



DIVERSITY AT WORK

➔ Best practices for creating
an LGBT-inclusive workplace



Confederation of Danish Industry

Elaborated by the Confederation of Danish Industry in cooperation with the Danish LGBT Business Network and consultant Rikke Voergård-Olesen with contributions from IBM Danmark ApS and Nykredit

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This guide focuses on supporting the contentment of lesbian, gay, bisexual and transgender people (abbreviated LGBT) in the workplace. With this guide, we hope to provide inspiration as to how companies can work with diversity and how to create an inclusive workplace culture to the benefit of all employees, including the LGBT employee.

It is estimated that approx. every tenth person in the Danish population is lesbian, gay, bisexual or transgender. Companies should therefore also relate to embrace LGBT employees in the best possible way and avoid discrimination, harassment and stigmatisation in the workplace.

**LGBT IS AN ABBREVIATION
FOR:**

L = lesbian

G = gay

B = bisexual

T = transgender





WHY

? Isn't it irrelevant whether you are LGBT in a workplace situation?

In principle, yes. However, most people do not only talk about work in their workplace – they also talk about their personal lives.

When employees discuss their personal lives in the workplace, they are actually “coming out” in that they make their gender identity or sexual orientation visible. For instance, this happens when people talk about what they did during the weekend with their family, or when they put photos of their family on their desk. When heterosexuals “come out”, very few people notice because the majority of the population is heterosexual.

Many gay, lesbian and bisexual people are not visible as a sexual minority unless they decide to “come out”, but for some transgender people the transition is more obvious when they “come out” and present an appearance consistent with their gender identity.

In principle, an employee's gender identity or sexual orientation should not affect his or her working relation or job satisfaction, but it may have practical importance for the contentment of LGBT people. It is therefore important to build a solid and inclusive workplace environment to ensure the job satisfaction of all employees regardless of their sexual identity or sexual orientation.

Many believe that “coming out” as an LGBT person is a one-time action that automatically leads to contentment. However, LGBT people feel that they must “come out” over and over again. It is not a thing that is only done once. In working life, one meets new colleagues, new customers and new collaborators, which means that LGBT people repeatedly must deal with how others will react to their gender identity or sexual orientation.

❓ So what is the problem?

Many LGBT people experience workplaces in which there is a notion that all employees are heterosexual and live in traditional family structures. This can make it difficult for LGBT people to be open about their gender identity or sexual orientation. LGBT people therefore often feel that they must “come out” repeatedly, and this affects their contentment.

When job satisfaction is low, absenteeism is often higher, productivity is lower, and staff turnover is higher.

❓ What do we gain by focusing on diversity, including job satisfaction of LGBT people?

In brief, four things: Productivity, innovation, employer branding and better understanding of customers and markets.

➡ Productivity

Satisfied employees are more productive. A focus on diversity and respect for individual differences therefore increases job satisfaction and productivity in the workplace. Should LGBT employees expend energy on inappropriate reactions to their sexual identity or sexual orientation, or should they put that energy into doing a good job?

➡ Innovation

Diversity and individual differences are resources. This does not mean that companies can increase hourly productivity just because their employees are diverse. Nevertheless it means a great deal with regard to workplace cooperation and in terms of the business-related ideas and initiatives that can arise in a diverse atmosphere. Consider this: Do the best ideas, the latest knowledge and the most innovative suggestions derive from talking to people just like yourself? Or do they derive from including different perspectives, experiences and views?

➔ **Employer branding**

In addition to being productive and innovative, companies must also be attractive to employees. This means to attract and retain employees, both at home and from abroad. By reflecting, embracing and valuing diversity, a company can strengthen its brand as a workplace, become more attractive to employees and attract more and better applications. LGBT people will often avoid applying to workplaces that they assume are exclusionary, whether this is in fact true or not.

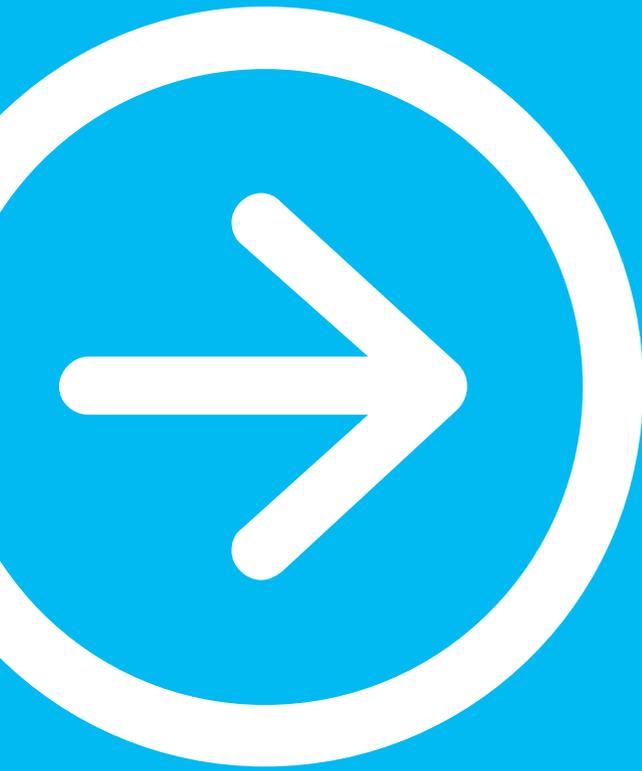
➔ **Customers and external relations**

Companies operate in a many-faceted and diverse world. Many of a company's customers are LGBT people. A diverse staff contribute to understand potential customers and help to decode new markets and capture market share. In addition, working with diversity and the social responsibility inherent in having a diverse workforce can be a parameter that current and potential customers and partners value highly.



