no means exhaustive, and will differ depending on other languages and cultures. What is inappropriate in one language may be appropriate in another. To learn more about appropriate terminology in your location, ask colleagues with diverse SOGIESC and local organizations supporting the rights of people with diverse SOGIESC what terms should be used and avoided in your language(s), society and cultural context. Examples include:

▶ Homosexual: in English, the term is seen by many to be clinical in nature; gay and lesbian are typically preferred where individuals identify using those terms.
▶ Sexual preference: implies sexual orientation is a choice.
▶ Lifestyle: implies gender and sexual diversity is a choice or that behaviour can be modified.
▶ Abnormal or condition: imply diverse SOGIESC are a sickness or a disease.
▶ Faggot, fag, homo, dyke and ladyboy: typically used as defamatory slurs against people with diverse sexual orientations, gender identities and/or gender expressions.
▶ Terms that associate people with diverse SOGIESC with pedophilia or other forms of abuse.
▶ Special rights: the rights of people with diverse SOGIESC are addressed under existing international law. The United Nations does not seek to provide new or special rights for those with diverse SOGIESC: we all seek respect for rights and decent work for all.

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1. Acronyms and umbrella terms

SOGIESC: sexual orientation, gender identity, gender expression and sex characteristics.

SOGI: sexual orientation and gender identity.

GSM: gender and sexual minorities. People whose sexual orientations, gender identities, gender expressions and/or sex characteristics place them outside mainstream cultural categories. This expression is used occasionally as a synonym for LGBTI or SOGIESC.

2. Gender

gender: the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for individuals based on the sex they were assigned at birth. Gender is fluid and changes with time and cultures; for example, what is considered masculine and feminine evolves.

gender role: set of societal norms dictating what types of behaviours are generally considered acceptable, appropriate or desirable for a person based on their actual sex or perceived sex

or gender. Gender roles are often centred on ideas of masculinity and femininity, although what makes a person masculine, feminine or somewhere in between differs across cultures.

gender norms: culturally defined set of roles, responsibilities, rights, entitlements and obligations associated with being female or male, as well as the power relations between/among women and men, and boys and girls. Gender norms are the standards and expectations to which gender identity generally conforms, within a range that defines a particular society, culture and community at that point in time. Behaviours, activities and attributes that are compatible with cultural expectations around masculinity and femininity are referred to as **gender normative**.

gender diversity: the equitable representation of people of different genders. This includes cisgender (see below) and transgender men and women, as well as non-binary persons and others with diverse gender identities.

3. Gender identity

gender identity: each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth or the gender attributed to them by society. This includes the personal sense of one's body, which may or may not involve a desire for modification of appearance or function by medical, surgical or other means. A person's gender identity does not relate to their sexual orientation.

cis/cisgender: person whose gender identity aligns with and the sex they were assigned at birth.

trans/transgender: used by some people whose gender identity differs from what is typically associated with the sex they were assigned at birth. Trans, transgender and non-binary are umbrella terms representing a variety of words that describe an internal sense of gender that differs from the sex assigned at birth and/or the gender attributed to the individual by society, whether that individual identifies as a man, a woman, or in transition, simply "trans" or "transgender", with another gender or with no gender.

transsexual: older term largely used in the Americas that is preferred by some whose gender identity differs from their assigned sex. For some it indicates those who have undergone medical or surgical modification. Unlike transgender, transsexual is not an umbrella term. Many transgender people do not identify as transsexual and prefer the word transgender. It is best to ask which term a person prefers. If preferred, use as an adjective, as in transsexual woman or transsexual man.

third gender/third sex: concepts common to many cultures, these terms refer to individuals who do not identify as men or women, or whose gender is not perceived to be male or female, and/or to individuals whose gender identity does not match their assigned sex. The term is commonly used in South Asia. See also **legal recognition of gender identity** in the glossary category.

non-binary: adjective describing people whose gender identity falls outside the male-female binary. Life can be seen as more complex than either/or male/female. Non-binary is an umbrella term that encompasses a wide variety of gender experiences, including people with a specific gender identity other than man or woman, people who identify as two or more genders (bigender or pan/polygender) and people who do not identify with any gender (agender).

gender-fluid: adjective describing someone whose gender is not fixed over time.

personal pronouns: in many languages, including English, pronouns are used to describe or talk about ourselves (I, me, we), someone (you) or other people (she, he, they, etc.). In English, he and she (third person pronouns) indicate the gender of the person being described, while they/their can be used as a gender-neutral pronoun to describe one or more persons; for example, "our company hired a new person today, but I do not know their name".

In other languages, such as Arabic and Korana, second person pronouns (you) and first person pronouns (I) may also indicate gender. Some languages do not require pronouns to indicate gender or have a gender-neutral option, including Japanese, Swahili, Swedish and Turkish. The gender-neutral pronoun hen has been added to Swedish to complement han (he) and hon (she). Other languages do not mark gender at all, including Armenian, Finnish, Hungarian, Persian and Yoruba.

In Chinese, the pronoun 他 (pronounced *tā*) was originally gender-neutral but in the nineteenth century came to be understood as male. The pronoun 她 (also pronounced *tā*) was adopted to recognize females. Today, when a person's gender is unknown or irrelevant, many now use the word *tā* as an inclusive option. In 2015, some intersex activists introduced X也 to represent non-binary people. Some trans and non-binary people use the Cantonese third person pronoun 佢 (pronounced *kui*).

In some cultures, the letter X indicates gender neutrality (for example, Latinx rather than Latina or Latino, Mx rather than Ms or Mr) or inclusion of intersex, transgender and individuals with other diverse genders (for example, womxn rather than women).

> You cannot always tell a person's pronoun by looking at them. Asking how someone wants to be addressed and what pronouns they prefer is a way to respect a person's identity. Studies have shown that respecting a person's pronouns lowers depression and raises self-esteem. Talking about pronouns may feel awkward at first. One way to ask a person's pronouns is to first introduce yourself and share your own pronouns. If you use the wrong pronoun, apologize and restate the correct pronoun, such as "sorry, I mean she". Do not dwell on your mistake. The best apology is to use the correct pronoun in the future. Normalizing the practice of sharing and asking about pronouns is one way to build a supportive and inclusive environment for all people.

4. Gender expression

gender expression: way in which a person expresses their gender. This can include behaviour and outward appearance such as clothing, hair, make-up, body language and voice. A person's chosen name and pronouns may also express their gender. Other people perceive a person's gender through these expressions. Like a person's gender identity, how a person expresses their gender is not related to their sexual orientation.

gender non-conforming: behaviour or appearance that is not in alignment with prevailing cultural expectations related to a particular gender. The term can apply to all individuals, regardless of gender and sexual diversity (SOGIESC).

transition: process of changing one's external gender presentation to be more in line with one's gender identity. Transition typically occurs over a long period of time and may include telling one's family, friends and co-workers, using a different name, pronoun and/or title, dressing differently, changing one's name and/or sex on legal documents, and undergoing hormone therapy and/or other treatment. Some countries require people to undergo surgery before they can obtain legal recognition of their gender if it is different from that assigned at birth. This surgery requirement is a violation of United Nations human rights norms.

gender-affirming treatment: gender confirmation, or gender-affirming treatment, refers to medical interventions that may be part of transition. Gender affirmation is an individual journey. Not all people can afford medical interventions. Some do not feel the need to undergo medical treatments to express their gender identity. The terms sex reassignment surgery and sex change operation are outdated and should be avoided.

