







at work

a **tuc education** workbook













at work

a tuc education workbook

Copyright © 2014 TUC

ISBN: 978 1 85006 955 3

Second edition 2014; first published 2007

Trades Union Congress Congress House Great Russell Street London WC1B 3LS

t: 020 7636 4030 www.tuc.org.uk

Design: wave.coop Print: Newnorth Photography © iStock

For more copies of this title contact our ordering point on 020 7467 1294 or websales@tuc.org.uk Bulk discounts may be offered.

All TUC publications may be made available for dyslexic or visually impaired readers, on request, in an agreed electronic format or in accessible formats such as Braille, audio tape and large print, at no extra cost. Contact TUC Publications on 020 7467 1294.

Acknowledgement

The TUC acknowledges with thanks the assistance of Helen Carr, National Head of Equality and Participation at UCU, in developing this workbook.

CONTENTS

Foreword		2
About this book		
How to use this book		
Language		
Introduction: a trade union issue		7
LGBT and trade unions		17
Lesbian, gay and bisexual rights at work		25
Bringing together work and life		37
Trans people at work		53
LGBT communities worldwide		59
N J · N		
Appendix A:	Sample questionnaire	67
Appendix B:	Sample questionnaire for identifying	60
	trans members and awareness of trans issues	68
Appendix C:	Suggested solutions to case studies	72
Appendix D:	Useful glossary of LGBT terms	73
Appendix E:	General resources and contacts	74

FOREWORD



This book was first written in 2007 and since then LGBT people now enjoy the same protections and rights as everyone else under the Equality Act 2010. Same-sex couples can have a civil marriage since the Marriage (same-sex couples) Act introduced in 2013 came into effect in March 2014. The number of 'out' members of Parliament has never been greater. All the major political parties now support equality and compete to be the most LGBT-friendly. The Office of National Statistics asked about sexual orientation for the first time in its general household survey in 2010.

Despite this considerable positive change in equality law and public attitudes towards LGBT people, the incidence of homophobic bullying in workplaces and schools is one of the most pressing forms of inequality and disadvantage in the UK.

Out at Work is about the lives of lesbian, gay, bisexual and trans (LGBT) people at work and in the trade union movement. It is written for all workplace reps and aims to equip them with advice, information and reference points on LGBT issues. It will be accompanied by tutor briefings and a tutor note on how to use the publication in a range of educational and other contexts.

We hope it will add to the good work unions have been doing on LGBT issues and take forward this important work for the TUC.

Frances & Grady

Frances O'Grady General Secretary

About this book

This book is about the lives of lesbian, gay, bisexual and trans people at work and in the trade union movement.

It is written for all workplace representatives and union branches. It aims to help workplace representatives understand:

- ▲ the historical and legal context of issues affecting LGBT members
- key social and employment issues facing LGBT members
- the workplace rep's role in relation to LGBT issues
- why these issues are trade union issues.

How to use this book

Out at Work is designed for use in workplace discussion groups, TUC courses and in the wider union movement.

It has a mixed format: an easy-to-read mix of facts and information for trade union activists and activities for groups. You can use it either as a resource to stimulate discussion or as a source to dip into on issues you might be unsure about.

Each section will provide a checklist of actions for representatives to work towards and activities to assist in creating a stronger understanding of the issues, enabling you to raise awareness and create change at work.

Some sections apply specifically to LGB people, some to trans people and some to both groups. The majority of trans people have decided to ally themselves with the LGB community and most organisations have welcomed them, which is why the acronym LGBT has such widespread use.

Each part of L G B and T have shared and different concerns and issues so it is important to recognise each group within LGBT when progressing equality.

Some members will never have discussed or considered these issues before so it addresses the needs of those who know very little and those who can use their familiarity with the issues to raise awareness.

After using this book reps and branches will:

- ▲ have the information and confidence to assist LGBT members
- understand the language and definitions
- be able to take steps to represent LGBT members and encourage activity in the workplace with and on behalf of LGBT members
- ▲ be clearer about the negotiating priorities for LGBT members
- ▲ have identified recruitment strategies to engage LGBT workers.

Sources

This book references material contained on the Stonewall website **www.stonewall.org.uk**. This will be acknowledged as **source: Stonewall**

This book is for use in England, N. Ireland, Scotland and Wales. Some legislation will differ in the devolved nations. This will be made clear in the information contained within this book.

Language

Language and how it is used is very important. Some people will worry that they will say the wrong thing so end up saying nothing. Some people think it's okay not to care and will be offensive deliberately. Sometimes it is all right to ask but you need to take responsibility too. And in formal negotiations you want to be clear and consistent and confident of the appropriate language.

The kind of language you use will depend upon the circumstances. For example, it is rare for someone to be referred to as 'heterosexual' in everyday conversation or to talk about their 'sexual orientation'. It is more common to say 'straight' or 'sexuality' but, because the legislation refers to 'sexual orientation', it is important that representatives are confident in using the legal definitions and everyday terms.

The TUC advises that unions continue to use the words 'lesbian', 'gay' and 'bisexual'. The word 'trans' can be used without offence to cover both people undergoing gender transition and people who identify as someone with a different gender from that in which they were born, but who may have decided not to undergo medical treatment. The TUC Lesbian Gay Bisexual and Transgender Committee uses this term.

Some common definitions are given below and there is a longer list of useful terms in Appendix D.

Bisexual:	a person who experiences sexual attraction to both men and women.
Gender:	the sex of an individual, male or female, based on reproductive anatomy.
Gender identity:	the gender a person identifies with – not necessarily the one into which they were born.
Heterosexual:	a person who experiences sexual attraction towards and responsiveness to members of the opposite sex. (Use 'straight' when talking to members.)
Homosexual:	the term for lesbians and gay men, rarely used by lesbians and gay men themselves, but sometimes used in formal documents. (Use 'lesbian' or 'gay' when talking to members.)
Sexual orientation:	attraction towards persons of the same sex, the opposite sex or both sexes – lesbian/gay, straight or bisexual. (Use 'sexuality' when talking to members.)
Transgender person:	a person who identifies with a gender different to that in which they were born.
Transsexual person:	the legal/medical term for someone who lives permanently in their 'new' gender, frequently after gender reassignment through hormone treatment and surgery.

activity **reviewing experience**

AIMS

To help you:

- consider your experience of dealing with LGBT issues
- ▲ identify successes and challenges.

TASK

In groups discuss your experience of dealing with LGBT issues. Describe

- ▲ the issue
- ▲ your role
- ▲ what you did
- what you thought went well
- ▲ what you would say was the biggest obstacle you came up against
- ▲ whether dealing with an LGBT issue was different from dealing with any other union issue.

REPORT

Agree who will give your group's report to the rest of the course.

activity language and stereotypes

AIMS

To help you:

- consider how language can be offensive and discriminating
- understand how stereotyping can be offensive and discriminating
- ▲ begin to raise these issues with members.

TASK

In groups:

Discuss how language can be hurtful and discriminatory and how its use has changed over the past 20 years.

Discuss how assumptions about someone's lifestyle/ personal life can be offensive or discriminatory.

Using the definitions in Appendix D, think about how you can promote good practice with:

▲ the membership you represent

▲ your employer.

REPORT

Write these up on to a flipchart and agree who will give your group's report to the rest of the course.

INTRODUCTION: A TRADING ON ISSUE

The TUC brings together people from all types of workplaces. TUC membership now stands at 54 unions, representing almost six million workers. Its job is to:

- ▲ bring Britain's unions together to draw up common policies
- lobby government to implement policies that will benefit people at work
- campaign on economic and social issues
- represent working people on public bodies
- represent British workers on international bodies, in the European Union and at the UN employment body the International Labour Organisation
- carry out research on employment-related issues
- run an extensive training and education programme for union representatives and professionals
- help unions develop new services for their members
- ▲ improve members' life chances through access to skills
- help unions avoid clashes with each other
- ▲ build links with other trade union bodies worldwide.

The TUC has campaigned for equal rights for lesbians and gay men since 1985 when the first lesbian and gay rights policy was adopted. The policy has been extended to include bisexual and trans members.

The TUC has been involved in all the campaigns to end legal discrimination on grounds of sexual orientation and gender identity. Great strides have been made in recent years. Following on from the 2003 Regulations dealing with sexual orientation discrimination in employment and the Gender Recognition Act 2004, the Civil Partnership Act 2005 established legal rights largely equal to heterosexual married couples for same-sex couples who formally register their relationships. This has now been advanced and extended in the Equality Act 2010 and the Marriage (Same Sex) Act 2013.

The TUC and trade unions were heavily involved in campaigning to secure the best possible coverage in these laws, including lobbying government for equal rights for all equality groups in the Equality Act 2010. The public sector equality duty introduced by the Equality Act offers a powerful lever to assist public bodies to challenge continued prejudice and hostility in areas where it remains endemic, for instance, in schools and colleges and in sports such as football. The TUC is working with unions and allies such as **Schools Out** to challenge homophobia, biphobia and transphobia.

The first TUC Lesbian and Gay Conference was held in 1998, since when bisexual and trans rights have been included in its remit. The annual conference elects a committee that advises the TUC and oversees the campaigns on LGBT issues.

The TUC and many unions have adopted this inclusive approach to policies on sexual orientation and gender identity, and created structures for LGBT members.

LGBT communities cover a complete cross section of society and, although there is a strong connection between the four groups (they face common prejudices), there is a need to talk about lesbian, gay, bisexual and trans separately not only because they have separate histories but also because legal rights differ between lesbian, gay and bisexual members on the one hand and trans members on the other.

The word 'community' can be misleading and LGBT people may feel uncomfortable with the term. Even in towns and cities with 'gay villages' or 'scenes' such places will not attract everyone. Many will prefer the term 'LGBT communities' to recognise and acknowledge the diversity of all LGBT lives. Lesbian, gay, bisexual and trans workers are not just defined by their sexual orientation – they are also shaped by their gender, ethnic background, social class and so on. People can belong to more than one equality group and so may experience double or multiple forms of discrimination.

The TUC wants workplaces to recognise and support this diversity. For example:

- ▲ Disabled people and older people may feel they are not perceived as sexual beings; they can also feel excluded from LGBT communities.
- ▲ Black lesbians, gay men and trans people also face racism as well as homophobia and this may be within the LGBT or within black communities themselves.
- Lesbians and trans women also face sexism in the workplace and elsewhere.

Extract from a speech by the TUC General Secretary at the TUC LGBT Conference, 27 June 2013

I know it hasn't always been easy, but LGBT issues now rightly shape the TUC agenda – and I'm absolutely determined that remains the case. It's thanks to your campaigning that we've been able to make genuine progress since the dark days of Section 28. For LGBT people, Britain today is unrecognisable from how it was just a generation ago: more diverse, more tolerant, more equal. And I'm proud that we in the trade union movement have played our part in driving this transformation.

Leading the fight for legal rights. Fighting discrimination at work and in society. Making the case for civil partnerships and gay marriage...

Delegates, while we have made genuine progress in promoting LGBT equality here in Britain, sadly it's a very different story elsewhere in the world.

Being gay remains illegal in 76 countries – and in ten of those it is punishable by imprisonment or death. Just think about some of the realities facing your LGBT brothers and sisters across the world. In Russia, profoundly regressive homophobic laws are now on the statute book.

In Iran, homosexuals are routinely hanged from industrial cranes. In Ghana, Malawi and Uganda, LGBT people face persecution, violence and sometimes death. And even in France, where the Socialist government has bravely legislated for equal marriage, homophobic hate crime has risen in the wake of a right-wing backlash. That's a reminder that we can't take anything for granted here in the UK.

Hate crime remains a problem in this country too. Homophobic bullying in our schools and colleges is a big issue. And discrimination against LGBT people – in particular trans people – sadly remains rife. In March we were all shocked and saddened by the death of Lucy Meadows, a trans teacher in Lancashire. She poisoned herself at the age of just 32, partly because of what the coroner described as "ridicule and humiliation" and "character assassination" at the hands of the Daily Mail. A terrible tragedy that laid bare the realities of living as a trans person in Britain today.

Delegates, as this is going on, the government is dismantling our equality infrastructure with reckless abandon. We're seeing parts of the Equality Act repealed and several clauses simply not implemented. The Public Sector Equality Duty systematically weakened. And massive 61 per cent cuts to the EHRC...

Austerity measures are also having a severe impact on Britain's LGBT communities. Realterms cuts to the NHS are undermining a range of services, including the care provided to trans people.

Massive cuts to the Police Service means fewer resources to fight hate crime. And support has been slashed to LGBT voluntary sector organisations that do such sterling work. More fundamentally, austerity is depressing your living standards. Real wages are back where they were a decade ago. Prices keep on rising. And household incomes are facing their tightest squeeze in living memory...

That's why, on May Day, the TUC launched a new campaign plan that will shape our work in the run-up to the next general election in 2015.

It has five key aims.

One: to make the case for a new economy that delivers decent jobs and sustainable growth.

Two: to protect our public services and welfare state from cuts and privatisation and make the case for investment and public ownership.

Three: to ensure that all workers, not just the bosses, share in the proceeds of growth and see their wages and living standards rising.