LGBT people are often very loyal customers, as they find it tiring to have to “come out” every time they switch banks or the like. I myself am openly gay and, as a former bank manager, I found that many customers would switch branch in order to keep me as their bank manager.

Jørgen Weis, Head of Special Hosting Services, Nordea



SEVEN GUIDELINES

① **Build an inclusive workplace culture**

All workplaces have a distinctive culture that influences how employees behave toward one another. Companies often engage in practices based on the company's values, which in turn influence employee behaviour and interaction. Some companies have well-described values, but many companies also have unwritten rules based on unconscious norms.

It is a good idea to reflect upon, which values and standards are important to the company and embody them, so it is obvious to everyone in the organisation what is aimed for and accepted, and thus what behaviours are unacceptable. For instance, this applies to the standards required by the company in terms of collaboration between employees, professional collaboration, personal development, relations between managers and employees, the way colleagues address and take care of each other. Values and standards reflect what is perceived as important and valuable in the organisation.

Make it a part of good corporate culture to respect all employees, including LGBT people, by making it clear that it is not acceptable to gossip about employees' gender identity or sexual orientation, or to ask inappropriate personal questions.

INVOLVE THE EMPLOYEES

Employees may fruitfully be involved when developing and embodying company values. Doing so gives ownership, and the employees are already the company's ambassadors. After all, they are the ones who work with the values in practice.



At one point, Nykredit became aware of a challenge with regard to the possibility of co-mother maternity leave. We therefore offered the same leave conditions to co-mothers as fathers get. For us it was an important signal that everyone here enjoys equal conditions, regardless of the family constellation they are part of.

Pernille Hermansen, HR Director, Nykredit

The Act has since been changed.

In the area of maternity leave, there has been a challenge with the “paternity leave” for co-mothers in lesbian couples who have not entered into a registered partnership. The Children’s Act was amended in December 2015 so that co-mothers are now entitled to benefits under the “paternity leave” if all three parties – the mother, father and co-mother – declare in writing that the co-mother is the other legal parent.

If this declaration has not been made, the company may opt to offer co-mother conditions on equal footing with fathers, but without being able to obtain reimbursement for associated costs.

② Update the personnel policy

It is a good idea to review the company's personnel policy, because a few statements can send a strong signal about how the company wants to achieve its objectives, and that this is done in an acceptable manner but also to ensure that all employees are treated fairly and equally with regard to employment conditions.

It should be clearly indicated that the propositions that the company offers its employees, and which go beyond what the company is obligated to provide and where spouses and partners are included, are also valid for partners/registered partners of the same sex.

- ④ Use “mothers/partners” or “fathers/partners” instead of “mothers” or “fathers”.
- ④ Clearly communicate that the rules on maternity leave apply to mothers, fathers and co-mothers, and to co-fathers in case of adoption.
- ④ Clarify that partners/registered partners of the same sex are also covered if the company chooses to provide time off with pay in cases of death and serious illness in the immediate family (“spouse, partner, child, parents, in-laws or other close relatives”).
- ④ Indicate that when cohabiting partners are considered equivalent to spouses in connection with offers and benefits such as health insurance and the like, then this applies regardless of gender.
- ④ Indicate that the company respects transgender people's wishes with regard to transition (from one gender expression to another), and how the company supports transgender people in the workplace, for instance, by facilitating changes to name, mailing address and access card as well as updates to social security number and photo in internal personnel systems.

③ Evaluate internal and external communication and language use

The language we use influences whether we feel included in or excluded from a community. Even small linguistic adjustments can make a great difference. Try to use gender-neutral terms in oral communication with prospective employees, new employees or colleagues to signal that it is not taken for granted that their partner is of the opposite sex. For instance, use “mothers/partners” or “fathers/partners” instead of just “mothers” or “fathers” in your written communications where there can be no uncertainty or conflict with the biological mothers and fathers.

Sometimes people ask what words you should use or avoid using. For instance, you may use these designations for LGBT people when communicating with employees: Gay, lesbian, bisexual, transgender person, partner, co-mother and co-father. Furthermore, be aware that transgender people do not change gender, but rather they “come out” and present an appearance consistent with their gender identity.

In external communication, the right use of language is important in media such as the company website, publications and the like.