5. Sexual orientation

sexual orientation: each person's enduring capacity for profound romantic, emotional and/or physical feelings for or attraction to other people. Encompasses hetero-, homo-, bi-, pan- and asexuality, as well as a wide range of other expressions. This term is preferred to sexual

preference, sexual behaviour, lifestyle and way of life when describing an individual's feelings for other people.

homosexual: person whose romantic, emotional and/or physical attraction is to people of the same gender. In English, homosexual may be considered an outdated clinical term, and terms such as gay and lesbian may be preferred. The term homosexual remains used in many non-English-speaking contexts.

heterosexual/straight: person whose romantic, emotional and/or physical attraction is to people of a different gender.

lesbian: woman whose enduring romantic, emotional and/or physical attraction is to women.

gay: men whose enduring romantic, emotional and/or physical attraction is to men; also, women who are attracted to other women.

bisexual: person who has the capacity for romantic, emotional and/or physical attraction to people of more than one gender.

pansexual: person who has the capacity for romantic, emotional and/or physical attraction to people of any gender.

asexual: person who may experience romantic or emotional attraction, but generally does not experience sexual attraction. Demisexual and greysexual/grey-asexual describe people with varying degrees of sexual attraction. Asexual may be used as an umbrella term encompassing demisexual, greysexual and other terms.

queer: traditionally a negative term, queer has been reclaimed by some people and is considered inclusive of a wide range of sexual orientations, and gender identities and expressions. It may be used as an umbrella term for people with diverse SOGIESC, or as an alternative to the phrase "people with diverse SOGIESC" or the acronym LGBT. Queer is used by many people who feel they do not conform to a given society's economic, social and political norms based on their sexual orientation, gender identity and gender expression.

ally: person who publicly advocates for LGBTIQ+ human rights. While allies are often classified as individuals who are not LGBTIQ+, LGBTIQ+ persons can also be allies (for example, a gay, cisgender, man with anatomy typical of a "male" body who advocates for intersex rights may be considered an intersex ally).

6. Sex characteristics

sex characteristics: each person's physical features relating to sex, including chromosomes, gonads, sex hormones, genitals and secondary physical features emerging from puberty.

sex: classification of a person as having female, male and/or intersex sex characteristics. While infants are usually assigned the sex of male or female at birth based on the appearance of their external anatomy, a person's sex is a combination of a range of bodily sex characteristics.

assigned sex at birth: the sex assigned to a person at birth, also referred to as birth sex or natal sex. It is typically assigned based on the external appearance of an infant's anatomy but can also be based on a person's hormonal and chromosomal composition. The phrases "assigned female at birth" (AFAB) and "assigned male at birth" (AMAB) refer to people with typical male or female sex characteristics, regardless of their gender identity or gender expression. The phrase "coercively assigned female/male at birth" (CAFAB/CAMAB) refers to intersex people assigned a binary sex, often via non-consensual surgeries.

intersex: people born with sex characteristics that do not fit typical definitions of male and female bodies. Intersex is an umbrella term used to describe a wide range of natural bodily variations. There are more than 40 intersex variations, and experts estimate between 0.5 per cent and 1.7 per cent of the population is born with intersex traits.

intersex diversity: intersex people use many different terms, and sometimes use different terms with different people to avoid stigma, misconceptions, discrimination and violence. Common language includes being intersex; having an intersex variation difference or trait; clinical diagnostic terms; differences of sex development; and innate variations of sex characteristics. The outdated, stigmatizing term hermaphrodite is generally rejected by intersex people today, though some have chosen to reclaim it. Intersex people may have any sexual orientation, gender identity or gender expression.

7. Diverse terms illustrating gender and sexual diversity around the world

What follows are a few examples of the thousands of terms used to describe people of diverse SOGIESC around the world. Terms used in some regions may hold negative connotations in others. Some that once held negative connotations, or were used as slurs, have evolved and been embraced by the individuals they once described. Even though a word may be acceptable to some people, it may not be so to all. Readers may feel discomfort with some of these diverse terms. It is important to recognize that individuals have the right to identify themselves as they choose. You are encouraged to identify terms relevant to your language(s) and specific context. As with pronouns, asking how a person wants to be identified is a way to show respect.

acaults: slang term in Burmese referring to individuals assigned the sex of male at birth who assume the dress and social roles of women.

akava'ine: Māori term from the Cook Islands used to describe transgender or transsexual women.

bakla: Filipino Tagalog term encompassing an array of sexual and gender identities, but particularly referring to a person assigned the sex of male at birth who assumes the dress, mannerisms and social roles of a woman.

burrnesha: specific to northern Albania, this describes individuals assigned the sex of female at birth who take on or are assigned a male gender identity and take a sworn vow of celibacy. The practice is also referred to as *vajzë e betuar,* when parents assign a child's gender at birth or in early childhood.

calabai/calalai/bissu: the Bugis people of southern Sulawesi, Indonesia, recognize three sexes (male, female, intersex) and five genders (men, women, *calabai*, *calalai, bissu*). *Calabai* are assigned male at birth and embody a feminine gender identity. *Calalai* are assigned female at birth and embody a male gender identity. *Bissu* are considered a transcendent gender, encompassing all genders or none*.* They serve ritual roles and are sometimes equated with priests.

dee/tom: used in Indonesia, Philippines and Thailand, these terms describe women with feminine gender expression (*dees*) and masculine gender expression (*toms*) who are attracted to other women.

fa'afafine: third gender people of Samoa and the Samoan diaspora, similar in meaning to *fakaleitī* and *māhū*.

fakaleitī: Tongan individual assigned male at birth who has a feminine gender expression. This term is similar in meaning to *fa'afafine* and *māhū*.

guevedoche: term used in the Dominican Republic to refer to some individuals who are intersex and do not identify as men or women.

hamjensgara: used in Islamic Republic of Iran by men whose primary attraction is to other men. The term is used instead of gay by men who do not want to be perceived as western LGBTIQ+ activists, and emphasizes a way to belong to traditional Iranian family structures.

hijra: broad term used in South Asia, particularly India. Sometimes refers to individuals who do not identify as men or women, and in other contexts to women who were assigned the sex

of male at birth. Also referred to as *khawaja sara* and *zenana* in Pakistan and northern India.

khanith: term from Oman denoting a person assigned the sex of male at birth who has a feminine gender expression. Traditionally a derogatory and/or inaccurate term, it has been reclaimed by some individuals.

kuchu: slang term for gay in Uganda that was traditionally negative but has been reclaimed by some.

māhū: meaning in the middle. In Kanaka Maoli (Hawaiian), Māori (New Zealand), Ma'ohi (Tahitian) and other French Polynesian cultures, it describes third gender people with traditional spiritual and social roles within the culture, similar to Tongan *fakaleiti* and Samoan *fa'afafine*.

mashoga: Kenyan Swahili term connoting a range of gender identities. While often used for gay men, many people described as *mashoga* are assigned male at birth and have a feminine or non-binary gender expression.

metis: in Nepal, a person assigned the sex of male at birth who has a feminine gender identity and/or expression.

mithli: shortened form of *mithli al-jins*, and the English transliteration of an Arabic term used to describe a person whose primary attraction is to someone of the same gender. It is considered a non-derogatory term.

motsoalle: Basotho term from Lesotho describing a woman in a socially acceptable long-term relationship with a woman, which may include physical intimacy and occur alongside each person's heterosexual partnership.

muxe: among the Zapotec of the Oaxacan peninsula in Mexico, the term *muxe (*or *muxhe)* has traditionally described individuals assigned the sex of male at birth who have a feminine gender expression. In recent decades it has also been applied to gay men.

shuga/bujaina: preferred terms in Tanzania for gay men (*shuga*) and lesbians (*bujaina*).

sistergirl/brotherboy: terms used to describe indigenous transgender people among the Queensland Aboriginal and Torres Strait Islander communities in Australia. A sistergirl (or sistagirl) is an individual assigned male at birth who identifies as female, and a brotherboy is an individual assigned female at birth who identifies as male. Sistergirl*s* will often adopt a female gender role in their community, brotherboys a male gender role.

skesana: IsiNgqumo term used by Bantu speakers in southern Africa and Zimbabwe to describe people who were assigned the sex of male at birth and have a female gender identity or feminine gender expression. In the same language, *injonga* refers to masculine gay men.

takatāpui (takataapui): Māori term traditionally referring to a same-gender partner. More recently, an umbrella term describing diverse sexual orientation and gender identity in a way that encompasses indigenous identity. Other Māori and Pacific terms used in New Zealand to describe gender identity include *aikāne, akava'ine, fa'afafine, faafatama, fakafifine, fakaleiti, māhū, palopa, tangata ira tāne, vakasalewalewa* and *whakawahine.*

tida wena: two-spirit identity among the Warao people, an indigenous culture of the Bolivarian Republic of Venezuela. The term describes individuals who identify as neither male nor female. They are thought to possess two spirits and often assume the role of shaman.

travesti: complex Spanish term that can vary depending on the context and region. Commonly used in South America, particularly Argentina, Brazil and Peru, to describe people who were assigned male at birth and develop a gender identity according to expressions of femininity. Originally, the word referred to the act of cross-dressing. It has expanded to refer to individuals assigned male at birth who dress as women in their day-to-day lives. Some *travesti* adopt female pronouns and names, and may undergo cosmetic procedures to feminize their bodies.