Four: to promote respect at work and resist government attacks on our employment and labour rights. And five: to build strong unions winning for working people of every gender, race, age and sexual orientation.

Delegates, those are the broad aims of our new campaign.

But I don't want it to be one those top-down initiatives handed down from on high. Yes, it's a campaign that has been agreed by all of the TUC's unions but it will only succeed if it inspires ordinary workers to get involved and get active. And that includes people in Britain's diverse, vibrant LGBT communities... A generation ago nobody would have believed that we would have achieved civil partnerships, equal rights or the prospect of gay marriage. But by organising, campaigning and mobilising, you were able to overcome the odds and win progressive change. And that's precisely the same spirit we need to rediscover now.

Why are equal rights an employment issue?

Employers often need to be made aware of their obligations under the law and, as there have been many changes in recent years, workplace representatives have a key role in ensuring these are implemented. But it is not just about rights under the law but also about all workers being treated with the same respect and having the same opportunities at work. Often employers have good policies but it is more of a challenge to change workplace cultures. Good practice creates good reputations, which will go a long way with all communities who may use the services of the company or organisation.

Where to work?

LGBT people will be very careful about where they work. If an employer or organisation is seen to have a hostile, macho or unwelcoming culture they will be cautious about seeking work there.

The public and voluntary sector have been perceived to be more 'LGBT friendly' due to the effect of trade union campaigning groups during the 1980s and 1990s in getting equal opportunities polices to include sexual orientation and gender identity.

The private sector has a more mixed picture, though some embrace diversity policies and procedures. Since 1997 the expansion of equalities legislation has propelled many employers forward.

Lucille Thirlby, head of UNISON's Membership Participation Unit, has been a lesbian activist and trade unionist for over 20 years. Getting involved in self organisation in Nalgo and then UNISON was a natural progression. "Self organisation gave me the confidence to be out as a branch officer and since then I have felt able to be myself whatever my role in the movement. I don't feel that my sexuality has had a negative impact. Where it has made a positive difference is with LGBT members, who I met when organising, representing, negotiating or campaigning for UNISON. My experience of being involved in LGBT community campaigning has supported my trade union work and I feel has added value to it."

Stonewall Champions

The Diversity Champions Programme was established by the campaigning group Stonewall in 2001 to bring together organisations that wanted to tackle sexual orientation discrimination, and also wanted to share good practice. One of its key messages is that "people perform better when they can be themselves".

The programme suggests:

- ▲ having an equalities policy
- ▲ developing working groups
- allocating a senior manager with responsibility for LGB issues
- establishing an LGB network group
- ▲ awareness training for all staff.

More information can be found at www.stonewall.org.uk

Stonewall Equality Index

Stonewall also publishes a Workplace Equality Index, which showcases Britain's best employers for lesbian, gay and bisexual rights. Employers are surveyed and most on the index have explicit policies prohibiting bullying and harassment of gay staff. Monitoring is also high on the agenda. The TUC successfully argued for involvement of trade unions to be included. The most interesting development is not only the high number who respond but that when it was launched in 2004, six top employers wanted to remain anonymous and did not want to be associated with a 'gay index'.

The TUC has issued guidance to unions on how to approach the Index, which is available on the TUC website at www.tuc.org.uk/sites/default/files/tucfiles/lgbt_equality_at_work_ 2013_online.pdf

It is important that unions press employers to follow through and ensure good practice throughout the organisation.

Employers who offer good working conditions reap the benefits in a more positive, committed workforce with lower stress and sickness levels and a greater number of applications for vacancies. It can result in higher productivity, less absenteeism, lower staff turnover and therefore lower recruitment and training costs.

In its 2006 research *Lesbian, Gay and Bisexual Workers – Equality, Diversity and Inclusion in the Workplace*, the Comparative Organisation and Equality Research Centre (COERC) identified a range of organisational approaches, including:

legal compliance: using the law to make progress in equalities

value/moral based: a commitment that 'it is the right thing to do'

workforce, diversity and inclusion: a diverse and inclusive workforce creates success

community diversity: equal opportunities and diversity is key to delivering quality services and meeting the needs of the community

business case/market based: good for business and creating a wider market.

Using the approaches above, unions can encourage employers to develop a LGBT-friendly organisational culture. One way to engage staff in cultural change within an organisation is by setting up workers' forums for particular groups of staff including LGBT. They empower staff and help build supportive environments. Time off must be given for forum activities, which helps signal that LGBT equality is a serious commitment from the employer.

Coming out

One of the biggest decisions for LGB members will be to come out at work. A fear of colleagues' reactions or previous bad experiences can make this very difficult. It is easy to forget that banter, jokes and circulating joke emails can all be excluding behaviours for LGBT staff. It is important that the trade union makes every effort to make the workplace a safe and welcoming place for all members.

It is commonly perceived that as LGBT workers move towards equal rights, coming out is easy. Carola Towle, LGBT official for UNISON said: "I have been in this role for nearly 20 years and in that time I don't think the proportion of workers out at work has changed." Homophobia, biphobia and transphobia are still huge barriers to coming out. A recent European Union survey found one in five respondents who had been employed in the year preceding the survey had felt discriminated against at work or when looking for a job. The figure was significantly higher for transgender persons. All groups were reluctant to complain. Many will choose not to come out to avoid discrimination. We need to ensure members are supported to come out and to be there to challenge discrimination and homophobia. (EU LGBT survey by the European Union Agency for Fundamental Rights)

Some members will have stereotypical image of, for example, a lesbian or a trans person but, like straight people, LGBT people come in all shapes, sizes and ages. They are of different ethnic origins, faiths and family structures and may or may not have an impairment.

It is important to ensure that the impact of policies and actions for each group – lesbian, gay, bisexual and trans – are considered. Gay men may have more visibility than lesbian workers and want to prioritise different issues. Bisexual workers often face discrimination from both lesbian and gay colleagues and straight colleagues.

The COERC research provided evidence that creating a climate where people feel able to come out provides benefits for both workers and employers.

The benefits of coming out:

- happiness at work
- ▲ fosters openness
- enables interaction
- ▲ improves productivity.

The research also identified a range of factors that influence LGBT people's decisions about coming out:

- ▲ the presence of an equal opportunities policy
- ▲ feeling safer as a result of signals from the organisation
- ▲ the presence of an organisational LGBT group
- ▲ getting involved in a trade union LGBT support group
- ▲ the presence of other LGBT colleagues
- ▲ the presence of senior LGBT people.

Factors that prevent people coming out:

- ▲ fears about their job/career/promotion
- ▲ lack of senior LGBT role model staff
- ▲ temporary status of employment
- previous bad experience
- respect for a partner's wishes
- ▲ desire for privacy
- male attitudes/behaviours
- religious attitudes
- ▲ organisational culture.

activity being out in the workplace: creating confidence

AIMS

To help you:

- consider the culture of your workplace
- identify barriers or practices (these can be institutional or individuals) that might prevent LGBT members from being out.

TASKS

- 1. Individually you will be asked to draw a map of your workplace and identify the number of LGBT members who are out working within the various departments/sites/offices.
- 2. Identify what initiatives or policies your employer has put in place to support LGBT workers.

You will then be asked to work in groups to identify what barriers might exist within your workplace to LGBT members coming out.

3. Consider what you could do to remove these barriers with the employer, members and practices and procedures.

REPORT

Agree who will give your group's report to the rest of the course.

activity attitudes to LGBT issues in the workplace

AIMS

To help you:

- ▲ become more confident in speaking up for LGBT members
- A promote LGBT issues in the workplace.

TASKS

In groups discuss:

- If you know anyone who is openly lesbian or gay, how did your colleagues/friends react when they came out?
- ▲ Have attitudes improved towards LGBT people? How and why have attitudes changed?
- ▲ Is there a difference in attitude towards each group within L, G, B and T?
- ▲ Why are some people hostile towards the LGBT communities?

Think about what people have told you during your discussion.

- What attitudes were the same as yours?
- ▲ Was there a difference of attitude between younger/older people, men/women?

REPORT

Agree who will give your group's report to the rest of the course.

UNIONS



The big picture

The TUC carries out an equality audit every two years. It came out of an important rule change in 2001 that committed the TUC and unions to promoting equality in all aspects of trade union work. Many unions responding to the audit recognised that their internal LGBT networks and structures are attractive to LGBT workers considering joining the union. A number of unions also make sure they present a welcoming image to LGBT workers through appropriate images and their participation in events such as Pride.

The TUC carried out an audit in 2012 on equality bargaining and 44 per cent of unions that responded produce their own guidance and policies on LGB and T issues. This includes family-friendly policies, pension benefits, tackling homophobia and biphobia and monitoring sexual orientation.

Ten unions (28 per cent) reported that since the 2009 audit they had reached deals with employers on LGB equal treatment, including seven who had negotiated family-friendly policies that make specific reference to same-sex partners.

For example, the NUJ's agreement with the BBC has a preamble to its paternity leave clauses that states "the following provisions apply to partners of the parent/primary carer, including those of the same sex".

Usdaw's paternity leave agreement with Tesco states that the entitlement is available to an employee who is the father of the child, is married to or is the partner or civil partner of the child's mother or father, or is married to, or is the partner or civil partner of the child's adopter.

Sixteen unions (44 per cent) have current guidance or briefings on policies and practices relating to trans workers.

ASLEF's best practice 'Guidelines for Transgender Workers' and UNISON's factsheet 'Transgender Workers Rights' both set out the union's own policies, a summary of the law and detailed measures for negotiations with employers.

The 2005 audit reported on two ground-breaking policies the FBU had agreed with individual fire brigades and now the union has agreed a detailed policy document at national level with the Chief Fire Officers' Association (CFOA). It is practical guidance on good practice but also states "not only is discrimination towards transsexual people unlawful, it wastes talents and lives and must be considered unacceptable by everyone who subscribes to the values of the Fire & Rescue Service".

NASUWT negotiated a gender reassignment policy for staff at the United Church Schools Trust (UCST) and the United Learning Trust (ULT) which runs academy schools. NASUWT has also worked with the government's Department for Education to produce specialist guidance on sexist, sexual and transphobic bullying.

UNISON has also negotiated agreements on trans workers with a range of employers including Homes for Haringey, a housing association, Islington Council and North Bristol NHS Trust.

Building confidence as a rep

Workplace representatives may lack confidence in dealing with LGBT issues and worry about the reaction of some members (straight and LGBT). This book will equip you with the appropriate knowledge and information to build your confidence.

Getting started

- Look at your union's website and any documents or pamphlets that cover LGBT issues.
- Familiarise yourself with the language guide.
- ▲ Look at the websites of the organisations listed at the back of the book.
- Check with your trade union colleagues as to whether LGBT issues have been dealt with before and what the response or results were.

It is often difficult to start raising awareness of LGBT issues or know which issues to prioritise if LGBT members are not confident to be out at work. You will want to involve LGBT members in developments but you must be very sensitive if it is a new issue in the workplace.

Trade unions have a key role to play in improving the lives of LGBT workers. Putting this into practice will mean:

- ▲ being clear about what a trade union can do for LGBT members
- ▲ getting LGBT members involved in all aspects of trade union campaigning and negotiations
- giving confidence that issues relating to LGBT members are included in union activities
- ▲ getting LGBT members to become union reps or take on other union roles
- raising LGBT issues with employers.

Knowing where to start can be daunting. You could send a questionnaire to ALL members about LGBT issues (see Appendix A). It is important to send it to all members as it may be some time before a LGBT member will feel confident to be fully involved. You also do not want to make any assumptions about who is lesbian or gay or bisexual or transgender.

So:

- Target all members if you are sending out a questionnaire or informing members of a local campaign.
- ▲ Organise discussion circles or training courses for all members to raise awareness.
- ▲ Publicise what the union is doing for its members on LGBT issues.
- ▲ Identify a branch officer or establish an equality post to be the contact for LGBT members.

LGBT members must feel sure that confidentiality will be maintained.

How we communicate

We can communicate with each in so many ways; email networks and social media communications are an important addition to traditional trade union methods such as meetings and notice boards. Setting up a twitter account, which members can follow, or a blog, which they can read (and respond to), may be a way to increase LGBT workers' participation and create a culture where members become more confident about being out and active in the union. Confidentiality is very important so make sure you are not exposing anyone's identity through, for example, sharing emails or Facebook accounts without permission.

PCS Proud has run a successful twitter campaign against the increasing homophobia in Russia. The campaign asks all members and non-members to tweet "I am gay, Mr Putin" and send a picture with a sign saying this. It has created six million tweets and has been supported by LGBT people and straight people.

activity workplace organisation structures and communication

AIMS

To help you:

- start to think about how you organise locally for LGBT members
- consider whether you need to look at additional structures or communication channels for LGBT members.

TASK

In union groups:

- ▲ Identify the structures that currently exist locally for LGBT members.
- ▲ How does the union currently communicate with LGBT members? Could this be improved?
- ▲ Does the union have specific posts nationally or locally for dealing with LGBT issues?

If none of the above exists, how could you raise this as an issue within your union?

REPORT

Agree who will give your group's report to the rest of the course.

