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 reacting 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/