Travesti is an example of how terms are not universal and may be rejected in different cultures, regardless of language. Although widely accepted in Latin America, some in Spain and elsewhere consider it a transphobic slur depending on the context. When translated to English, *travesti* is often written as transvestite, a term rejected by many English speakers. However, like the English term queer, in Argentina and elsewhere, *travesti* has been embraced by some as a political identity that reaffirms the right to define oneself outside the gender binary.
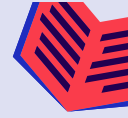
two-spirit: this term groups gender identities specific to indigenous cultures in North America, encompassing unique terms that vary between nations. According to the Two Spirit Society of Denver: "Two-spirit refers to another gender role believed to be common among most, if not all, first peoples of Turtle Island, one that had a proper and accepted place within native societies. This acceptance was rooted in the spiritual teachings that say all life is sacred." For example, *winkte* is a Lakota term meaning to be as a woman, while *nadleehi* is Dine (Navajo) meaning "those who transform", and referring to one of four gender identities, namely masculine feminine, masculine masculine, feminine masculine or feminine feminine.

x-jenda: Japanese term describing individuals whose gender identity falls outside the binary. It is inclusive of both endosex and intersex individuals and often abbreviated FTX, MTX and XTX.

8. Other health, legal and research terms

legal recognition of gender identity: multiple countries recognize the right of transgender people to correct their gender on official documents, such as national identity cards or passports. Some countries, including Australia, Bangladesh, Germany, Iceland, India, Nepal, New Zealand and Pakistan, additionally recognize a third gender or sex classification represented as O, T or X on official documents. Many of these national laws have been criticized as being inaccessible to transgender people and those with other diverse gender identities.

civil union: formal recognition of a relationship between two individuals. In some countries, civil unions confer some, though not all, of the same rights, benefits and privileges as marriages, including in relation to tax, social security benefits, estate planning and medical decisions. In some places, civil unions are established as an alternative for couples not legally allowed to marry due to their gender identity. Countries have different ways of describing civil unions, including, though not limited to, domestic partnerships, registered partnerships and civil solidarity pacts.

partner: gender-neutral term for a person with whom one engages romantically and/or sexually.

men who have sex with men (MSM): term used to refer broadly to people assigned the sex of male who engage in sexual activity with others assigned the sex of male, regardless of how they personally identify. This category includes cisgender men who have sex with transgender women or with non-binary people assigned the sex of male, and vice versa. It does not include transgender men who have sex with cisgender men or transgender women.

women who have sex with women (WSW): used to refer broadly to people assigned the sex of female who engage in sexual activity with others assigned the sex of female, regardless of how they personally identify. For example, this may include cisgender women who have sex with transgender men or non-binary people who have been assigned the sex of female. It does not include transgender women who have sex with cisgender women or with transgender men.

sexism: prejudice or discrimination based on a person's sex or gender. Sexist attitudes may stem from traditional stereotypes of gender roles, and include the belief that a person of one sex is naturally superior to a person of another.

homo-, bi-, trans- and intersexphobia: fear of gay or lesbian people, bisexual people, transgender people or intersex people, respectively, which may manifest in exclusionary behaviour, stigma, harassment, discrimination and/or violence. This is often based on stereotypes and may be done in an unconscious way.

heterosexism/heteronormativity: viewing heterosexuality as superior, and assuming all people are heterosexual.

hate crimes: acts that constitute an offence under criminal law and are motivated by bias or prejudice towards particular groups of people. Hate crimes can include threats, property damage, assault and murder.

hate speech: any kind of communication in speech, writing or behaviour that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are. In other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor. This is often rooted in intolerance and hatred and can be demeaning and divisive in certain contexts.

9. Helpful resources

United Nations, Factsheets, https://www.unfe.org/learn-more/.

United Nations Free and Equal Campaign, "Celebrate Trans Visibility", https://youtu.be/67yTgaibIaw; and "Sexual Orientation and Gender Identity Throughout History", https://www.unfe.org/sexual-orientation-gender-identity-nothing-new/.

Being LGBTI in Asia, Regional Programmes, https://medium.com/being-lgbti-in-asia.

Amaze, "Sexual Orientation, Behavior and Identity", https://youtu.be/LvJETydN8Vc.

Amaze, "Identidad de género: ser mujer, hombre, trans, o no binario", https://www.youtube.com/watch?v=ucDWpGtfHlk.

References

The definitions in this glossary were drawn from or informed by the following, among others:

The IOM SOGIESC Glossary of Terms; International Commission of Jurists (ICJ) Yogyakarta Principles plus 10, www.yogyakartaprinciples.org; GLAAD Media Reference Guide – 9th Edition, http://www.glaad.org/reference; UN Free and Equal campaign factsheets, https://www.ohchr.org/EN/Issues/Discrimination/Pages/LGBTFactSheets.aspx; interACT Advocates for Intersex Youth, https://interactadvocates.org; and the Digital Transgender Archive global terms, https://www.digitaltransgenderarchive.net/learn/terms.

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Appendix 2: Exercises per chapter

Learning guide objectives

After completing the exercises in this guide, learners are expected to achieve the following objectives:

1. Enhanced knowledge of concepts related to sexual and gender diversity, the situation faced by members of LGBTIQ+ populations, and workplace policies and practices for LGBTIQ+ inclusion.

2. Increased awareness of the importance of LGBTIQ+ rights to achieving the objectives of decent work for all.

3. Improved understanding of the situation of LGBTIQ+ persons within their work and social environment.

4. Developed knowledge of the role of labour constituents in LGBTIQ+ inclusion in the world of work.

5. Developed ability/capacity to identify at least three specific actions that participants can support and/or undertake in their own work environment.

Exercises section A: LGBTIQ+ persons and the world of work

Exercise A.1

Understanding gender diversity in context

Below are examples of definitions of gender terms that are important to understanding LGBTIQ+ in the workplace:

▶ Gender refers to the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for individuals based on the sex they were assigned at birth. Gender can change over time and vary within and between cultures.

▶ Gender expression is a person's presentation of their gender through physical appearance. Individuals use a range of cues, such as names, pronouns, behaviour, clothing, voice, mannerisms and/or bodily characteristics to interpret another individual's gender. People with diverse sexual orientation, gender identity or sex characteristics may have diverse gender expression. Gender expression may or may not conform to a person's gender identity.

▶ Gender identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with their sex assigned at birth or the gender attributed to them by society.

▶ Gender diversity refers to the equitable representation of different genders, including persons with diverse gender identities.

Go to terminology section in Appendix 1 and review the terms. Are they new to you? Are there some you do not understand? LGBTIQ+ inclusion frequently involves new concepts for users. In many cultures and societies, the terms refer to often unspoken topics considered highly sensitive. The terms lesbian, gay, bisexual, transgender, intersex and queer are considered foreign in some societies, though evidence indicates that sexual and gender diversity occur in nature and in all cultures, even when they are not officially acknowledged.

Pick one of the subgroups within the LGBTIQ+ community:

    i.   Choose a group you recognize but do not know well; for example, gay or lesbian or transgender.

    ii.   List at least five local words or expressions appropriate to your culture and context for someone considered gay, lesbian or trans.

Now review the words and reflect:

▶ What do you notice about the words?