Build on these initial steps in the following ways:

- Encourage branch representatives or LGBT members to be available for one-to-one chats with LGBT members.
- ▲ Listen to your members. Find out how they want to be involved and what roles they might be interested in. Do not assume LGBT members want to focus on LGBT issues. It is important to have a diverse range of activists in all roles.
- ▲ Negotiate time off for LGBT activities.
- Establish a trade union LGBT network across the branch or within the workplace so members can discuss issues as a group.
- ▲ Encourage LGBT members to get involved and take a pro-active role.
- ▲ Check for wider experience for example, LGBT members may be active in the local Trades Council or be a school governor or on a health board. Make sure any expertise and knowledge is explored for the benefit of the union.

Changing the culture of your workplace will take time so you need to keep at it if change is going to be lasting.

LGBT structures in the TUC

TUC LGBT Committee

The TUC LGBT Committee was established in 1998. It reports to the annual LGBT Conference. It is responsible for making sure that motions passed at conference, and other issues important to LGBT members, are acted upon by the TUC.

There are 14 representatives nominated from the affiliated unions plus reserved seats for two trans members, two black members, two disabled members and two young members. It is chaired by a member of the General Council.

The role of the Committee

The TUC and many unions have introduced into their structures positive action measures to involve more LGBT members. The Committee:

- provides an LGBT perspective on issues
- ▲ gives LGBT members an opportunity to meet and discuss issues
- provides a focus for LGBT issues and ensures proposals and policy developments are carried through
- ▲ shares best negotiating practice across the unions
- ▲ encourages unions to create appropriate structures and policies to support LGBT members
- ▲ gives a strong profile and focus for LGBT members.

For example, in the last few years the TUC LGBT Committee has focused on the impact of austerity on LGBT communities and homophobia and transphobia in schools and sport, supported the LGBT Domestic Abuse Forum survey and International Aids Day and issued an up-to-date guide on LGBT equality at work. Bringing all unions together ensures the broadest range of perspective and the widest impact across the trade union movement.

How others unions organise

Self-organisation in UNISON

UNISON has established structures at national, regional and local level, which allow women, black members, disabled members and lesbian, gay, bisexual and transgender members to meet together. It means that members who suffer discrimination have the opportunity to set the agenda alongside experienced activists and officers who may have little or no direct experience of disadvantage. It also gives these groups a voice and an opportunity to build confidence to participate in the union at all levels.

UNISON's rule book also provides for guaranteed seats on its committees and at its conferences. For example:

- Two reps from each self-organised group have the right to attend and speak at the national delegate conference.
- ▲ Its service group national conference includes two reps from self-organised groups.
- ▲ TUC and Labour Party delegations include guaranteed representation for equality groups.

www.unison.org.uk

Self-organisation in PCS

PCS Proud is an elected committee with representatives for LGBT members. The group has ensured that all strands can be represented by having a bisexual representative and allowing job share of posts, which has been a very supportive way for LGBT members to get involved. The 'B' in LGBT can often be forgotten, so having a bisexual representative has given this strand a stronger voice in the group.

Self-organisation in GMB

GMB Shout! is the recognised self-organised GMB network of LGBT members in London Region GMB – Britain's general union – and its goal is to expand the network across all GMB regions.

GMB Shout! supports LGBT GMB members who may experience problems at work surrounding their sexuality. It also aims to provide a safe forum where LGBT members can come together to talk about their issues of concern and to network with other LGBT members.

GMB Shout! also challenges negative attitudes towards LGBT people and lobbies for, promotes, progresses and publicises LGBT rights in the workplace and in local, regional, national and international campaigns.

activity recruitment

AIMS

To help you:

- ▲ examine ways of recruiting and organising LGBT workers into the union
- ▲ consider actions you could take to encourage LGBT workers to join the union.

TASKS

In groups:

- 1. Make a list of things you could do to encourage LGBT workers to join the union. Think about general issues and particular LGBT issues.
- 2. Discuss how you could encourage LGBT members to become active and have a voice in the workplace/branch and the union nationally.
- 3. Discuss how you could promote LGBT activities and information within the union.

REPORT

Agree who will give your group's report to the rest of the course.



LESBIAN, GAY AND BISEXUAL RIGHTS AT WORK

This chapter covers lesbian, gay and bisexual legislation at work but many of the negotiating points covers trans members as well.

Rights for lesbian, gay and bisexual members have significantly improved over the last 10 years.

Equality Act 2010

The Equality Act 2010 consolidated all previous equality legislation into a single statute. LGBT rights were previously in various regulations and amendments introduced over the last decade so this not only gives LGBT equal status, it also makes the legal landscape easier to understand. There are trans rights in other legislation and this is explained later on in the workbook.

The Equality Act covers age, disability, gender reassignment, married and civil partners, pregnancy and maternity, race, religion and belief, sex and sexual orientation. These are known in law as 'protected characteristics'. There is more on protected characteristics in the TUC Education eNote. Register for eNotes (it's free) at www.tuceducation.org.uk/eNotes

The Equality Act makes it illegal for an employer to discriminate because of a worker's sexuality. The Act covers recruitment, terms and conditions, promotions, transfers, dismissals and training. Sexual orientation is defined as:

- orientation towards persons of the same sex
- orientation towards persons of the opposite sex
- ▲ orientation towards persons of the same sex and the opposite sex.

This means the law covers everyone, including heterosexual workers. It also covers discrimination through association – that is, if someone is discriminated against because of a connection with someone of any given sexual orientation and of **perception**, where a worker is perceived to have a protected characteristic even if they don't. There have been a number of successful employment tribunals involving homophobic abuse and harassment of straight workers.

Case law to date has demonstrated that tribunal members have found it a difficult area and there has been a low number of tribunal claims. This leads to lesbian and gay members still feeling that the law is not on their side. In addition, to use the Act a member has to be confidently 'out' and will have had to exhaust all internal procedures, two factors that in themselves will be barriers to making a complaint.

The Act covers direct and indirect discrimination, victimisation and harassment.

Direct discrimination

An employer cannot, on grounds of sexual orientation:

- refuse to employ someone, or dismiss someone
- refuse access to training or promotion
- deny to lesbian, gay or bisexual workers benefits, services or facilities that are offered to heterosexual workers.

Example: While being interviewed, a job applicant says that she has a same-sex partner. Although she has all the skills and competences required of the job holder, the organisation decides not to offer her the job because she is a lesbian. This is direct discrimination. Discrimination also includes discrimination on the grounds of perceived sexual orientation, whether the perception is correct or not. So if the applicant in the above example had not referred to her partner, but was assumed to be a lesbian for other reasons and as a result was not offered the job, this would still be direct discrimination.

Austin v Samuel Grant (North East) Ltd 2012 EqLR 617 found unlawful harassment because of the perceived sexual orientation of the claimant who was repeatedly called 'gay' by two colleagues. The tribunal found it was direct perceived sexual orientation discrimination even though the perpetrators did not actually think the claimant was gay; they called him gay as a joke since he did not like football.

Indirect discrimination

An employer cannot set a requirement or condition that may be difficult for people of a particular sexual orientation or gender identity to meet.

Indirect discrimination is unlawful whether it is intentional or not. Preferential treatment relating to married people in recruitment and promotion is likely to attract a claim of indirect discrimination. However, unlike direct discrimination, employers can justify it if they can show that it is a proportionate means of meeting a real business need. Benefits relating to children are potentially open to challenge, since although LGBT people can and do have children, they are statistically less likely to than heterosexual people. However, such challenges would be subject to the defence of justification on grounds of business need. This is legally called 'a proportionate means of achieving a legitimate aim'.

Victimisation

An employer cannot victimise someone because they have made a complaint of discrimination or supported someone else's complaint.

Example: A worker gives evidence for a colleague who has brought an employment tribunal claim against the organisation of discrimination on grounds of sexual orientation. When that worker applies for promotion her application is rejected even though she has all the necessary skills and experience. Her manager maintains she is a 'troublemaker' because she gave evidence at the tribunal and therefore should not be promoted. This would be victimisation.

Bullying and harassment

An employer must protect workers against bullying or harassment because of sexual orientation. This includes behaviour that is intimidating, hostile, degrading, humiliating or offensive. Organisations may be held responsible for their staff if harassment takes place somewhere that is associated with work such as a staff social gathering. Employers should also protect their staff from harassment by third parties such as service users and customers.

LGBT workers may be reluctant to 'out' themselves and will put up with the offensive banter rather than be the person to challenge a discriminatory culture. They may be unsure how the union will react, so positive inclusive messages when highlighting bullying and harassment are essential.

Employment tribunals have been coming down hard on employers who permit or encourage the misuse of language in the guise of 'banter'. The majority of tribunal cases relating to sexual orientation have been harassment cases.

Example: A male worker who has a same sex partner is continually referred to by female nicknames, which he finds humiliating and distressing. This is harassment.

Otomewo v The Carphone Warehouse Ltd (2012) EqLR 724. An employment tribunal upheld a claim of sexual orientation harassment in relation to comments posted on an employee's Facebook page by colleagues without his knowledge. Although the colleagues knew the employee was not gay, their status update on his page that he was had the effect of creating an offensive working environment.

In *Leith v Heart of England Properties Ltd (2013)*, a tribunal upheld a claim based on comments from the claimant's work colleague such as calling him 'gay boy'.

In *Rowntree v Knauf UK GmbH (2013)*, a lesbian working a night shift as a fork lift truck driver successfully brought a claim of sexual orientation harassment on grounds that one of her colleagues regularly put the television at work on to the Babe Channel, a station showing pornography, and made comments on what was on the screen that related to her sexuality. These comments were held to have violated the claimant's dignity and created an offensive working environment for her.

Positive action

The Act makes it legal for employers and trade associations (including trade unions) to take steps to offer people particular work or training if this will make up for previous disadvantage. For example, it would be legal for a trade union to provide training specifically for LGBT members to take part in some union activity.

The Act also permits positive action in recruitment in certain circumstances. If an employer can show that there is under-representation of a particular protected characteristic and where they have two equally qualified candidates, they are permitted to select the candidate from the under-represented group.

Genuine occupational requirement

This means an employer can restrict the post to a particular group.

Example: A charity delivering domestic violence services to lesbians, bisexual women, gay men and transgender people advertises for a gay caseworker to deliver services to its gay clients. The post is restricted to gay applicants because the charity believes that a particular sexual orientation is a genuine occupational requirement for the post. The charity considers that heterosexual men would not have an in-depth understanding of the cultural and domestic violence experiences of gay men. The charity restricts other caseworker posts to lesbian and bisexual women and transgender people for the same reasons. Other posts that do not require this kind of in-depth understanding, such as administrative posts, are open to people of all genders and sexual orientations. This type of discrimination could be lawful.

Example: A Church of England bishop blocked the appointment of a woman to a youth worker job funded by the church because she was a lesbian. The job involved working with teenage girls. The bishop felt that it was not appropriate to have a lesbian working with teenage girls. The recruitment panel had already decided that the woman was the most suitable candidate for the post, which was restricted to women. Her references were also excellent. The post was restricted to women as a genuine occupational requirement. The decision not to offer the post to a lesbian is direct discrimination on grounds of sexual orientation.

Examples from Equality and Human Rights Commission website (www.equalityhumanrights.com)

Religious exemption

An employer can discriminate in employment where the job is for 'the purposes of an organised religion'. It refers to only a narrowly defined group of occupations including ministers of religion and posts whose main function is to promote a religion. Religious organisations cannot discriminate against employees on the grounds of sexual orientation or gender reassignment except in the very narrow circumstances above.

Therefore, except where the exemption above applies, an employer cannot on grounds of sexual orientation:

- refuse to consider anyone for employment
- refuse to offer anyone employment
- offer employment on less-favourable terms
- refuse to make provision for anyone to be trained
- 🔺 refuse to promote anyone
- give less-favourable benefits for anyone
- dismiss anyone.

Sexual orientation and religion and belief

The interface between religion and belief and sexual orientation can create tension.

Reps need to know that workers:

- have the right to be free from discrimination because of their religion, belief or lack of belief
- are also entitled to express their religious beliefs
- cannot use their belief to justify discriminating against others who are also protected by law, including LGBT people.

In 2013 Lillian Ladele, who worked for the London Borough of Islington, refused to perform civil partnership ceremonies as she believed same-sex unions were contrary to God's will. She was disciplined and ultimately dismissed. The Court held that Islington's decision not to make an exception for her religious beliefs was legitimate and proportionate. The Court ruled that Islington had not violated her right to be free from discrimination on the basis of religion, as she claimed.

This case was heard at every level from employment tribunal to the European Court of Human Rights; the above ruling was made at the European Court of Human Rights.

Another case (*Mcfarlane v Relate*) concerned a person who worked for Relate Federation, a private organisation providing sex therapy and relationship counselling, who objected to treating same-sex couples and was dismissed. The Court found that the right balance had been struck between his right to manifest his religious belief and 'the employer's interest in securing the rights of others'. There was no violation of his right to freedom of religion, either separately or in conjunction with the right to be free from discrimination.

