

Promoting Equality in the Workplace

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Key provisions of the Framework Directive

- Prohibits direct and indirect discrimination on four grounds, including sexual orientation
- Applies to both public and private sectors and all types of working arrangements
- Places burden of proof on the employer



What is discrimination?

- **Direct discrimination**: takes place when a person is treated less favourably than another person of a different sexual orientation or a perception about a person's sexual orientation
- **Indirect discrimination**: takes place when a person, because of their sexual orientation experiences a disadvantage as a result of an apparently neutral provision, criterion or practice
- **Harassment**: unwanted conduct toward a person, on the basis of their sexual orientation, that has the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading and environment

Good Business Practices: What can you do to promote equality?

1) Build a culture of respect

- Provide leadership at all levels: make public statements; have gay role models in the business; join corporate diversity programmes and equality awards
- Explicitly invite and include same-sex partners to the company's social events

2) Support establishment of LGBT employee networks



3) Tackle workplace bullying and harassment

- Policy that covers harassment on grounds of sexual orientation, gender identity and gender expression
- Available options to report problems
- Effective complaints mechanisms

4) Publicise, implement and monitor equality policies you adopt

5) Provide training and awareness-raising to all employees



6) Review terms and conditions

- Grant equal compensation and benefits for same-sex partners
- Choose social providers (pension, life and health insurance companies) that are committed to equal treatment

7) Recruit, select and promote fairly

- Clear invitation to apply for jobs
- Transparent recruitment processes
- Awareness-raising for managers



Examples of Good Practices: Creating a culture of diversity

- **Barclays** adopted an Equality and Diversity Charter signed by Barclays' executive committee and appointed a senior executive as senior champion for sexual orientation
- **Credit Suisse/First Boston** sponsors Stonewall in the UK as part of external partnerships and outreach
- In 2005, the **Swedish Armed Forces** recruitment branch attended the Stockholm Pride.



Supporting LGBT employee networks

- European companies which have LGBT employee networks include:
 - Rainbow Group at IBM
 - Kaleidoscope at British Telecom
 - Energay in EDF and Gaz de France
 - Ford Globe at Ford
- **Schering AG**
 - Challenged invisibility of LGBT staff and issues by including a flyer about LGBT network in the company's brochure



Fair and diverse recruitment

- **JP Morgan**

- undertook a recruitment campaign targeting LGBT university networks
- produced a gay-friendly careers booklet for Oxford University students

- **Citigroup UK**

- sponsored recruiting events and career fairs for gay and lesbian students at London Business School, Oxford, INSEAD and the LSE



Equal benefits for same-sex partners

- **German Foreign Ministry:**
 - equal treatment for registered same-sex and heterosexual couples in the diplomatic service
- **Spanish National Railway Company:**
 - all travel benefits extended to staff's partners, whether married or unmarried, irrespective of sexual orientation

Training and awareness-raising

The British Council has a Diversity Unit which:

- 1) runs one-day equal opportunity training for staff and managers on its Equal Opportunities Policy, on how the legal framework applies to the workplace
- 2) produced a Diversity CD circulated to all its staff around the world
- 3) included information on legislation, on useful contacts and examples of good practice on its Website



A few recommendations...

- Be proactive to promote equality rather than reactive to regulations and laws
- Follow the 7 steps to creating better employment practices
- Learn from examples of good practices
- Build dialogue with trade unions, social partners and relevant government agencies
- Don't wait to get an action plan
- And remember that people are not simply their sexual orientation!



Useful links

- ILGA-Europe: www.ilga-europe.org
- European Commission – DG Employment and Social Affairs (Anti-discrimination)
- Stonewall (UK) – Workplace programmes:
www.stonewall.org.uk/workplace/
- European Gay and Lesbian Managers:
<http://www.egma.cc/>