▶ Ask yourself how you would feel about yourself and about interacting with others if you were being called these words on a regular basis?

▶ If no such expression exists in your local language, what does that mean?

Exercise A.2

On one side of a blank piece of paper, draw a large matrix like the one below:

I was discriminated against or stigmatized	
Situation	How it made me feel?
How I reacted?	Who or what helped me?

Now fill in the following: I was discriminated against or felt stigmatized.

▶ Situation. Describe a situation where you felt stigmatized or discriminated against. Try to recall the moment, the situation, the people involved. Write down a few key words or expressions to describe it.

▶ How it made me feel? Describe in a few key words/adjectives how that made you feel.

▶ How I reacted? Describe how you reacted or what you did in the situation.

▶ Who or what helped me? Describe who or what helped you, and how.

Now turn the paper over and draw a matrix like the one below:

I discriminated against or stigmatized	
Situation	How it made me feel?
How the person reacted?	What changed as a result? How?

Now, fill in the following: I discriminated against or stigmatized someone.

▶ Situation. Describe a situation where you discriminated against or stigmatized another person.

▶ How it made me feel? Describe in a few key words/adjectives how that made you feel

▶ How the person reacted? Describe what the person did when you treated them in a demeaning or disapproving manner.

▶ What changed as a result? How? Describe anything that changed as a result of that experience. What and how?

What did we learn from this exercise? This is a personal exploration and you do not need to show others the paper. Make a little ceremony if you like; for example, find a safe place to burn the paper and think about your role in making change and bringing openness and diversity to the workplace.

Note: A simple exercise such as this might bring up painful memories. Ask a friend, colleague or family member to be on hand in case you might need support or comforting.

Exercises section B: Diversity and inclusion

Exercise B.1

Identify at least two local (depending on your situation, they might be national or even regional) resources for information on LGBTIQ+ issues; for example, resource persons who are knowledgeable and open on issues related to LGBTIQ+ and the workplace, resource library, website, LGBTIQ+ organization or human-rights organization working on gender diversity. Locate their contact information and keep details to hand for potential future use.

Go to the ILO Gender, Equality, Diversity and Inclusion Branch (GEDI) website, https://www.ilo.org/gender/lang--en/index.htm

Review at least one of the following three ILO documents. If time is an issue, scan the index, summary and conclusions:

"COVID-19 and the World of Work: A Focus on People Living with HIV"

"ILO Violence and Harassment Convention, 2019 (No. 190): 12 ways it can support the COVID-19 response and recovery"

A Quantum Leap for Gender Equality: For a Better Future of Work for All

Now ask yourself:

▶ What did you learn about gender equality and the world of work? About locating information on diversity in the workplace?

▶ Why and how are LGBTIQ+ issues gender issues?

Exercise B.2

Identify a friend, colleague or, if necessary, someone who is part of an LGBTIQ+ community and ask for a meeting (in person, online or on the phone). Tell them you are taking this course and would like to ask them a few questions. Prepare five questions ahead of time, and:

▶ Assure them you will not record, publish or report anything said – honour your word – and that this will only be a conversation between yourselves to help you understand local contexts.

▶ Ask a few simple questions about discrimination in your society? At work? About how this might affect their work? How life could improve in the work environment with regard to diversity? Depending on the situation, prepare a few general questions to get the conversation going.

▶ Be respectful and aware that some questions might seem simple to you but are not for the person concerned. Afterwards, reflect on how you felt asking these questions and what you learned.

_____

Go back to section C to continue learning ▶

Exercises section C

Exercise C.1 – Government and government employees

Which international labour standards has your country ratified?

By country:
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11001:0::NO:::
By convention:
https://www.ilo.org/dyn/normlex/en/f?p=1000:12001:::NO:::

C190 https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:3999810:NO

C111 https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312256:NO

CO87 https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312232:NO

Pick one of the conventions your country has ratified and find the last available annual report for your country. Is there information on discrimination in the workplace? Diversity? Workplace inclusion? Gender inclusion? LGBTIQ+ inclusion?

Regular reporting:
https://www.ilo.org/dyn/normlex/en/f?p=1000:11002:::NO:::

ILO implementation reports:
https://www.ilo.org/global/about-the-ilo/how-the-ilo-works/results-based-management/reporting/lang--en/index.htm

Exercise C.2 – Government and government employees

Identify a policy review for your country or city from the past five years that is relevant to your local context; for example, has there been a LGBTIQ+ policy review? Legal mapping? Gender assessment of government programmes? A diversity assessment? Discrimination policy review? Policy review on violence or harassment assessment? Depending on your work position, you might need to look at national, or even regional policy review assessments.

Once you have located a policy, consider:

▶ Did this review or assessment take into consideration diversity in the workplace? Gender diversity? LGBTIQ+ workers?

▶ What did you learn looking at how it was done and the conclusions?

▶ Did you find concrete recommendations relevant to LGBTIQ+ inclusion in the workforce in your country? Your ministry? Your department?

Exercise C.3 – Government and government employees

Identify three examples of change in policy or practice in your country related to inclusion in the workforce (ministry, city, country or region?). This might be in an area such as gender, disability, discrimination, violence, harassment or HIV and AIDS, or within a specific population such as persons in the informal or digital economy, migrants or a minority population.

Try to ensure at least one of the examples is gender-related. Are there examples specifically related to sexual orientation and gender identity?

Now list at least three positive impacts the example could have:

▶ on the subpopulation of workers targeted in the policy change;
▶ on their co-workers;
▶ at a broader workforce level.

For links and web searches, try key word combinations, such as workplace inclusion policies, gender, country, gender diversity, LGBT or LGBTI.

Based on the ideas and examples in this guide, pick three concrete activities in which you could participate or undertake, given your current position, personal interests and contacts. If you are undertaking this learning as part of a group process, try to ensure at least one activity is shared with others in the group:

▶ It does not need to be complicated. Start simple. The possibilities are unlimited and should depend on your local and personal situation.
▶ Ideas might include many things but try to be as definitive as possible:

  - Consultation. LGBTIQ+ persons in a segment of the workforce? In your ministry?

  - Presentation. Minister? Management? Staff? LGBTIQ+ organization? Employers' and workers' organizations?

  - Policy review. A national policy review of SOGI diversity in the workplace? A gender analysis in your ministry?

  - Creative ways of sharing existing discrimination or gender equity policies and discussing LGBTIQ+ inclusion in the workplace in the context of existing policies?

▶ Think how a priority might also benefit other marginalized or excluded communities, such as women, persons living with HIV, or indigenous or migrant workers.
▶ Identify the partners with whom you might collaborate, and identify key agenda items for a collaborative planning meeting. Try to make this a tripartite activity. Involve workers' and employers' organizations and other ministries.

Sample checklist for assessing LGBTIQ+ inclusive workplace policy

Checklist for assessing LGBTIQ+ inclusive workplace policy

Do existing policies:

▶ Explicitly commit to an inclusive and diverse workforce through equal opportunities in recruitment, training, promotion and equal pay?
▶ Prohibit workplace harassment, including on the basis of sexual orientation, gender identity, gender expression and sex characteristics?
▶ Use gender-neutral language wherever possible?
▶ Ensure benefits packages apply equally to persons in same-sex relationships to those in different sex relationships?
▶ Ensure that health insurance benefits do not exclude transgender persons' care? Cover gender-affirming procedures?

▶ Do not specify gendered workplace attire or uniforms?

▶ Provide gender-neutral restrooms and locker rooms and/or allow workers to use these facilities in line with their self-identified gender identity?

▶ Provide a mechanism to address concerns about work travel to or through places where workers might face violence, arrest or harassment on the basis of their sexual orientation, gender identity, gender expression and/or sex characteristics?

▶ Provide a procedure to deal effectively with complaints?

▶ Include a sample workplace gender transition process for trans employees who desire to transition openly at work, which should outline the process for a transition timeline (when and how co-workers will be informed, name and pronoun change on workplace communications, medical leave required for gender-affirming procedures), training or sensitization for co-workers, how any refusal to use new name/gender pronouns will be considered as harassment, and protection of confidentiality.