Further information

The law is covered by Codes of Practice produced by the Equality and Human Rights Commission (EHRC). There are also quick guides to the law produced by the EHRC and the Government Equality Office. See the TUC Education Equality Law eNote at www.tuceducation.org.uk/login

Equality and Human Rights Commission

The Equality and Human Rights Commission (EHRC) is the statutory body to protect those with protected characteristics, including lesbian, gay, bisexual and trans people.

The Commission promotes equality for all in society as well as working to combat discrimination affecting specific groups. The website contains extensive advice and guidance.

Workplace bargaining

The Equality Act 2010 gives a solid basis for improving your workplace policies and deciding your workplace bargaining agenda.

Progress has been made in explicitly including sexual orientation and gender identity in workplace policies but it is always a good idea to review current policies and procedures. Bargaining goals should cover:

- equal opportunities policies and statements
- recruitment and selection
- training and development opportunities
- family-friendly and work/life balance policies
- benefits for family members
- sickness and absence/disciplinary and grievance procedures
- monitoring
- harassment and bullying (see separate section).

It is important that sexual orientation and gender identity are explicitly mentioned.

Equal opportunities policies and statements

Ensure there is a comprehensive equality policy that explicitly mentions sexual orientation. All policies should be monitored and supported by action plans.

Recruitment and selection

The recruitment process should make clear that the organisation is an equal opportunities employer and that it does not discriminate on grounds of sexual orientation or gender identity and that all applicants are welcome.

Advertising and application forms

The fact that your employer is an equal opportunities employer should be expressed in any adverts and all recruitment materials.

Interviews

Questions at interview should be just about the person's ability to do the job and avoid anything to do with personal matters. It is good practice to include a question on equality or to explicitly mention the organisation's commitment to equality during the interview.

Training and development and career opportunities

Ensure that these opportunities are open to everyone. Also equality training and awareness, to include sexual orientation and gender identity, should be undertaken by all staff, especially managers.

Monitoring

There are workers who are open about their sexuality or gender identity and are happy to be so. However, there are workers who for many reasons choose not to be 'out' at work and their wishes must be respected.

It may be due to wanting to keep their private life separate from work – as many 'straight' workers also do – but also because it has not been a positive experience in the past. LGBT members will have very different views as to the relevance of their sexual preference to work, which raises issues around monitoring.

The TUC advice is that the LGBT position is different from race or gender and monitoring should be undertaken if, and only if, the basic principles below are established. Often monitoring is carried out without any clear idea what the information collected is going to be used for. If nothing changes for the better then workers will be reluctant to participate and give personal information to their employer.

The Public Sector Equality Duty does require public bodies to publish information on the protected characteristics of their workforce. For further information and guidance see www.equailtyhumanrights.com

If monitoring is to take place:

- ▲ There must be a full LGBT equality policy already in place, and action to implement it.
- Everyone should be clear why monitoring for sexual orientation and gender identity is being carried out and what will be done with the results.
- The difference collecting the information on staffing and services has made to LGBT people should be reviewed and reported.
- Analysis needs to be undertaken differently from race or gender. Not all LGBT staff will declare and national statistics will not give a true picture.
- Monitoring of trans staff needs a more sensitive and nuanced approach as a trans person may just want to be known in their acquired gender or may fear bullying and harassment.
- There should have been consultation on, and explanation of, the first two principles, prior to completion of the plan and implementation.
- Staff involved in the process should be trained.
- There should be a guarantee of confidentiality regarding the information collected. Employers must be very careful where numbers are small and people may be identified without permission.

It will take time to overcome the cultural barriers, which include suspicion and fear of discrimination.

The Public Sector Equality Duty provides great potential for making progress collectively, so the more confident LGBT workers are in being 'out', the more you can tackle discrimination across an organisation. The TUC recommends that employers also ask the question 'are you out at work' as this will help identify any issues around disclosure at work.

The duty also applies in Northern Ireland, the Scottish Parliament and the Welsh Assembly, which were all founded with a commitment to promote equal opportunities. The duty differs in all three of the devolved nations.

Getting accurate information about members is also a challenge for trade unions. In PCS the facility for members to update their own equality information is slowly increasing the number of members who identify as LGBT. PCS's inclusive 'Count me IN' campaign to encourage members to update their information on the database worked well as it involved all members.

There is more detailed guidance in the TUC guide *LGBT Equality in the Workplace* (2012) www.tuc.org.uk/equalities

The TUC recommends that monitoring workforces for their sexuality or gender identity be treated with particular sensitivity otherwise it will fail to produce any useful results.

CASE STUDY

The Forum for Sexual Orientation and Gender Identity Equality in Post-School Education ('The Forum') was established in April 2007. The Forum brings together those in the post-16 education sector to coordinate work on sexual orientation and gender identity equality and share expertise.

The members of the Forum include: Association of Colleges (AoC), Association of Teachers and Lecturers (ATL), Centre for Excellence in Leadership (CEL), Equality Challenge Unit (ECU), National Institute of Adult Continuing Education (NIACE), National Union of Students (NUS), UNISON and University and College Union (UCU). It is a great way to bring together employers and trade unions to progress LGBT equality and agree joint initiatives.
activity **discrimination: case studies**

ATIMS

To help you:

- understand what is meant by sexual orientation
- consider your response to workplace issues.

TASK

In groups you will be allocated two case studies from the list below. Discuss the case studies and consider how you would respond to these situations.

List your responses - these can be formal or informal.

REPORT

Elect a member of the group to give your report to the rest of the group.

RESOURCES

Out at Work and the sexual orientation case studies below.

Sexual orientation: case studies

CASE STUDY 1

Jo was the only out lesbian in the college catering team. She was determined not to be made to feel invisible by others' attitudes and talked about her partner and lesbian and gay friends. Other staff – including some other union members – made it very clear that they didn't want to hear about her private life and complained to the manager. The manager told Jo she was too political and should talk less about her private life, as good team working was essential to getting the job done. Jo approached her local rep for help and advice.

CASE STUDY 2

Ranjit, a nursery nurse, was featured in a positive story in the local newspaper about the success of her lesbian football team. The next day, the parents of one of the children she worked with came storming in, calling her some very unpleasant names, saying she was unsuitable to work with children and demanding that she be sacked.

Her manager calmed them down by assuring them she would be moved away from direct contact with the children, explaining privately to her that this is just a 'temporary measure' till the storm passed. Ranjit was not at all happy about this.

CASE STUDY 3

Karl wanted to apply for a promotion in the finance department but this meant agreeing to a Criminal Records Bureau 'Standard Disclosure'. He knew this would show up an old 'gross indecency' conviction – a charge used exclusively against gay men having consensual sex, which had no heterosexual equivalent. He was very concerned about having to deal with people's prejudice and ignorance about so-called 'gross indecency'. He was also worried it would count against him and he would not even be considered for the job.

CASE STUDY 4

Lisa's partner Collette was expecting a baby. Lisa – a children and families social worker – wanted to apply for maternity support leave but she was not out at work.

CASE STUDY 5

Jim had lived with his partner Rob for many years, but was not out at the call centre where he worked. Nobody knew about Rob. Rob's mother became increasing frail and dependent on them. Jim used up all his annual leave caring for her and started taking odd days of sick leave. He was increasingly stressed by the whole situation and his call rate kept falling below his target. He was asked to come and see his manager.

See Appendix C for suggested solutions.

activity workplace policies and work/life balance

ATIVIS

To help you:

- identify gaps in workplace policies
- ▲ consider how you can ensure that the needs of all members are met through these policies.

TASKS

Look at one of your workplace policies and see if any groups are not covered by the agreement. For example, find out what your employer provides for employees in relation to:

- parental, bereavement and carer leave
- sick leave (disability leave)
- flexible working.

Does your employer collect workforce data on sexual orientation and gender identity?

Discuss the following:

- Are these conditions available for everyone?
- ▲ What arguments would you use to ensure all groups are included?
- What legislation is available to assist?
- ▲ Will individuals have the confidence to ask their managers for leave?

REPORT

Be prepared to report back to the rest of the group.

out at work 🔺 a tuc education workbook

BRINGING TOGETHER WORK AND LIFE

Family issues

Many family structures may not be reflected in employers' policies relating to family issues. Good practice would be to tackle some issues as 'equality issues' – many issues arising from non-recognition of same-sex families also applies to straight workers with 'non-traditional' families.

Family structures now include single parents including those headed by a man, families in which grandparents are bringing up grandchildren, families following new partnerships, extended multigenerational families, lesbian and gay families (which can be two parents, single parents or shared parenting across households), families where a parent or child may have transitioned, families created through friendship rather than biological links, mixed heritage families and those extended through adoption and fostering. Some families face prejudice and ugly media attention, which should be challenged by making sure that all work/life balance policies respect the different lives that people lead.

For example, everyone needs to take special leave at some time in their working life to look after an ill partner or child or to cope with bereavement. It becomes difficult if this is left to the discretion of a local manager and individual LGBT members are left to negotiate time off at a stressful time. Negotiating a carers' agreement, which provides for a number of days per year for the whole organisation makes this easier and less stressful for everyone.

Parental leave, dependence leave and childcare should cover all parents regardless of the living arrangements, gender identity or sexuality.

Flexible working, part-time working and job sharing should be equally available to all workers. The right to apply to work flexibly is now available to every employee.

Family-friendly and work/life balance policies should contain inclusive language such as 'parents' rather than 'mothers' and 'fathers', which enable LGB workers the same access through the same processes as straight workers.

Family-friendly rights, which should be available to all, include parental leave, carer's leave, dependency leave, bereavement leave and emergency domestic leave.

Fathers, civil partners or partners (of either sex) are entitled to two weeks' paternity leave within 56 days of the birth or adoption subject to qualifying periods.

All working parents have the right to 18 weeks' parental leave (separate to maternity and adoption leave entitlements) to look after a child who is under five years old or has been placed for adoption in the last five years but is under 18 years old. For disabled children under 18 years, the entitlement is also 18 weeks.

Benefits to family members

Where they are offered to spouses, benefits such as travel concessions, health care packages and free or subsidised membership of particular facilities must also be offered to civil partners.

Where they are offered to unmarried straight workers partners', they need to be offered to samesex partners not registered as civil partners.

CHECKLIST

- Look at your national or other employer agreements to identify best practice.
- ▲ Get a commitment to equality from your employer at the start to include LGBT issues.
- Make sure all relevant policies include sexual orientation and gender identity.
- Ensure family-friendly policies cover all families.

Civil partnerships and marriage

The Civil Partnership Act (2005) created rights equivalent to marriage so that same-sex couples can register their relationship as a civil partnership.

Those undertaking a civil partnership are entitled to take their partner's name, have the same rights as married heterosexuals under next of kin rights, have rights in relation to their partner's children, tax rights including the same inheritance rights and some pension rights so may be able to claim their civil partner's pension should they die. See the section on pensions below.

Inheritance rights mean lesbian and gay members can register a death, have the right to bereavement benefits, the right to claim compensation in case of a fatal accident and the right to stay living in a shared rented home.

The Marriage (Same Sex Couples) Act 2013 extends civil marriage to same-sex couples with equivalent rights and responsibilities to opposite-sex married couples with the exception of some pension arrangements (these exceptions are under review as of February 2014). Those who have had a civil partnership will be able to change over to a civil marriage if they wish.

At work employers have to treat civil partners the same as married couples in terms of perks and benefits.

Pensions

The TUC campaigned to ensure equality in pension survivor benefits where there are contractedout occupational and private pension schemes in place for same-sex couples. The law provides for services to be backdated to 1988, the equivalent date for widow's/widower's pensions. This is now a legal obligation and all pension schemes that have not voluntarily made the necessary changes to their rules must do so, so that registered civil partners will become entitled to this benefit. In noncontracted out pension schemes, benefits can be backdated only to 5 December 2005, when civil partnerships came into force (although *Walker v Innospec* (2013) EqLR 72 found that the exclusion of employees in a civil partnership from the benefits of its pension scheme accrued before December 2005 was direct discrimination).

For trans people, many pension schemes refuse to recognise the change of gender at the point of transition, many now insisting on waiting until gender recognition occurs at least two years after transition. The benefits paid will also vary depending upon legal sex and may even be based on a calculation in one sex for a period and another for a later period, causing confusion and propagating errors in calculating benefits.

Pensions is a very complex area so always seek advice from a pensions expert.

LGBT health

The Equality Act and HIV

Every day millions of workers all over the world face stigma and discrimination at work because they have been diagnosed as HIV-positive. Many lose their jobs and some have lost their homes, friends and families.

HIV/AIDS is not specifically a lesbian, gay or bisexual issue: ignorance and prejudice about the illness has often made it appear as a 'gay' issue. Employers have a duty to combat ignorance and prejudice about HIV/AIDS and not treat it only as a health and safety issue.

By the end of 2012, an estimated 98,400 people in the UK were living with human immunodeficiency virus (HIV). This weakens the body's immune system and can progress to acquired immunodeficiency syndrome (AIDS), a cluster of potentially fatal illnesses. Although HIV cannot be cured, it can be effectively treated so that HIV may not progress to AIDS.

HIV **cannot** be transmitted through normal work or social contact, for example through shaking hands, toilet seats or sharing cutlery or cups. Employees do not have to declare their HIV status unless they are health workers doing 'invasive procedures'.