➔ **Website and publications**

Review the company’s communication: Is all company communication inclusive? For example, are there fields on the website where it is only possible to choose between “man” and “woman” as an identity? Is there an implicit assumption that all customers are heterosexual?

➔ **Marketing of products**

Do company marketing materials signal that they are based on the assumption that everyone is heterosexual, or is everyone, regardless of sexual orientation, reflected in company marketing?



④ Develop a bullying and harassment policy

Preparing, documenting and disseminating a specific bullying and harassment policy raises awareness about bullying, discrimination and violations. Sending a management signal is in itself an important action. But a bullying and harassment policy can also specifically set forth guidelines for acceptable behaviour, as well as for what managers and employees should do if colleagues are being bullied or harassed because of their gender identity or sexual orientation. By explicitly including LGBT in the bullying and harassment policy, the company and employees are equipped to prevent and manage potential problems and situations.

In addition, make sure that all employees are aware of the bullying and harassment policy and that they know how to react and to notify management if bullying or harassment related to gender identity or sexual orientation should take place.

⑤ Equip management

Managers must be careful not to take things for granted. Employees are all different and they bring diversity to the workplace. Do not automatically assume that a new employee's potential partner is of the opposite sex. For example, an inclusive manager should ask if the employee is married or has a partner.

Make sure that management and union representatives are equipped with updated knowledge about workplace diversity initiatives. Advise managers at all levels on how to identify and handle any phobia against LGBT people.

⑥ Use the cooperation committee

The task of the cooperation committee is to develop the cooperation within the company on issues ranging from working and employment conditions to job satisfaction and safety. When companies already have this fixed meeting place for managers and employees, it constitutes an ideal forum for discussing how to work with an inclusive workplace culture. According to a supplementary agreement between DA (The Confederation of Danish Employers) and LO (The Danish Confederation of Trade Unions), one of the tasks of the cooperation committee is to establish principles of equality and integration in terms of gender and ethnicity. Equal treatment in relation to gender identity or sexual orientation is consequently an obvious issue to address within this committee.

⑦ Seek knowledge

A professional approach to diversity requires more than “common sense”. There are simply things that people do not know because they have not been told. This is why it can be a good idea to acquire some tools to challenge the “how we usually do things” mindset and become aware of how companies can change inappropriate norms and cultures in the workplace.

Find inspiration and help via links at the end of this guide.



WHAT THE
ACTS STATE

The Danish Discrimination Act states

The Act states that all Danish companies are required to ensure equal treatment of all employees regardless of race, colour, religion or belief, political opinion, sexual orientation, age, disability or national, social or ethnic origin. It is crucial that the protected criteria, including an employee's gender identity or sexual orientation, are not taken into consideration with regard to recruitment, dismissal, transfer, promotion or in the determination of wages and working conditions.

The Act also states that harassment based on gender identity or sexual orientation is regarded as discrimination prohibited by law.



A common set of values and policies is necessary. Otherwise the individual employee may be left without support to experience random and perhaps even personal attitudes from immediate superiors, for example. A comprehensive, official policy with inclusive values that everyone adhered to helped me when I “came out” as transgender.

Kirsten Mols, IT Manager

! The Danish Act on Processing of Personal Data states

The Act states that it is generally not permitted to collect and process information about people's sexual matters. Treatment of such information is therefore only possible if the exemptions of the Act are applicable. For instance, when the person has given explicit consent to the registration. In all circumstances, it is a requirement that the collection of information is done for explicit and legitimate purposes and that any subsequent processing of the data is not incompatible with those purposes.

! The Working Environment Act states

According to the Act, the employer has a duty to prevent bullying and sexual harassment at the workplace. The employees shall thus be protected against exposure to bullying and harassment by customers/citizens with whom they are in contact through their work. The law also obliges the employer to prevent bullying and harassment perpetrated by employees and/or management in the workplace.

"In connection with the performance of work, it shall be ensured that the work does not involve a risk of physical or mental impairment to health as a result of bullying, including sexual harassment."

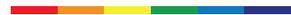
(Section 9 on the performance of work).

There is thus a special responsibility on the part of employers and managers to prevent harassment in the workplace. Companies covered by the Confederation of Danish Industry and CO-industry agreement on well-being at work and a healthy psychological working environment can request assistance from TekSam to prevent bullying and sexual harassment at work.



Our employees is our greatest asset, so it is important that they experience job satisfaction and thrive. We are convinced that employees who are allowed to be who they are do better in the workplace and thus are more productive.

Anne Bornfeld, Human Resources Director, IBM Nordic



INSPIRATION

LGBT Denmark

(Association for lesbian, gay, bisexual and transgender people):

<http://lgbt.dk/politik/arbejdsmarked/>

FIU Equality material on LGBT people in the workplace:

http://fiu-ligestilling.dk/tools_materials/lgbt-ligestilling-pa-arbejdspladsen/

Study on unconscious bias in Danish workplaces:

<https://bibliotek.dk/da/work/850020-katalog:ABA00067457>

Inspiration for norm-changing initiatives in the workplace culture:

<http://movetheelephant.org/>



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