Exercises for employers' organizations and employers

Exercise C.1 – Employers' organizations and employers

Imagine an LGBTIQ+ gender analysis in your workplace/company/department/organization:

▶ How could better LGBTQI+ inclusion impact your business?

▶ What five questions about gender and/or diversity issues in your workplace might you ask workers that are relevant to your position and country context?

▶ Consider also five key questions about sexual orientation and gender identity that are appropriate in your country and work context?

▶ How might you undertake this analysis? Outline three ways you could undertake this assessment. Scan? Discussion? Online? Small group discussion? Anonymous questionnaire? Part of broader survey on other topics? Think about the following:

▶ Identify risks involved for personal security? Discomfort?

▶ What are the advantages of each methodology? Quality of information? Reliability?

▶ How might you use a combination of methods?

▶ How will you use this information? For what purpose?

Method	Value? Advantages? Quality of information?	Disadvantages? Risks involved	Ease of undertaking and analysis
#1			
#2			
#3			

Again, bear in mind that you do not want to inadvertently put persons at risk. You might therefore think twice about personal identifiers.

Rapid gender assessment tools

UN Women has developed a tool to assess progress towards achieving gender equality and women's empowerment in humanitarian contexts. This rapid assessment focuses on the three domains of leadership and participation, protection and safety, and economic well-being.

To identify gender gaps for project planning, Iris Group, working with the USAID Office of Gender Equality and Women's Empowerment, has created a tool called the Gender Analysis

and Integration Matrix. Used as a framework, it maps the results of gender assessments to appropriate project interventions, helping achieve desired outcomes.

Source: UN Women, "UN Women Rapid Assessment Tool: To Evaluate Gender Equality and Women's Empowerment Results in Humanitarian Contexts". Guidance Note, 2020.

Exercise C.2 – Employers' organizations and employers

Identify a policy review in the workplace from the past five years that is relevant to your workplace/company/local context; for example, has there been an assessment on gender? Diversity? Harassment? A discrimination policy review? An assessment on the informal or digital sector? Depending on your workplace, you might need to look at corporate, national or even regional policy assessments.

Consider this review/assessment. Did it take into consideration LGBTIQ+ workers? What did you learn looking at how it was done and the conclusions? Did you find concrete recommendations relevant to LGBTIQ+ inclusion in your workplace?

Exercise C.3 – Employers' organizations and employers

Identify three examples of change in policy or practice in your company related to inclusion in the workplace (organization, country, region). Types of policies or practices to look for could be related to gender, discrimination, violence or harassment, or within a specific population such as persons with disabilities or living with HIV, and/or migrant workers.

Try to ensure at least one of the examples is gender-related. Are there examples related to sexual orientation and gender identity (SOGI)?

Now list at least three positive impacts that the example could have:

▶ at company-level (for example, organizational performance, innovation, talent recruitment);
▶ on the group of workers it tries to include (for example, well-being and motivation);
▶ on co-workers.

For links and web searches, try key words combinations, such as workplace inclusion policies, gender, gender diversity, LGBT or LGBTI.

Based on the ideas and examples in this guide, pick three concrete activities that could be undertaken by you, given the company's overall situation and needs. You may take your current position, personal interests and contacts into consideration when deciding in which activity to participate. If you are undertaking this learning as part of a group process, try to ensure at least one activity is shared with others in the group:

▶ It does not need to be complicated. Start simple. The possibilities are unlimited and should depend on your local and personal situation.
▶ Ideas might include many things but try to be as definitive as possible:

  - Consultation. LGBTIQ+ persons in your workplace? In your community?
  - Presentation. Management? Board of directors? Staff? LGBTIQ+ organization? Workers' organization?
  - Policy review. A gender analysis in your workplace. A rapid analysis of diversity in the workplace? LGBTIQ+ persons in the trade union? The workforce?
  - Creative ways of sharing and discussing existing discrimination policies?

▶ Think about how a priority might also benefit women or marginalized or excluded communities, such as persons living with HIV, or indigenous or migrant workers.
▶ Identify the partners with whom you might collaborate, and identify key agenda items for a collaborative planning meeting or joint activities. Consider consulting with an employers' organization on potential collaboration with like-minded companies.

Exercises for workers' organizations and workers

Exercise C.1 – Workers' organizations and workers

From the links below or others in the guide, choose at least one website and look at the latest information on LGBTIQ+ workers in your country or region. What does it tell you about the local situation?

https://ilga.org/maps-sexual-orientation-laws

https://www.ohchr.org/en/issues/sexualorientationgender/pages/index.aspx

Does your union have information or policies relevant to LGBTIQ+ inclusion?

Take a moment to look around your community and workplace. You might not physically be able to look but consider from past observations:

▶ How do people talk about issues related to sexual orientation and gender diversity? Humour? Language? How might something that seems like a joke or a bit of teasing affect other people? Sometimes it is simply discomfort with the unknown or unfamiliar.

▶ How might you effect a small change to make your union more inclusive of diversity? LGBTIQ+ persons or others?

▶ What aspects of LGBTIQ+ inclusion do you need to address?

▶ Are there particular populations in your community (migrants, informal economy, digital platform economy?) that face particular barriers to LGBTIQ+ inclusion?

Exercise C.2 – Workers' organizations and workers

Has a gender or diversity assessment or policy review been undertaken by your union or worker organization? Did it address LGBTIQ+ inclusion?

Imagine an LGBTIQ+ gender analysis in your union/organization:

▶ What five questions about gender and/or diversity issues in the workplace relevant to your work and country context might you ask workers?

▶ Consider also five key questions about SOGI appropriate to your country and work context?

▶ How might you undertake this analysis? Outline three ways you could undertake this assessment. Scan? Discussion? Part of broader survey? Online? Small group discussion? Anonymous questionnaire? Think about the following:

- Identify the risks involved for personal security? Discomfort?
- What are the advantages of each methodology? Quality of information? Reliability?
- How might you use a combination of methods?

▶ How will you use this information? For what purpose?

Method	Value? Advantages? Quality of information?	Disadvantages? Risks involved	Ease of undertaking and analysis
#1			
#2			
#3			

Again, bear in mind that you do not want to inadvertently put persons at risk. You might, therefore, think twice about personal identifiers.

Identify who is working in your union/city/country on issues related to violence, especially its affects on workplace harmony and productivity. Who is:

▶ Lobbying for legal change/collective bargaining?

▶ Researching violence and the world of work?

▶ Working on violence against women? Violence and migrant populations? Violence and diversity? Violence and SOGI? And what organization? Department? Agency?

Keep these references for potential future use.

Exercise C.3 – Workers' organizations and workers

Prepare key points for an awareness-raising session with colleagues you might undertake based on the work of this guide (for example, three PowerPoint slideshows (PPT), each with three to five key points and one final slide on what the situation is for LGBTIQ+ persons in your country). For example:

▶ What key national policies relate to discrimination and/or diversity in the workplace?

▶ What is the benefit of LGBTIQ+ inclusion in the workplace? How might this affect your work? Your union?

▶ What three key but doable ideas for improving inclusion in your workplace would you recommend from this guide?

▶ What are other unions doing?

Based on the ideas and examples in this guide, pick three concrete activities in which you could participate or undertake, given your current position, personal interests and contacts. If you are undertaking this learning as part of a group process, try to ensure at least one activity is a shared with others in the group:

▶ It does not need to be complicated. Start simple. The possibilities are unlimited and should depend on your local and personal situation.

▶ Ideas might include many things but try to be as definitive as possible:

- Consultation. LGBTIQ+ persons in your union? In your community?

- Presentation. Union management? Workers? LGBTIQ+ organization? Employer?

- Policy review. A gender analysis of your collective bargaining? A rapid analysis of diversity in the workplace issues? LGBTIQ+ persons in your union? The workforce?

- Creative ways of sharing and discussing existing discrimination policies?

▶ Think how a priority might also benefit other marginalized or excluded communities, such as women, persons living with HIV, or indigenous or migrant workers.