People living with HIV or who are thought to have HIV can be subjected to harassment, abuse or discrimination. This can be fuelled by ignorance about how HIV is transmitted or prejudice against the two groups most affected in the UK – gay men and Black Africans – by linking HIV with homophobia, racism or anti-immigration sentiment. Whatever the cause, HIV-related discrimination at work is wrong as well as unlawful.

HIV and the law: disability discrimination

The Equality Act 2010 means that people living with HIV are protected from discrimination in employment, trade union membership and the provision of goods and services, from the moment of diagnosis.

People living with HIV are protected against unfair dismissal and/or discrimination in recruitment, promotion, training and benefits. Employers must take steps to prevent harassment or discrimination by others, including colleagues in the workplace.

As HIV is a disability, branches should also argue that any time off due to the condition should be counted as disability leave and not sick leave. The TUC has produced guidance, which is available on the website 'sickness absence and disability discrimination' www.tuc.org.uk/equality-issues/disability-issues/disability-discrimination/disability-resources/sickness-absence-0

A more detailed leaflet jointly produced with the National AIDS Trust is available at www.tuc.org.uk

CHECKLIST

- Help fight discrimination and challenge prejudice and attitudes.
- Support HIV-positive members when requesting adjustments to their working practices, which is a right under the Equality Act 2010.
- Ensure members get the right advice on pension and retirement options if this becomes a necessity.

Mental health

Supporting members with mental health issues and conditions is a growing challenge for reps. As work becomes more stressful through job insecurity and struggling to meet the increasing cost of living, it is an issue that needs to be factored into supporting members.

Information about the mental health and wellbeing of LGBT people is not collected at national level in the UK.

The available evidence suggests that LGBT people have a higher risk of experiencing suicidal feelings, self harm and alcohol abuse and mental health problems such as depression and anxiety.

The reasons for these findings are complex and not yet fully understood. However, mental health problems experienced by LGBT people have been linked to experiences of discrimination, homophobia and bullying.

According to a recent major report by Youth Chances (2014, **www.youthchances.org.uk**), more than half of young LGBT people in England have suffered mental health issues, and 40 per cent have considered suicide, emphasising a growing concern that schools and health services are failing gay teenagers. Fifty per cent have self-harmed and 42 per cent have sought medical help for anxiety or depression.

Led by the charity Metro, the project was the largest social research study into young LGBT people in England, with more than 7,000 16- to 25-year-olds asked about their experiences of education, employment and health services, as well as relationships.

Many unions and the TUC have produced guidance for members that will help reps understand and support a member with mental health conditions and issues.

Accessing services

In accessing or delivering services such as education, housing or healthcare, LGBT members may face hostility and prejudice.

It is unlawful under the Equality Act 2010 for businesses or public functions to discriminate in the provision of goods, facilities or services. For example:

- refusing a same-sex couple a double room in a hotel because this might cause offence to other customers
- ▲ refusing admission to a bar because the customer is not gay.

Certain services and activities are often targeted at customers or users on the basis of their sexual orientation. For example, if there are clubs, bars or travel clubs that design their products for the lesbian and gay market, it is not unlawful as long they are made available to everyone.

LGBT people often face discrimination in accessing services and its impact is shown in the following examples.

- Homophobia often means that lesbians and gay men may delay seeking health care or choose not to disclose their sexuality.
- ▲ Homophobic bullying at school will have an early impact on those who are at the receiving end and will make them reluctant to come out at work.
- ▲ Youth services may not be sensitive to the difficulties faced by young LGBT people.
- Trans people may face difficulty in accessing leisure services such as the local swimming pool if there are issues over changing rooms.
- Most trans people will have difficulty accessing any health services and will frequently face GPs who simply refuse them as patients.

In the case of *Bull v Hall* (2013), a hotel was found to have directly discriminated against male civil partners on grounds of sexual orientation by not allowing them to share a double room.

If the service that members work within treats LGBT service users differently then it indicates that the workplace could be hostile to LGBT staff.

The current situation (January 2014)

In May 2010, the government began introducing a series of significant and sustained reductions in public spending intended to reduce the budget deficit. Often referred to as 'austerity cuts', these reductions are cuts in funding to or via government departments. In 2010 it was planned that non-protected departmental spending would be cut by 10.6 per cent by 2015. Other cuts have occurred through job freezes, changes to pensions and a one per cent pay cap in the public sector. Of particular significance are cuts in local authority spending and related services in the voluntary and community sector, where many specialist LGBT services are situated. A report conducted by NatCen Social Research commissioned by UNISON to provide detailed insight into the effects of austerity on lesbian, gay, bisexual and transgender people and the services they use found:

- sreater financial hardships from redundancies, real-term pay cuts and changes to benefit rules
- problems finding accommodation where they could feel safe and that was LGBT-friendly
- ▲ a reduction in sexual health and mental health services that addressed their specific needs
- greater feelings of marginalisation and invisibility as specialist LGBT services and support disappeared
- ▲ LGBT issues and concerns treated as less important than other concerns as something that could be dropped in harder times
- public funding for LGBT services considered more important because prejudice and discrimination among some members of the public was thought to make funding through charities less likely
- attempts to keep services going through restructuring and efficiencies were seen to be largely unsustainable in the longer term because of negative effects on staff and on the quality of service delivery.

www.natcen.ac.uk

Housing

Lack of awareness among service providers about the sexuality of their clients can mean they are not always aware of the needs of LGB people and do not appreciate that they are in priority need for housing. This can make it difficult for LGB people to get the right help and support and can lead to increased vulnerability.

Also, homophobia perpetrated by staff or other service users can compound the difficulties faced by LGB people, which may lead to them leaving housing services or avoiding using them at all.

CASE STUDY

Sometimes it is difficult to understand why services discriminate. The following focus on housing helps us to understand the issues.

It can be difficult for anyone, irrespective of their sexual orientation, to find somewhere decent and safe to live; but housing is a particular issue for LGB people.

Most local authorities and housing providers do not monitor the sexuality of clients, therefore they do not have a clear picture of how big the problem is nor how best to respond to the needs of LGB people faced with homelessness.

From Stonewall Housing's *Sexual Exclusion* (2005), a report by Rob Green. Stonewall Housing is a separate charity from Stonewall and can be found online at **www.stonewallhousing.org**

Young LGB people

Sexuality can be a direct cause of homelessness for young LGB people – they may be thrown out of their home or decide to leave home to escape homophobia.

Coming to terms with their sexuality and the possible withdrawal of love and support from family and friends can lead to emotional or mental health difficulties, such as low self-esteem, depression and self-harming behaviour.

They can put themselves in dangerous or exploitative situations to meet their need for acceptance and affection and they can begin to use alcohol or drugs to try to cope with or block out issues arising from being LGB and homeless.

Older LGB people

People have difficult decisions to make about housing and care as they grow older. They may need to consider sheltered or extra-care accommodation or may need to arrange for a carer to visit their own home.

Older people often find that society believes they no longer have an active sexuality and it is assumed that everyone in older people's accommodation is heterosexual. This often leads to older LGB people being invisible within housing services or housing workers being uncomfortable about LGB issues, which intensifies their feeling of isolation and they fail to receive the services they need.

Harassment and violence

Many LGB people of all ages experience homophobic harassment and violence in their neighbourhood.

Harassment can include name-calling, graffiti and criminal damage, and over time even seemingly small incidents can cause extreme distress and fear, with people often too frightened to leave their own home. Homophobic assaults or violence may or may not be preceded by incidents of harassment.

LGB people are often forced to be open about their sexuality in order to report a crime to the police or anti-social behaviour to their landlord.

Domestic abuse

LGB people can face domestic abuse from partners, parents, siblings and other family members. This abuse can be emotional, physical, financial or sexual. One of the biggest obstacles for LGB people wanting to flee domestic abuse is the lack of emergency accommodation for LGB people, especially for men.

activity **challenging harassment and bullying**

AIMS

To help you:

- identify homophobic bullying
- ▲ consider ways of challenging homophobic bullying and harassment.

TASK

In groups:

- ▲ Identify how bullying and harassment against LGBT members might take place.
- ▲ Decide what would prevent LGBT members from seeking help from their union.
- ▲ Identify how the union can support LGBT members/workers in your workplace.

Produce either a leaflet, an advice sheet or a checklist for union representatives. Identify what information you would include.

REPORT

Agree who will give your group's report to the rest of the course.

Harassment and bullying

Workplaces can be very hostile places for LGBT staff. Harassment at work is still the most common negative experience for LGBT workers. It is a serious issue for trade unions to tackle – and one of the most difficult. Legislation now makes bullying and harassment unacceptable and illegal.

All too often, LGBT members will be accused of being over sensitive and having no sense of humour if they challenge or complain about harassment and bullying.

Bullying and harassment can be criticism, exclusion, isolation and a whole raft of intimidating and undermining tactics. It will affect people's health and their ability to do their job or to attend work.

What constitutes homophobic bullying and harassment?

- homophobic language, comments and jokes
- ▲ the asking of intimate questions about someone's personal or sexual life
- assumptions that everyone is heterosexual
- gossip and speculation about someone's sexuality
- excluding people because they are lesbian and gay
- offensive actions and physical attacks
- physical and emotional intimidation.

Members will often hide their feelings by avoidance, ignoring remarks, using humour or hiding their emotion, though they may also challenge prejudice head on.

Never suggest that the member is being too sensitive, does not have a sense of humour or has a 'chip on their shoulder'.

The law

The Equality Act 2010 gives protection against discrimination and harassment on the grounds of sexual orientation or gender reassignment.

The Health and Safety at Work Act (1974) places a duty on every employer to ensure, so far as it is reasonably practicable, the health, safety and welfare of all their employees. This includes taking responsibility for the negligent acts of employees.

The Criminal Justice and Public Order Act (1994) created a criminal offence of 'intentional harassment'. This occurs if a person acts 'with intent to cause a person harassment, alarm or distress". This includes:

- using threatening, abusive or insulting language or behaviour, or disorderly behaviour
- displaying any writing, sign or other visible representation that is threatening, abusive or insulting so that another person feels harassment by his/her employer or colleagues.

The crucial feature of any strategy to reduce the risk of bullying and harassment is an effective reporting procedure. Without this the bullied or harassed person will not be confident that anything will be done. The workplace culture may imply some professional or personal failing and the person could end up feeling worse.

Good practice on harassment and bullying should include:

- a statement that bullying and harassment will not be tolerated
- ▲ a policy that defines and recognises bullying and harassment and explicitly refers to homophobia and transphobia
- a confidential complaints procedure; this will enable people to make a complaint without fear of reprisal
- a complaints procedure that has informal and formal stages
- ▲ facility for trade union representation at all stages of the procedure
- visible publicity and inclusion in staff training
- ▲ a clear statement to all service users that homophobia is not acceptable.

CHECKLIST

- Remind management of its legal obligations to maintain a safe and healthy workplace.
- A harassment policy should include mention of harassment by service users.
- A Publicise any policy as widely as possible.
- Report incidents this is essential. Keep the confidence of the bullied or harassed member; confidential helplines provided by the employer are a good tool.
- Provide support at every stage of the complaint.
- Inform members about what to do if they witness or suffer bullying and harassment.
- A Make sure the harassment and bullying policy is monitored.

Domestic violence

Domestic violence exists in same-sex relationships as much as in heterosexual ones and is just as difficult to talk about. It affects job performance and security at work as well as people's health, housing and economic security. Domestic violence towards trans people at the point of transition is high.

Domestic abuse is now defined by government as 'any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged over 16 who are or have been intimate partners or family members regardless of gender or sexuality'.

The LGBT Domestic Abuse Forum surveyed 134 survivors of domestic violence and abuse in 2013 and the final report is due. It can be found along with other information on how to support LGBT people at www.LGBTDAF.org

Employers are increasingly recognising that they have a responsibility for the wellbeing of their employees and are negotiating workplace agreements to support and assist employees suffering domestic abuse. It is a trade union issue and the TUC is committed to supporting unions to negotiate workplace agreements.

CHECKLIST

Makes sure same-sex domestic violence is recognised as a workplace issue. Workplace policies can include:

- special paid or unpaid leave
- offering information about local help and support
- ensuring employees' confidentiality is protected if they raise this issue in the workplace
- raising awareness about domestic violence in the workplace and making sure everyone knows there is a workplace policy
- providing emergency support through union or employer welfare schemes
- ensuring that helplines and emergency contact numbers such as for the local social services emergency duty team or local police are displayed in the workplace.

Bullied children

Children of LGBT parents may be bullied. Young people who are perceived as being or who are gay can have a very difficult time at school. The abusive use of homophobic language is common; for example, saying someone is 'gay' can be used to denote stupidity or being uncool.

Bullying can make school lives unbearable and cause permanent damage to young people. If your union organises in schools or you have members with children at school, it is important that you use your influence to challenge bullying and to demand anti-bullying campaigns.

According to the Youth Chances survey (**www.youthchances.org.uk**), one in five LGBT pupils admitted to being the victim of physical attacks at school; most did not report them and only a small number of those who did said they felt the issue was resolved. Only a quarter of respondents said they had been taught anything at school about safer sex with a same-sex partner.