▶ Identify the partners with whom you might collaborate, and identify key agenda items for a collaborative planning meeting. Try to make this a tripartite activity. Involve other workers' organizations and/or employers' organizations, and relevant ministries.

Appendix 3: Notes to managers, educators, human resource personnel and policymakers

This appendix provides suggestions for educators, human resource personnel, managers, shop stewards or persons who are facilitating a group learning experience. The guide is meant as a self-learning guide but learning also includes applying ideas and interacting with others. You might want to provide opportunities for people to connect while using it. Some suggestions are given in the exercises (see also the Introduction).

Some aspects you might take into account in a joint learning process:

▶ Organize the potential participants in small groups (ideally not more than five) so they might study together, at least in discussing themes and collectively undertaking exercises at the end of each section. Groups can be made up of people from diverse backgrounds but it is good to ensure some overlap in their work life, such as belonging to the same company/union, in similar positions in their respective workplaces, or having recently joined the organization.

▶ Key aspects of the collective learning process include planning a common work schedule, developing specific focus questions for the assignments relevant to all, and ensuring a division of labour in simple research tasks and the report-back sessions and discussions. Some things will depend on local circumstances or group dynamics. For example, the group can decide if they wish to share personal aims.

▶ Review the text, exercises and key links if possible. You could augment exercises with national, local or company-wide links and other references to resource materials, making them easily available.

▶ Identify local resources, which could include key webpages, resource libraries, local resource persons or organizations, local LGBTIQ+-affiliated organizations, and/or agencies or departments working on diversity and inclusion in your city, country or region.

▶ Consider checking in with participants about their progress and any issues they might have or problems completing the exercises. The group can decide if they want to share their homework to facilitate broader learning. An external facilitator may be required, though overall, the learning is designed to be self-explanatory. Some exercises are personal but could provide a kick-start for discussions. How did this make you feel? What did you learn? What advice would you give others? How might your growing understanding affect your own work?

Appendix 4: Forms of violence and harassment in the workplace

There are many forms of violence and harassment. ILO Convention No.190 (C190) recognizes that everyone has a right to a world of work free from violence and harassment, which "affects a person's psychological, physical and sexual health, dignity and family and social environment". The ILO, in *Work-related Violence and its Integration into Existing Surveys*,[106] describes different forms of violence that can be perpetrated against LGBTIQ+ or other persons:

Physical violence:

Use of physical force against another person or group that results in physical harm. It includes any attempt at physical injury or attack on a person.

Psychological violence:

Includes harassment, threats, abusive language and bullying. LGBTI persons are, for example, often the subject of threats of extortion and belittling language.

Sexual violence:

Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic directed against a person's sexuality using coercion.

Gender-based violence and harassment:

Any violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, including sexual harassment.[107] Gender-based violence includes emotional, sexual, physical and economic abuse or discrimination.

It has been noted that "[a]ttacks on people because of their sexual orientation or gender identity are often driven by a desire to punish those seen as defying gender norms and are considered a form of gender-based violence".[108]

See ILO resources on violence, including:

▶ ILO guide on C190 and its accompanying Recommendation 206, which explains the definitions, core principles and measures these enshrine, https://www.ilo.org/global/topics/violenceharassment/resources/WCMS_814507/lang--en/index.htm.

▶ ILO information note on promoting disability inclusion in programmes to address violence and harassment at work, https://www.ilo.org/global/topics/disability-and-work/WCMS_830386/lang--en/index.htm.

▶ ILO global report on safe and healthy working environments, https://www.ilo.org/global/topics/safety-and-health-at-work/resources-library/publications/WCMS_751832/lang--en/index.htm.

▶ ILO paper on work-related violence and its integration into existing surveys, https://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms_222231.pdf.

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106 ILO, *Work-related Violence and its Integration into Existing Surveys* (International Labour Office 2013).
107 ILO, "C190 – Violence and Harassment Convention, 2019 (No. 190)", NORMLEX Information System on International Labour Standards.
108 ILO, *Work-related Violence and its Integration into Existing Surveys* (International Labour Office 2013).

Appendix 5: Standards of conduct for business for reducing LGBTIQ+-related discrimination

The OHCHR Standards of Conduct, which help companies translate their human rights commitments into practical action, are outlined in its 2017 publication *Tackling Discrimination against Lesbian, Gay, Bi, Trans and Intersex People: Standards of Conduct for Business*,

https://www.unfe.org/wp-content/uploads/2017/09/UN-Standards-of-Conduct.pdf.

The five standards

At all times

1. Respect human rights

All businesses have a responsibility to respect human rights – including those of LGBTI persons – in their operations and business relationships. They are expected to develop policies, exercise due diligence and, in cases where their decisions or activities have adversely affected the enjoyment of human rights, redress such impacts. Businesses should also establish mechanisms to monitor and communicate compliance with human rights standards. Where higher levels of human rights violations against LGBTI persons have been documented, including in countries with discriminatory laws and practices, companies will need to perform extensive due diligence to ensure they respect their rights.

In the workplace

2. Eliminate discrimination

Employees and other people with whom the business engages are entitled to freedom from discrimination. Businesses should ensure there is no discrimination in their recruitment, employment, working conditions, benefits, respect for privacy and treatment of violence and harassment.

3. Provide support

LGBTIQ+ individuals are employees, managers, business owners, customers and community members, among others, and yet many face formidable obstacles to workplace acceptance and inclusion. Businesses are expected to provide a positive, affirmative environment so LGBTI employees can work with dignity and without stigma. This standard requires businesses to go beyond equal benefits and take steps to ensure inclusion, which includes addressing the specific workplace needs of LGBTI persons.

In the marketplace

4. Prevent other human rights violations

Businesses should ensure they do not discriminate against LGBTI suppliers, distributors or customers. In their business relationships, they should prevent discrimination by their partners. Where a partner discriminates against LGBTI persons, businesses should use their leverage to prevent that happening. This means looking beyond avoiding discrimination against LGBTI persons and addressing violence, bullying, intimidation, ill treatment and incitement to violence, or other abuses a company may be implicated in through their products, services or business relationships. They should also ensure they provide LGBTI customers with access to products and services.

In the community

5. Act in the public sphere

Businesses are encouraged to use their leverage to contribute to stopping human rights abuses in the countries where they operate. In doing so, they should consult with local communities and organizations to identify constructive approaches they can take in contexts where legal frameworks and practices violate the human rights of LGBTI persons. Such steps can include public advocacy, collective action, social dialogue, and financial and in-kind support for organizations advancing LGBTI rights and challenging the validity or implementation of abusive government actions. Businesses will need to perform more extensive due diligence to ensure they respect the rights of LGBTI persons where high levels of violations have been documented, including in countries with discriminatory laws and practices.

Appendix 6: Example for data collection questions

See **Section C** on data collection to know your workforce and track progress in LGBTIQ+ inclusion. The following are questions that could be included in a survey. Choose the ones relevant to your situation, workplace, union or workforce. Ensure ethical questions are addressed as noted in section C.1. Adapt the following questions as necessary, and in consultation with LGBTIQ+ workers and/or local organizations. There are many tested options for sources for questions. This is adapted from Intersex Human Rights Australia.

Sexual orientation

Sexual orientation refers to each person's capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender.

1. **Please select as relevant. My sexual orientation is:**

   a. Heterosexual or straight
   b. Gay
   c. Lesbian
   d. Bisexual
   e. Other sexual orientation not listed
   f. Not sure
   g. Prefer not to respond

2. **Please select as relevant:**

   a. I am open about my sexual orientation in the workplace
   b. Only trusted colleagues are aware of my sexual orientation
   c. I prefer to be discreet about my sexual orientation in the workplace
   d. Other
   e. Prefer not to respond

3. **Please select as relevant:**

   a. My workplace knows about my same-sex partner
   b. My workplace offers equal benefits for same-sex partners
   c. My workplace does not offer equal benefits for same-sex partners
   d. Other
   e. Prefer not to respond

Gender identity

Gender identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms.

4. Please select as relevant. I experience my own gender as a:

   a. Man
   b. Woman
   c. Non-binary person
   d. Another gender identity not listed
   e. Not sure
   f. Prefer not to respond

5. Please select as relevant:

   a. My gender identity aligns with the sex assigned to me at birth
   b. My gender identity does not align with the sex assigned to me at birth
   c. Not sure
   d. Prefer not to respond

6. Please select as relevant:

   a. My legal sex is in line with my gender identity
   b. My legal sex is different to my gender identity
   c. Not sure
   d. Prefer not to respond

7. Answer the following if your gender identity does not align with the sex assigned to you at birth:

   7.1. Please select as relevant:

   a. I am open about my gender identity in the workplace
   b. Only trusted colleagues are aware of my gender identity
   c. I prefer to conceal my gender identity in the workplace
   d. Other
   e. Prefer not to respond

   7.2. Please select as relevant.

   a. I am in the process of social or physical gender transition:
   b. Yes
   c. No
   d. Not sure
   e. Prefer not to respond

7.3.1 Please select as relevant. I have undertaken steps to socially or physically transition while in this place of employment:

    a. Yes
    b. No
    c. Not sure
    d. Prefer not to respond

7.3.2 Please select as relevant. How supported by your manager did you feel during your period of gender transition/affirmation?

    a. Very supported
    b. Supported
    c. Neutral
    d. Not supported
    e. Not at all supported

7.3.3. What could your manager have done differently to provide more support during your period of gender transition/affirmation?

....

....

....

7.3.4. Please select as relevant. How supported did you feel by your co-workers during your period of transition?

    a. Very supported
    b. Supported
    c. Neutral
    d. Not supported
    e. Not at all supported

7.3.5. What could your co-workers have done differently to provide more support during your period of gender transition/affirmation?

....

....

....

8. Please select as relevant. If you have asked colleagues to refer to you with a different name, gender or personal pronoun, how often do they respect it?

    a. All the time
    b. Most of the time
    c. Sometimes
    d. Rarely
    e. Never

9. **Please select as relevant. Does your health insurance sufficiently cover costs relating to any gender-affirming treatment?**

    a. It covers all gender-affirming treatment
    b. It covers some gender-affirming treatment
    c. It does not cover gender-affirming treatment
    d. I don't know
    e. I prefer not to respond

Sex characteristics

Intersex people are born with physical or biological sex characteristics, including sexual anatomy, reproductive organs, hormonal patterns and/or chromosomal patterns that do not fit the typical binary notions of male or female bodies. These characteristics may be apparent at birth or emerge later in life, often at puberty.

10. **Please select as relevant. Do you have an intersex variation?**

    a. Yes
    b. No
    c. I don't know
    d. I prefer not to respond

11. **If you responded yes to question 10:**

    a. I am open about my intersex variation in the workplace
    b. Only trusted colleagues are aware of my intersex variation
    c. I prefer to be discreet about my intersex variation in the workplace
    d. Other
    e. Prefer not to respond

12. **If you responded yes to question 10. Do you require adjustments to your working environment or arrangements?**

    a. Yes
    b. No
    c. I don't know
    d. I prefer not to respond

13. **If you responded yes to question 12. Have you already requested a workplace adjustment?**

    a. Yes
    b. No

14. **If you responded yes to question 13. If a workplace adjustment has been requested, has it been undertaken?**

    a. Yes
    b. No

15. **If you responded yes to question 14. If undertaken, is it satisfactory?**

    a. Yes
    b. No

Workplace harassment

16. Please select as relevant. Have you overheard derogatory remarks or jokes about LGBTIQ+ persons in the workplace?

    a. Yes
    b. No
    c. I'm not sure
    d. I prefer not to respond

17. Please select as relevant. Have you experienced physical harassment on the basis of your (real or perceived) sexual orientation, gender identity, gender expression or sex characteristics?

    a. Yes
    b. No
    c. I'm not sure
    d. I prefer not to respond

18. Please select as relevant. Have you experienced verbal harassment on the basis of your (real or perceived) sexual orientation, gender identity, gender expression or sex characteristics?

    a. Yes
    b. No
    c. I'm not sure
    d. I prefer not to respond

19. Please select as relevant. Have you made use of the available complaints mechanisms on workplace harassment?

    a. Yes
    b. No
    c. I'm not sure
    d. I don't know of such a mechanism
    e. I prefer not to respond

20. Please select as relevant. Was your complaint satisfactorily resolved?

    a. Yes
    b. No
    c. I'm not sure
    d. I prefer not to respond

Additional resources:

Intersex Human Rights Australia, "Forms and Data Collection", https://ihra.org.au/forms/.

Unison, "LGBT workforce monitoring", Factsheet, 2019.

Appendix 7: Learning guide evaluation

To be undertaken at the end of the learning process. This is not compulsory but meant for additional reflections on sharing and using the guide.

1. **I read and undertook the majority of the exercises in the guide:**
   a. Yes
   b. No
   c. I prefer not to answer

2. **On a scale of 1–5, where 1 is the least and 5 the most, how would you rate the relevance of the guide for your current workload?**
   1   2   3   4   5

3. **On a scale of 1–5, where 1 is the least and 5 the most, how would you rate the relevance of the guide for your workplace?**
   1   2   3   4   5

4. **On a scale of 1–5, where 1 is the least and 5 the most, how would you rate the relevance of the guide for your country?**
   1   2   3   4   5

5. **On a scale of 1–5, where 1 is the least and 5 the most, how would you rate the ease of understanding of the guide?**
   1   2   3   4   5

6. **On a scale of 1–5, where 1 is the least and 5 the most, how would you rate the usefulness of the exercises and assignments?**
   1   2   3   4   5

7. **On a scale of 1–5, where 1 is the least and 5 the most, how would you rate the appropriateness of the exercises and assignments?**
   1   2   3   4   5

8. **Did you participate in any follow-up LGBTIQ+ inclusion activities during or after undertaking this guide?**
   Yes No
   If so, what ....

9. **General comments:**

   ....

   ....

   ....

10. **Recommendations related to the learning guide:**

    ....

    ....

    ....

Appendix 8: Acknowledgments to participants in field testing

The guide was tested in three countries with a range of stakeholders, including government agencies and employers'/workers' organizations, who provided valuable inputs. Rulian Wu (ILO China), with James Yang (UNDP China), coordinated testing in China, and Simphiwe Mabhele (ILO South Africa) in Botswana and South Africa.

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35.	**Sipho Ndhlovu**	National Council of Trade Unions, South Africa
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37.	**Skipper Mogapi**	Rainbow Identity Association - RIA
38.	**Tambona Jopi**	Botswana Public Employees Union - BOPEU
39.	**Thapelo Moshia Moalusi**	Office of the President - Disability Office, Botswana
40.	**Thatayotle Junior Molefe**	Men for Health & Gender Justice
41.	**Thusang Butale**	Botswana Federation of Trade Unions - BFTU

Appendix 9: Sources of further information

The Gender, Equality, Diversity and Inclusion Branch (GEDI) is part of the Conditions of Work and Equality Department (WORKQUALITY) of the ILO and strives to eliminate discrimination, including that based on gender, race, ethnicity, indigenous status, disability and HIV status. It is responsible for promoting gender equality and inclusion and respect for diversity, and managing the ILO programme on HIV and AIDS and the world of work. It provides advice, tools, guidance and technical assistance to constituents, promoting more inclusive workplaces and addressing multiple grounds of discrimination. The ILO has addressed questions of diversity in the workplace in several ways. In 2016, it published *Promoting Diversity and Inclusion Through Workplace Adjustments: A Practical Guide*.[109] This specifically shows employers how to provide reasonable workplace adjustments for workers with disabilities, those living with or affected by HIV or AIDS, pregnant workers and workers with family, and those who hold a particular religion or belief. In 2009, ILO published the training guide *Ageing. Managing Diversity and Equality at the Workplace,*[110] which demonstrates how retaining and recruiting older workers can be an integral part of competitive and productive enterprise management.