The education unions and the TUC believe schools have a key role to play in providing inclusive environments for all young people, with zero tolerance of bullying and discrimination and eliminating the fear of it through education and support.

You can:

- demand policies that recognise the existence of homophobic/transphobic bullying
- ask for staff training on dealing with homophobic/transphobic bullying and the issues facing LGT pupils or those with LGBT parents
- ▲ get involved as a school governor to influence the culture of the school
- ensure recruitment policies encourage LGBT school workers, who may also be comfortable at being an 'out' role model in their work environment. Bullying of LGT teachers by pupils also happens.

Schools Out aims to make schools safe and inclusive for everyone by:

- providing both a formal and an informal support network for all people who want to raise the issue of homophobia, biphobia, transphobia and heterosexism in education
- ▲ campaigning on LGBT issues as they affect education and those in education
- ▲ researching debating and stimulating curriculum development on LGBT issues
- working towards unity of message between teacher and lecturer unions and other professional stakeholders in education
- promoting equality, safety and visibility in education for LGBT people and all those with protected characteristics.

www.schools-out.org.uk

activity taking up issues within the union and with your employer

ATIMS

To help you:

- ▲ think about the issues you will raise at work and within your union
- ▲ build confidence in dealing with LGBT concerns.

TASK

In groups, agree on an issue you would like to pursue within the union on behalf of the LGBT members.

Identify the steps you will need to take and who you will involve.

Prepare your case for:

- ▲ the branch committee
- ▲ a meeting with management.

REPORT

Agree who will give your group's report to the rest of the course.

Hate crime

Homophobia and transphobia can be defined as prejudice or discrimination against those identifying as gay, lesbian, bisexual and transgendered. Such behaviour is attributed directly to social intolerance towards those who are not, or who are perceived not to be, heterosexual.

The police use the following definition when recording a homophobic incident:

"Any incident which is perceived to be homophobic by the victim or any other person."

This refers to any incident that appears to be related to an individual's actual or perceived sexuality.

Prejudice and homophobic attitudes are still prevalent in the UK. Homophobic and transphobic crimes are largely unreported to the police, though police forces are now recording homophobic and often transphobic hate crime.

Local authorities also have a duty to work with the police to create crime reduction strategies for their area and to invite the participation of local LGBT communities in these Community Safety Partnerships.

Transphobia contributed to the death of Lucy Meadows, an NUT member who had transitioned while working as a primary school teacher. The national media interest, led by *Daily Mail* columnist Richard Littlejohn, was fuelled by hate. Littlejohn wrote about Meadows in a column, in which he claimed that her transition would be too "challenging" for children. "These are primary school children, for heaven's sake. Most of them still believe in Father Christmas. Let them enjoy their childhood. They will lose their innocence soon enough." He continued that he thought Meadows was entitled to gender reassignment surgery, but said he thought her returning to the same school was "selfish".

Since her death, the column has been edited to remove the reference to Meadows. In March 2013 more than 200,000 people called for the *Mail* to sack Richard Littlejohn.

Coroner Michael Singleton said the media should be ashamed of themselves for the way they hounded Meadows.

Meanwhile, Trans Media Watch, the charity dedicated to improving media representation of transgender and intersex people, has called for the press to end its "character assassination" of trans people.

Research by London LGBT hate crime charity Galop shows 98 homophobic and transphobic crimes are recorded each week by police across Britain. A quarter of all reported homophobic crime and a fifth of all reported transphobic crime happens in London. Nine per cent of UK reported hate crime was homophobic. That rose to 10 per cent in 2010 and 11 per cent in 2011. Figures for 2012 are still being processed.

Galop states that over half of homophobic and transphobic crime is not reported to the police, meaning many people suffer in silence. One in eight lesbian, gay or bisexual people is the target of hate crime each year. Three in four transgender people are the target of hate crime annually.

www.galop.org.uk

LGBT people are also more likely to experience crime, with one in three LGBT people experiencing a crime each year, compared with only one in four heterosexual people.

One in fourteen LGBT people experience violence annually compared with one in thirty-three heterosexual people.

Many LGBT people will not report the crime because of:

- ▲ lack of confidence in the police
- anticipated negative reaction
- ▲ fear of being charged with a gay offence
- ▲ fear of being outed
- ▲ fear of retribution
- ▲ acceptance of violence and abuse.

These levels of crime demonstrate that the harder battles against homophobia, transphobia and biphobia are still to be won.

All these reasons make it a trade union issue too. Living in fear of attack clearly makes this a campaigning issue for all trade unions and will obviously impact heavily on individuals and their ability to work.

TRANSPEOPLE AT WORK

Trans people at work

A trans person is someone who believes their gender is the wrong one and wants to change to live in the gender with which they identify. This may involve hormone treatment or surgery. It is called 'gender reassignment'.

Many workplace representatives will be unfamiliar with the issues or with dealing with a trans member. Trans rights were previously covered under sex discrimination law and are now part of the Equality Act 2010. The Act creates a protected characteristic of 'gender reassignment', which represents a significant improvement in status.

Trans people can now gain legal recognition for their reassigned gender. They can now have their birth certificate changed, which means they no longer have to disclose their gender history when applying for jobs.

Trans people often face discrimination when they change sex so it is important that workplace reps are confident with the regulations and rights relating to this area.

There are particular stages that most trans people will choose to go through before achieving their new gender. The timings of the various stages vary significantly between individuals and each situation will be unique, but they will impact enormously on their life at work.

As part of their treatment the individual begins to live as a member of the new gender and may have records changed to reflect this (such as their driving licence and passport). This period is called the 'real life experience' and is for a minimum of one year. The individual may be receiving hormonal therapy and may have regular review of their progress with a psychiatrist or psychologist.

This may be followed by corrective surgery to complete the transition to the new identity.

It is important to remember that some trans people will live permanently in their acquired gender without undergoing any medical or surgical procedures. The Equality Act 2010 and the Gender Recognition Act 2004 reflect this.

The law

The Equality Act (previously the The Sex Discrimination (Gender Reassignment) Regulations 1999 insert in the Sex Discrimination Act 1975) covers discrimination on grounds of gender reassignment in employment and vocational training.

The law makes it illegal to discriminate in employment and training on grounds of gender reassignment. The law protects someone who 'intends to undergo, is undergoing or has undergone gender reassignment', including people preparing for medical treatment. It is important to remember that this means 'a personal process' of moving away from one's sex at birth to the preferred gender. It is not to do with undergoing a medical process, which many trans people choose not to undertake.

Discrimination is defined in terms of the comparative treatment of a trans person and the treatment of an 'other person' for whom no gender reassignment exists.

The protection provided covers direct discrimination, indirect discrimination, victimisation and harassment in employment or training on grounds of gender reassignment.

In limited circumstances it will not be unlawful to discriminate on grounds of gender reassignment, such as when:

- ▲ a person's sex is a genuine occupational qualification for that job
- the job involves the holder conducting intimate searches
- ▲ the job involves the holder working in a private home and reasonable objection can be shown.

This is a backward step in the new legislation as these exceptions did not previously apply where a trans person was in possession of a Gender Recognition Certificate.

The 'exception' rule is complicated and union representatives should seek advice from their union office or legal department of their union.

Gender Recognition Act 2004

The Gender Recognition Act enables trans people to acquire full legal equality in their acquired gender. Anyone who obtains a Gender Recognition Certificate (GRC) is entitled to have documentation changed to reflect their new gender, including their birth certificate. A person acquiring a Gender Recognition Certificate will be able to marry in their new gender or else to form a civil partnership with someone of the same sex. From 2014 trans people have the right to change legal gender without having to end an existing marriage. Previously there was a requirement to divorce a spouse before obtaining a full Gender Recognition Certificate.

A continuing issue is the spousal veto, which enables the husband or wife of a trans person to deny their partner the right to have the gender they live in recognised in law. Scotland has decided to remove the spousal veto but it is still a right in England and Wales. The TUC is campaigning to remove it.

The Gender Recognition Act also brings privacy rights. It is important to understand that anyone – including a trade union representative – who acquires information about someone's trans status is liable to criminal proceedings if they pass that information to a third party without the permission of the individual. This would include, for example, an employer or another union official.

Workplace issues

This is obviously a huge emotional change for a person to go through and the union rep will be a key source of advice and support in workplace issues. Confidentiality is key, and working with the member will instil confidence and a sense of control over the situation. This helps ensure a positive reaction from colleagues and the employer as the person goes through the stages of transition.

Below are some of the issues to be discussed with the member and employer.

Remaining in post or redeployment

The member may wish if possible to move to a different workplace or job at the point of the change of gender. If the person wished to move due to harassment or lack of support, then that needs to be addressed first (see the section on harassment).

Support during the transition: informing and training others including service users

Some staff and colleagues will need general information about trans people and others specific information about the individual depending on their role and work relationship with the individual. It is important that the employer and colleagues understand the issues facing the individual.

No one has a right to be told about a trans person's transition and a fine line needs to be observed between the privacy of the trans person and the obvious nature of such a transition at work. The trans person must be involved at all stages of decision-making and any agreed communications.

The union rep may want to organise a meeting to inform colleagues of the member's gender change. The individual must be involved in any decision about whether to hold a meeting or may wish to do this themselves or with your help. Make sure they are fully involved at all stages.

More detailed information and training sessions for managers and colleagues should be arranged. Encourage your employer to seek advice and guidance from the specialist organisations at the back of this book.

As a union rep you will need to access information on trans issues in case members raise queries with you. There are details at the back of this guide on how people can find further information.

Time off for treatment

Time off for transition treatment is essential. The length and amount of time off will vary from individual to individual. Trans people will need to attend a gender identity clinic before, during and after any surgery; this may involve travelling many hundreds of miles. Negotiate this to be taken as special leave or to be treated in the same way as sickness absence.

Amending records and systems

It is important that all personnel records, including security passes and any internal telephone directory, refer to the member in their new gender identity. Make sure this happens when the trans person wants it to happen.

If the employer retains records that may include the person's previous identity, an agreement needs to be reached on who has access and that nothing is revealed without the trans person's permission.

Changeover: the point of transition is the expected point or phase when an individual changes their name, personal details and social gender.

It is good practice for an employer with a dress code to allow flexibility during transition and to respect the individual's wishes over when they are comfortable to change into the form of dress appropriate to the new gender. It is common for trans people to take a short time off work and to return in their new name and gender role.

Agreement also has to be reached on the use of toilets and changing facilities. It is important at this stage that colleagues are aware and understanding of gender transition as it is simple issues such as these that can cause difficulties for trans people.

Harassment and confidentiality

Trans people are vulnerable to abuse and harassment so it is important that they are included in any harassment policy or statement.

The employer and the trade union should be clear that harassment will not be tolerated (see the section on harassment).

Disclosure and references

Any reference to the person's previous sex must be made only with the permission of the individual. This includes job references and any information relating to pensions and insurance, which may need to refer to the previous gender identity.

Issues for the union

- Make it clear that harassment and abuse will not be tolerated.
- Ensure anyone who has a role in advising and supporting is fully supported by the union and has access to training and information.
- Make sure union records are changed at the appropriate time
- ▲ If they ask, trans members are to be given information about any support groups.

CHECKLIST

- Gender identity and gender reassignment are included in equal opportunities policy and practice.
- ▲ Information is provided about the issues and particularly around harassment and abuse.
- ▲ There are clear procedures for members undergoing transition.
- Workers undergoing gender reassignment have paid leave from work for specialist medical appointments and for surgery.
- When an individual has a new gender, all records are changed and older records kept confidential or destroyed.

A survey circulated by GMB London Region LGBT group SHOUT on trans awareness is attached as Appendix B. The survey was circulated to all members using www.surveymonkey.com, which is a simple way to organise any survey.

SHOUT has produced resources for representatives, including factsheets for members, and equality-proofed all training in terms of trans. The campaign and policy work has also been well supported by General Secretary Paul Kenny and the President. They have both publicised and supported this work through providing resources and raising its profile in speeches.



LGBT communities worldwide

This book is about the lives of lesbian, gay, bisexual and trans people at work and in the trade union movement. The legal and social situation for LGBT people is very different in different parts of the world. In some countries lesbians, gay men and bisexuals enjoy full protection from discrimination, but in some countries homosexuality or being trans is still a crime punishable by the death penalty.

Just because a country does not have oppressive laws does not mean it is LGBT-friendly. The situation in Russia in January 2014 was an example of how quickly safety and social justice can change for LGBT people.

Amnesty International has accused the European Union and its member states of failing to tackle homophobic and transphobic hate crimes and to protect LGBT people from discrimination, harassment and violence.

Amnesty's report, *Because of Who I Am: Homophobia, transphobia and hate crime in Europe*' highlights gaps in the legislation of many European countries where sexual orientation and gender identity are not explicitly included as grounds on which hate crimes can be perpetrated. Amnesty's expert on discrimination in Europe and Central Asia, Marco Perolini, explained:

"The EU and its member states cannot fulfill their obligations to combat discrimination without adopting appropriate measures against all forms of hate-motivated violence. Hate-motivated violence has a particularly damaging and long-term effect on victims. Yet, the EU as well as many of its members do not recognise crimes based on the perceived sexual orientation or gender identity as hate crimes in their legislation. This is unacceptable because sexual orientation and gender identity are protected from discrimination in international human rights law.