For more information, see the GEDI website.

More information on the global team for GEDI is available at https://www.ilo.org/gender/Aboutus/TeamatHeadquarters/lang--en/index.htm.

The field office teams for your country/region are available at https://www.ilo.org/gender/Aboutus/TeamatHeadquarters/lang--en/index.htm.

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109 More information is available on the ILO website, https://www.ilo.org/global/topics/equality-and-discrimination/WCMS_536630/lang--en/index.htm.
110 More information is available on the ILO website, http://www.oit.org/global/publications/ilo-bookstore/order-online/multimedia/WCMS_104758/lang--en/index.htm.

Appendix 10: Tools for learning, training and action on reducing discrimination against LGBTIQ+ persons

Adapted from the 2018 snapshot of the work of a number of United Nations entities, The Role of the United Nations in Combatting Discrimination and Violence against Lesbian, Gay, Bisexual, Transgender and Intersex People: A Programmatic Overview.

▶ The ILO project Gender Identity and Sexual Orientation: Promoting Rights, Diversity and Equality in the World of Work (PRIDE) seeks to identify good practices and discrimination faced by LGBT persons under each of the four pillars of the ILO's Decent Work Agenda.

▶ A 2012 OHCHR publication, *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*, outlines the key obligations of States under international law to protect the rights of LGBTI persons. An updated version will be published in 2019.

▶ In its 2016 publication, *Living Free and Equal*, OHCHR offers definitive guidance for States, based on more than 200 examples from 65 countries, on what governments, courts, parliaments, national human rights institutions and others around the world are doing to tackle violence and discrimination against LGBTI persons.

▶ OHCHR, together with UN Women and UNAIDS, has finalized a module on the human rights of LGBTIQ+ persons as part of the electronic learning course, I know gender.

▶ The OHCHR 2017 publication, *Tackling Discrimination against Lesbian, Gay, Bi, Trans, and Intersex People: Standards of Conduct for Business*, provides guidance for the private sector on respect and support for equality and the human rights of LGBTI persons. Developed in partnership with civil society and the business community, the standards were launched in business hubs around the world in 2017 and 2018. By April 2018, more than 122 of the largest companies globally, representing more than 6 million employees and US$2.5 trillion in yearly revenues, had signed up as early supporters.

▶ The 2009 *Handbook on Prisoners with Special Needs*. LGBTI persons are among prisoners with special needs, and are covered in a dedicated chapter of the United Nations Office on Drugs and Crime (UNODC) publication.

▶ In 2013, UNODC, ILO, UNDP, WHO and UNAIDS launched the policy brief HIV Prevention, Treatment and Care in Prisons and Other Closed Settings. Including condom programmes and prevention of violence, its 15 key interventions address vulnerable people in detention, including those targeted based on their sexual orientation.

▶ UNODC, under the project HIV Prevention, Treatment, Care and Support in Prisons Settings in sub-Saharan Africa, developed a set of guidelines and standard operating procedures to support professionals and peer workers. Intended to assist the provision of HIV services in prison settings, it adopted a target group-specific approach, including for men who have sex with men. A project evaluation was published in 2017.

▶ UNDP and World Bank published *A Set of Proposed Indicators for the LGBTI Inclusion Index* in 2018.

▶ UNDP and Parliamentarians for Global Action (PGA), *Advancing the Human Rights and Inclusion of LGBTI People: A Handbook for Parliamentarians*, 2017.

▶ UNDP, The World Bank, Investing in a Research Revolution for LGBTI Inclusion, 2016

▶ UNDP contributed to the development of the 2016 Implementing Comprehensive HIV and STI Programmes with Transgender People: Practical Guidance for Collaborative Interventions (known as the TRANSIT), with UNAIDS, United Nations Population Fund (UNFPA), United States President's Emergency Plan for AIDS Relief (PEPFAR), Global Network of Transgender Women and HIV (IRGT), WHO and USAID.

▶ UNDP, with UNFPA, Global Forum on MSM and HIV (MSMGF), WHO and PEPFAR, contributed to the development of *Implementing Comprehensive HIV and STI Programmes with Men Who Have Sex with Men: Practical Guidance for Collaborative Interventions* (the "MSMIT").

▶ The 2021 United Nations Refugee Agency (UNHCR) Need to Know Guidance: Working with Lesbian, Gay, Bisexual, Transgender and Intersex Persons in Forced Displacement provides practical help for staff working with LGBTI persons of concern to ensure their rights are met without discrimination.

▶ The 2013 UNHCR Resettlement Assessment Tool: Lesbian, Gay, Bisexual, Transgender and Intersex Refugees, updated in 2019, assists UNHCR staff and other stakeholders working with and assessing claims and resettlement needs of LGBTI refugees.

▶ World Bank and UNDP, *Investing in a Research Revolution for LGBTI Inclusion*, 2016.

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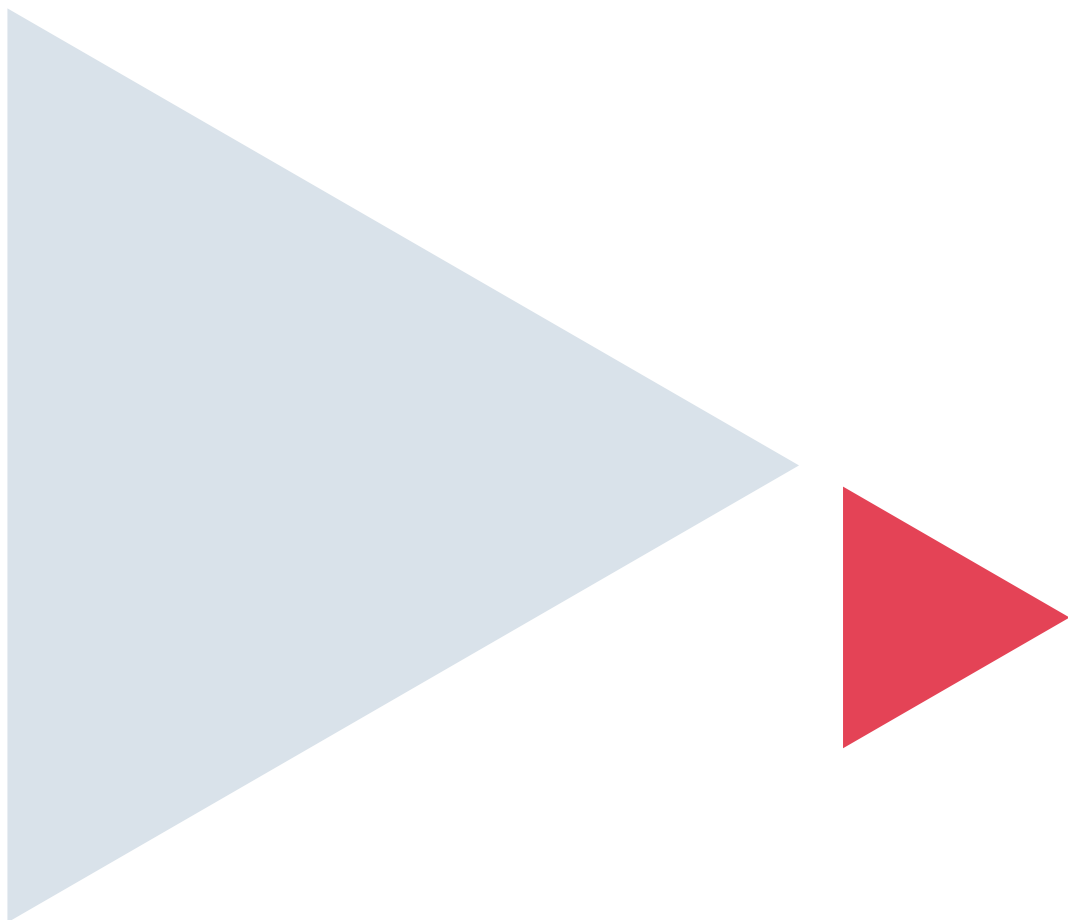
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