"The existing double standards convey the idea that some forms of violence deserve less attention and less protection than others. That's unacceptable for a European Union that prides itself on promoting equality and inclusion."

The EU's largest LGBT hate crime and discrimination online survey ever conducted shows that many LGBT people cannot be themselves in their daily lives. Many hide their identity and live in isolation or even fear. Others experience discrimination, and even violence, when being themselves. The survey was carried out by the European Union Agency for Fundamental Rights (FRA) in 2013 www.fra.europe.eu

The survey asked LGBT people whether they had experienced discrimination, violence and verbal abuse or hate speech on the grounds of their sexual orientation or gender identity. They were also asked to identify where such incidents took place, such as at school, at work, when seeking healthcare or in public places.

The results underline the need to promote and protect fundamental rights for LGBT people so they too can live their lives with dignity.

The FRA's Director, Morten Kjaerum, says:

"Everyone should feel free to be themselves at home, work, at school and in public – but clearly, LGBT people often don't. Results from FRA's survey show that fear, isolation and discrimination are common in Europe's LGBT community. We need EU-wide action to break down the barriers, eliminate the hate and create a society where everyone can fully enjoy their rights, no matter what their sexual orientation or gender identity is." The survey also revealed that among LGBT respondents, transgender people are the most affected and most likely to have felt discriminated against, particularly in employment and healthcare. About 30 per cent said they were victims of violence or threats of violence more than three times in the year before the survey.

International support

The International Lesbian and Gay Association (ILGA) is a worldwide network of national and local groups dedicated to achieving equal rights for LGBT people everywhere. The TUC and many British trade unions are affiliated.

The mission of the International Gay and Lesbian Human Rights Commission (IGLHRC) is to secure the full enjoyment of the human rights of all people and communities subject to discrimination or abuse on the basis of sexual orientation or expression, gender identity or expression, and/or HIV status. A US-based non-profit, non-governmental organisation (NGO), IGLHRC effects this mission through advocacy, documentation, coalition building, public education and technical assistance. www.iglhrc.org

LGBT people's rights are being increasingly recognised by major international human rights organisations. For example, Amnesty International considers people who are imprisoned for their sexuality or gender identity as 'prisoners of conscience' and closely monitors and campaigns against human rights violations against LGBT people.

The biggest improvements in LGBT rights have been in Europe and the TUC works through the European Trade Union Confederation (ETUC) to lobby and campaign for improved rights. The ETUC speaks with a single voice on behalf of more than 60,000,000 workers in Europe. Its prime objective is to promote the European Social Model, which is about building a society that not only creates sustainable economic growth but also has ever-improving living and working conditions for all including social protection and equal opportunities.

The TUC is also part of the International Trade Union Confederation (**www.ituc-csi.org**), which has created a network for LGBT campaigns to help trade unionists put pressure on the International Labour Organisations (ILO) and the UN Commission on Human Rights to adopt positive policies on lesbian and gay equality.

Changes to the law in this area are increasingly the result of EU legislation. The European Convention on Human Rights provides a set of rights for individuals and countries that have signed the conventions. There have been key cases taken to the European Court of Human Rights, which is the court that hears cases where individuals feel their rights have been violated under the convention.

The European Convention of Human Rights is now incorporated into UK law by the Human Rights Act 1998.

LGBT legal status worldwide

Countries where homosexuality is illegal (at November 2013)

Africa

Amca				
Algeria Angola Benin Botswana Burundi Cameroon Egypt Eritrea	Ethiopia Gambia Ghana Guinea Kenya Lesotho Liberia Libya	Malawi (enforcement suspended) Mauritania Mauritius Morocco Mozambique Namibia	Nigeria Sao Tome Senegal Seychelles Sierra Leone Somalia South Sudan Sudan	Swaziland Tanzania Togo Tunisia Uganda Zambia Zimbabwe
Asia Afghanistan Bangladesh Bhutan Brunei Iran	Kuwait Lebanon Malaysia Maldives Myanmar	Oman Pakistan Palestine Qatar Saudi Arabia	Singapore Sri Lanka Syria Turkmenistan	United Arab Emirates Uzbekistan Yemen
America Antigua/ Barbuda Barbados	Belize Dominica Grenada	Guyana Jamaica St Kitts/Nevis	St Lucia St Vincent/ Grenadines	Trinidad & Tobago
Oceania Cook Islands Indonesia (Aceh, S Sumatra)	Kirbati Nauru Palau	Papua New Guinea Samoa	Solomon Islands Tonga Tuvalu	

The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) has a map at **www.ilga.org**. Click on any country to find more detailed information (be aware that it may not be up to date). For the latest advice from the British government on the situation in any country, visit the Foreign and Commonwealth Office website for its 'country reports' (**www.gov.uk/foreign-travel-advice**).

Working abroad

Knowing LGBT rights in other countries is now increasingly important to workers in this country who may be posted abroad to work. It is essential for employers to be aware of the legal and cultural issues in countries they expect workers to go to.

Employers have responsibility for the health and safety of their employees and should make a risk assessment under their general duty of care. The trade union and employer should:

- check the situation in the country, including getting a sense of the social attitudes
- ▲ check what safeguards the employer is putting in place
- ▲ identify international networks, which may support workers posted abroad
- ensure the worker's career prospects are not affected should they decide not to take up the international posting.

Further information on working abroad can be found on the following websites: ILGA (www.ilga.org), Stonewall (www.stonewall.org.uk), Foreign and Commonwealth Office (www.gov.uk/foreign-travel-advice)

activity **LGBT in the wider world**

AIMS

To help you:

- ▲ find out more about the position of LGBT people worldwide
- ▲ use different information sources
- ▲ involve others in promoting the position of LGBT people worldwide.

TASKS

In small groups or pairs, look at the information contained within the following web addresses:

www.ilga.org

www.lglhrc.org

www.ituc-csi.org

Prepare a short presentation or display to illustrate what you have found.

Discuss what else you could do to promote and publicise the position of LGBT people worldwide.

REPORT

Elect a member of the group or pair to give your report to the rest of the course.

RESOURCES

Out at Work

activity **planning an event**

AIMS

To help you:

- lan and organise an event either in your workplace or your branch
- ▲ consider how you would publicise this event.

TASK

In groups, plan how you could organise a local LGBT event or contribute to a larger/national event (such as Pride or the LGBT History Month).

What steps could you take to organise the following:

- ▲ a social event
- ▲ a union stall at a larger event
- ▲ a speaker to the branch
- ▲ some other event.

Think about:

- **who** you would need to speak to/involve
- how you would publicise the event
- **what** assistance/information you would need from your union.

REPORT

Agree who will give your group's report to the rest of the course.

Holding an LGBT event

There are big events such as Pride, which is held in London and other British cities.

The first Pride was held in July 1972, with just 700 people marching through London. It has now become a major event in the LGBT calendar and has moved from being a political event to a celebration of LGBT life.

LGBT History Month

Lesbian Gay Bisexual Trans History Month takes place every February. It celebrates the lives and achievements of the LGBT community.

'We are committed to celebrate its diversity and that of the society as a whole. We encourage everyone to see diversity and cultural pluralism as the positive forces that they are and endeavour to reflect this in all we do. There is a regular bulletin that is sent out every month or so over the year updating people on important events. Our strapline 'Claiming our history, celebrating our present, creating our future' makes it clear what we are about and the website grows with information about our past years and the communities' achievements and history."

www.lgbthistorymonth.org.uk

Transgender Day of Remembrance, on 20 November every year, is a day to remember those who have been killed as a result of transphobia or the hatred or fear of transgender and gender non-conforming people, and acts to draw attention to the discrimination facing trans people. Regrettably, the number of killings of trans people has increased over the years: in 2012–13 a total of 1,123 killings were reported worldwide.

The GMB LGBT London group has prioritised organising and supporting trans members. A 2013 campaign, 'Putting the T back into LGBT', involved undertaking a survey and also holding a community conference on 20 November (Transgender Day of Remembrance). It encompassed a cross-section of trade union members and trans organisations, and the Quakers permitted the garden of the Friends Meeting House in London to be used for the event.

For a calendar of major LGBT events throughout the world, check www.stonewall.org.uk/information

Appendix A Sample questionnaire

Lesbian, gay, bisexual and trans issues in the workplace

The union is circulating this questionnaire to all members to find out how we can support and involve lesbian, gay, bisexual and trans workers.

We want all members to respond and all responses will be treated in strictest confidence.

- 1. What do you think stops LGBT members joining the union?
 - the union is not LGBT friendly
 - bad experience in the past
 - lack of confidence that the union is dealing with the issues
 - the workplace culture makes it difficult to be 'out'
 - lack of knowledge about what the union does.
 - other (please give details).
- 2. What can the union/branch do to encourage LGBT workers to join?
- 3. What can the union/branch do to encourage LGBT members to become union representatives?
- 4. What issues do you think the union/branch should take forward for LGBT members? (Examples are: workplace bullying and harassment, family-friendly policies, training and development, general awareness raising with workers and management?)
- 5. The union/workplace reps are keen to raise awareness among union members of the issues facing LGBT members. Would you be interested in attending a workshop/training day?
- 6. If you are interested in getting involved with the union or want to talk about it, please contact:

Any contact will be treated in confidence and any information about you will only be shared with your permission.

Appendix B Sample questionnaire for identifying trans members and awareness of trans issues

GMB survey on transgender awareness in the workplace

GMB is committed to achieving equality for all, by the inclusion of all our members in our union.

We are also committed to fighting discrimination, bullying, harassment and victimisation, and we all must take steps to tackle it.

GMB has always fought against prejudice and for the rights, protections and safety of our members, families, loved ones, communities and others who make up our society. As such, fighting for transgender equality is a trade union issue and we are keen to make sure this is part of our trade union recruitment, campaigning activity and workplace representation.

Transphobia – the prejudice and hatred against transgender people – is rampant and often goes unchallenged because of our own ignorance, fear, uncertainty or prejudice. The stigma, prejudice, discrimination and violence that transgender people often suffer remains very high in spite of recent UK legal rights and slight changes in public and workplace attitudes.

As part of our national equality work, we are developing a pioneering, national GMB resource, devised by our some of our trans members and lesbian, gay and bisexual members and activists. It will provide guidance, sources of information and useful contacts that will help our reps understand the concerns of our trans members and to support them appropriately and fully.

This has the full support of our General Secretary, GMB National Equality Forum, GMB Shout! (network of and for lesbian, gay, bisexual and trans LGBT members), GMB Sisters (London – network of and for GMB female members) and the GMB transgender team working on the project 'Putting the T Back in LGBT'.

GMB is encouraging all of our workplace organisers to complete this questionnaire so we can find out how much you understand about transgender issues and what advice and support you may need. This will help GMB greatly with future work including the development of resources for reps, trans members and staff, help tackle transphobia in the workplace and improve the quality of support that trans members receive.

By challenging and uprooting transphobia in the workplace, we can also defeat it in society. We all have a role to make this a reality.

The survey takes less than five minutes to complete and all responses will be treated in the strictest confidence.

Please support your union and our trans members by completing this questionnaire.

Thank you.

Definitions/terminology

Do you know what the following words mean?			
Gender identity	Yes	🗌 No	Not sure
Gender expression	Yes	🗌 No	Not sure
Transition	Yes	🗌 No	Not sure
Gender reassignment	Yes	🗌 No	Not sure
FTM	Yes	🗌 No	Not sure
MTF	Yes	🗌 No	Not sure
Is there a difference between cross-dressing			
and being transgender?	Yes	🗌 No	Don't know
Is being transgender a mental illness?	Yes	🗌 No	Don't know
Do all people who transition have surgery?	Yes	🗌 No	Don't know
Do you feel you understand trans issues?	Yes	🗌 No	Don't know

The law

Are transgender people protected against discrimination?				
During recruitment	Yes	🗌 No	🗌 Don't know	
In the workplace	Yes	🗌 No	🗌 Don't know	
In training	Yes	🗌 No	🗌 Don't know	
In pensions schemes	Yes	🗌 No	🗌 Don't know	
In accessing goods, services and facilities	Yes	🗌 No	🗌 Don't know	
In accessing health services	Yes	🗌 No	🗌 Don't know	

Select one or more of these UK laws that you think provide transgender people with protection from discrimination:

- Data Protection Act 1998
- Human Rights Act 1998
- Gender Recognition Act 2004
- Civil Partnership Act 2005
- Equality Act 2010
- Marriage (Same Sex Couples) Act 2013 England and Wales

		~			
Your training					
Have you had any specific training regarding tran		L Yes	L No		
If Yes, go to the next question below: if No go to the next section.					
Who provided this training?					
Your employer GMB					
Other: please provide details					
Trans members in the workplace					
Is transgender equality a workplace issue?	Yes	🗌 No	Don't know		
Is transgender equality a trade union issue?	Yes	🗌 No	Don't know		
Has GMB campaigned for transgender rights?	Yes	🗌 No	Don't know		
Are you aware of any trans members in your wor	kplace/branc	:h?			
	Yes	🗌 No			
Have you represented any trans individuals at wo	ork?				
	Yes	🗌 No	🗌 Don't know		
Employer					
Does your employer have policies that:			_		
Protect trans workers against discrimination?	Yes	∐ No	Don't know		
Ensure confidentiality for trans workers?	Yes	∐ No	Don't know		
Make a safe workplace for trans workers?	Yes	No No	Don't know		
Support trans employees before, during and					
after transitioning? (e.g. allow time off for treatment and appointments)	Yes	🗌 No	Don't know		
Advise managers on the transitioning process?	Yes	No	Don't know		
Deal with domestic abuse/violence that					
specifically refer to trans employees?	Yes	🗌 No	🗌 Don't know		



Information

Do vou	know where you can	access information	n about transgender	equality in	the workplace?
20,00	inite in this of your out		i about ti ansgenaer	equality in	the montplace.

Yes No

Don't know

Which of these	places would ^v	you go to find	this information?

- GMB national office
 GMB region office
 Other GMB rep
 GMB lesbian, gay, bisexual and trans group (Shout!)
 Local trans group
 Internet
 Other: please provide details
- Future contact

If you would like to be contacted about transgender equality and what GMB is doing as part of its project 'Putting the T back in LGBT', please tick here:

Yes I would like to be contacted

Here are my details:

Thank you for completing this survey and helping to make our union and workplaces a better place.

Appendix C Suggested solutions to case studies

Case study one

Union reps arranged an informal meeting with Jo's manager and pointed out that his action was unlawful discrimination because Jo has been subjected to different and lessfavourable treatment on grounds of her sexual orientation. Other team members talked at length about their opposite sex partners and families. They also challenged the statement that Jo's private life was 'political'.

The manager took the point and Jo did not feel the need to pursue the formal grievance procedure. All agreed that this incident had highlighted the need for equalities training on LGBT issues, including among union members, and both management and the branch took this up.

Case study two

As with any other case where a service user behaves in an offensive or discriminatory way, the employer has a responsibility to support the member of staff and their ability to do the job to which they have been appointed. Her rep drew a parallel with comparable situations if a service user objected to an employee on grounds of race or gender. The manager was asked to put their position in writing (which could have provided evidence should recourse to the law have been necessary) but at this point the employer backed down. Wrongfooted, they agreed to the display of union posters in the nursery celebrating the diversity of families, including LGBT families.

Case study three

Karl's steward advised him that the organisation's agreed policy on criminal records said that details of any criminal record should be sought only once a post has been offered, and should not necessarily be a bar to appointment. He encouraged Karl to apply for the post and said that if the employer withdrew a job offer once they found out about his conviction, the union would argue discrimination on grounds of sexual orientation as his conviction arose from an 'offence' which had been used to criminalise gay men that has now been removed from the statute book, and which does not have an impact on his ability to do the job. Karl got the job.

Case study four

Lisa's rep talked through with her how she wanted to handle the situation. The employer's agreement granted up to five days' leave around the birth of a child to anyone nominated by a pregnant woman. Lisa did not have to say that Collete was her lover in order to claim the leave, but she knew that there was a chance the gossip mill would start. With the union's support, Lisa decided she wanted to begin to come out in a controlled and limited way. She applied for the leave directly to the HR department, explaining the full circumstances. HR authorised the leave and informed her line manager that she was taking leave, without specifying the reasons, maintaining her confidentiality.

Case study five

His steward was quick to realise that the disciplinary issue arose directly from his home situation. He explained that all employees have the right to take 'a reasonable period of time' off work to deal with an emergency involving a dependent. A dependent can be anyone who they normally care for. Jim could apply for dependent care leave without outing himself.

He also discussed with Jim the pros and cons of coming out, at least in confidence to his manager. He suggested he might find things much easier if he did – but this had to be his own decision. He put him in touch with the nearest LGBT group for support.

Appendix D Useful glossary of LGBT terms

Gender dysphoria: medical diagnosis of a consistent and overwhelming desire to live in the opposite gender to that assigned at birth.

Gender reassignment: the process of transitioning from the gender assigned at birth to the gender the person identifies with. This may involve medical or surgical procedures.

Legal sex: The Gender Recognition Act 2004 means people can now apply to gain recognition of their change of gender for all legal purposes.

Gender Recognition Certificate: this signifies full legal rights in the acquired gender.

Homophobia: prejudice against lesbians and gay men and fear of same-sex attraction.

Biphobia: prejudice against bisexual people.

Transphobia: prejudice against trans people.

Heterosexism: attitudes, behaviour and practices that assume that everyone is heterosexual.

Direct discrimination: when someone is treated less favourably than other workers, for example being sacked for being a lesbian.

Indirect discrimination: where the effect of certain requirements, conditions or practices imposed by an employer has an adverse impact on one group, for example requiring details of personal circumstances.

Victimisation: in law, 'victimisation' is a specific term to mean discrimination against a person because they have made a complaint about discrimination or supported another person's complaint. Harassment: unwanted conduct that has the purpose or effect of damaging a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive workplace environment.

Bullying: often used interchangeably with harassment but should be seen separately. Bullying is offensive, intimidating, malicious or insulting behaviour, abuse or misuse of power with the intention of undermining, humiliating or denigrating the person. In the work environment this is often a manager to an employee, but it can also be a group of employees to a manager.

Transition: the term for the point of change of gender role for a trans person, which inevitably leads to 'coming out'.

To come out/be out: to be open about your sexuality or gender identity.

To 'out' someone: to reveal another person's sexuality or gender identity without their consent.

Equality: creating a fairer society where everyone can participate and feel included. It is mostly backed by legislation designed to address unfair discrimination based on a membership of a particular group.

Diversity: recognising and valuing difference in its broadest sense. It is about creating a culture and practices that recognise, respect, value and harness difference for the benefit of everyone.

Equality and diversity are not interchangeable, they need to be progressed together. There is no equality of opportunity if difference is not recognised and valued.

Appendix E General resources and contacts

LGBT Employment Rights

TUC Education national

All based at Congress House, Great Russell Street, London WC1B 3LS

Liz Rees

Trade union education manager t 020 7079 6923 e Irees@tuc.org.uk

Jackie Williams Education & training officer t 020 7079 6924 e jwilliams@tuc.org.uk

Martin Hegarty Education & training officer t 020 7079 6946 e mhegarty@tuc.org.uk

Craig Hawkins Online learning officer t 020 7079 6947 e chawkins@tuc.org.uk

Anna Kalsi E-learning support officer t 020 7079 6957 e akalsi@tuc.org.uk

Natasha Owusu Administrator t 020 7079 6927 e nowusu@tuc.org.uk

TUC Education regional

Scotland Harry Cunningham Regional Education Officer 4th Floor, John Smith House 145-165 West Regent Street Glasgow G2 4RZ t 0141 221 8545 e hcunningham@tuc.org.uk

Northern, Yorkshire and the Humber Ian West Regional Education Officer 5th Floor Commercial Union House 39 Pilgrim Street Newcastle upon Tyne NE1 6QE t 0191 232 3175 e iwest@tuc.org.uk

North West Pete Holland Regional Education Officer 2nd Floor, Orleans House Edmund Street Liverpool L3 9NG t 0151 236 7678 e pholland@tuc.org.uk

Midlands Peter Try Regional Education Officer 24 Livery Street Birmingham B3 2PA t 0121 236 4454 e ptry@tuc.org.uk

Southern and Eastern

Rob Hancock and Phil Gowan Regional Education Officer Congress House Great Russell Street London WC1B 3LS t 020 7467 1369 t 020 7467 1238 e pgowan@tuc.org.uk e rhancock@tuc.org.uk

Wales

Julie Cook Regional Education Officer Transport House 1 Cathedral Road Cardiff CF11 9SD t 029 2034 7010 e jcook@tuc.org.uk

South West

Marie Hughes Regional Education Officer Ground Floor, Church House Church Road, Filton Bristol BS34 7BD t 0117 947 0521 e mhughes@tuc.org.uk

Northern Ireland Committee Kevin Doherty Regional Education Officer ICTU Carlin House 4-6 Donegall Street Place Belfast BT1 2FN t 02890 247940 e kevin.doherty@ictuni.org The TUC publishes up-to-date information and guidance and this can be downloaded from the TUC website **www.tuc.org.uk**. The most recent publication is *LGBT Equality in the Workplace: A TUC guide for union negotiators on lesbian, gay, bisexual and trans issues* (3rd edition, 2013). This can be downloaded from the TUC website. Also available is a new edition of *The TUC Workplace Manual* (2013).

Rights at work, including LGBT rights, are explained on the TUC website www.worksmart.org.uk

Acas www.acas.org.uk has a helpline (08457 474747) and publishes a guide for employers and employees.

Other organisations offering LGBT advice

Equality Advisory Support Service

www.equalityadvisoryservice.com

The EASS was commissioned by government in 2012 to replace the EHRC Helpline, which is now closed. Contact the EASS if you need expert information, advice and support on discrimination and human rights issues and the applicable law, especially if you need more help than advice agencies and other local organisations can provide.

Phone: 0808 800 0082 Textphone: 0808 800 0084

FREEPOST, Equality Advisory Support Service, FPN4431

Opening hours: Monday to Friday 09:00 to 20:00 Saturday 10:00 to 14:00 Sundays and bank holidays closed

Equality and Human Rights Commission

www.equalityhumanright.com

The EHRC is a principal source of advice and guidance to the public on equality issues.

Government Equalities Office

100 Parliament Street London SW1A 2BQ

Phone: 020 7211 6000 enquiries@culture.gsi.gov.uk

Labour Research Department

www.lrd.org.uk

78 Blackfriars Road London SE1 8HF 020 7928 3649

LGBT Labour

www.lgbtlabour.org.uk

PO Box 306 London N5 2SY

A socialist society affiliated to the Labour Party. Members include trade unionists and members of the Labour Party.

Voicemail and fax: 07092 332 676 info@lbgtlabour.org lbgtlabour@ymail.com

London Lesbian and Gay Switchboard

Providing free and confidential support and information to lesbian, gay, bisexual and transgendered communities throughout the UK.

Helpline: 0300 330 0630 daily 10 am to 11 pm

Rights of Women

www.rightsofwomen.org.uk

52 Featherstone Street London EC1Y 8RT

General and Family Law Advice Line: 020 7251 6577

Stonewall

www.stonewall.org.uk

The lesbian and gay lobbying and campaigning group.

Tower Building York Road London SE1 7NX

Info line: 0800 050 20 20 Monday to Friday 9:30am to 5:30pm Office (admin): 020 7593 1850 Fax: 020 7593 1877 info@stonewall.org.uk

Trans rights

FTM Network

www.ftm.org.uk

A support organisation for people born female-bodied who are transsexual or transgender and live permanently as men.

BCM FTM London London WC1N 3XX

Phone: 07948 250 778 f2mlondon@hotmail.com

Gender Recognition Panel

www.grp.gov.uk

PO Box 9300 Leicester LE1 8DJ

Phone: 0300 12345 03 grpenquiries@hmcts.gsi.gov.uk

Gender Trust

www.gendertrust.org.uk

76 The Ridgeway Astwood Bank Worcestershire B96 6LX

Phone: 01527 894838 Facebook: Gender Trust info@gendertrust.org.uk

Press for Change

www.pfc.org.uk

The largest representative organisation for trans people in the UK.

BM Network London WC1N 3XX

Telephone Advice Line: 08448 708 165 Thursdays (guaranteed answer) 9:30am to 5pm, Mondays to Wednesdays 10am to 4.30pm when volunteers are available.

office@pfc.org.uk

Domestic violence

Broken Rainbow

www.brokenrainbow.org.uk

The only organisation in the UK dedicated to supporting people facing domestic violence in same-sex relationships.

Domestic Violence Helpline: 0300 999 5428 Office: 0845 260 5560 mail@broken-rainbow.org.uk

Galop

www.galop.org.uk

Galop is London's LGBT anti-violence and abuse charity. It gives advice and support to people who have experienced biphobia, homophobia, transphobia, sexual violence or domestic abuse.

2G Leroy House 436 Essex Road London N1 3QP

Tel: 020 7704 2040 email: info@galop.org.uk

HIV/AIDS

National Aids Trust

www.nat.org.uk

Terrence Higgins Trust

www.tht.org.uk

A number of services and departments are located in the national office.

314-320 Gray's Inn Road London WC1X 8DP

Opening hours: Monday to Friday 9.30 to 5.30 Phone: 0808 802 1221 for an adviser/ 020 7812 1600 for switchboard Fax: 020 7812 1601 info@tht.org.uk

Housing

Stonewall Housing

www.stonewallhousing.org

LGBT DAF Stonewall Housing 2a Leroy House 436 Essex Road London N1 3QP

Phone: 0207 345 6316 Twitter: @lgbtdaf info@lgbtdaf.org INSIDE BACK COVER





TUC Education Congress House Great Russell Street London WC1B 3LS

Tel: 020 7636 4030 www.tuc.org.uk

JULY 2014