

From Allies to Champions - 6 Tips for LGBTQ+ Inclusivity in the Workplace

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Session Title: Corporate Counsel Breakout - From Allies to Champions - 6 Tips for LGBTQ+ Inclusivity in the Workplace

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Andrei is a partner at McMillan in the Montréal office in Québec, Canada with an extensive practice in product liability. Within McMillan and in the broader community, he is also a standard-bearer for diversity and inclusion initiatives. At McMillan he sits on the firm's Inclusion and Diversity Advisory Committee and co-chairs the LGBTQ+ affinity group. For the last four years Andrei has also been the Vice-president of GRIS-Montréal, a non-profit organization that promotes awareness of sexual orientation and gender identity diversity. Its mission is to improve the barriers LGBTQ+ people face in society and dispelling stereotypes. He has also been guest speaker for a number of organizations including Pride at Work Canada, touching on topics from the integration of LGBTQ+ Gen Z in the workplace to the importance of sharing lived experiences to reduce homophobia, biphobia and transphobia in organizations.

Overt homophobia, biphobia and transphobia is becoming increasingly less common with the implementation of progressive equity, diversity and inclusion ("EDI") frameworks. In spite of this, many LGBTQ+ individual still have experienced behaviors that can range from micro-aggressions to discrimination in the workplace. This begs the question, how can company leadership engage in meaningful change to promote inclusivity in a corporate structure? If you are reading this article, chances are you consider yourself an ally of LGBTQ+ folks. Allies and Champions both have a significant role in organizations to achieve EDI. While a champion is automatically considered an ally, often not all allies are reflexively champions. Allyship, more specifically, is a role in which the basis and interaction is one-to-one. They are leaders or colleagues who although not identifying to that particular group, stand by and support those that are part of a diverse group. Being a champion, on the other hand, is a one-to-many type of role. Champions are capable of reviewing EDI policies, engage leadership support, measure the progress and adapt the trajectory whenever appropriate.¹ With this in mind, we aim to propose strategies, which company leadership can easily foster and implement to become better champions of EDI for LGBTQ+ employees. Although this is not an exhaustive review of strategies leadership can adopt, the approaches proposed are meant to act as a catalyst in improving EDI frameworks for LGBTQ+ folks in a company setting.

Research suggests that the workplace is still a barrier for many LGBTQ+ employees. This can result in LBGTQ+ employees not being able to express themselves in an authentic manner, hiding significant portions of their identity in a work setting. A recent study conducted by the Human Rights Campaign suggested that 46% of LGBTQ+ employees in the USA are not open about their identity at work.² The manifestations of LGBTQ+ employees hiding aspects about their personal lives at work can result in exhaustion hiding their sexual orientation or gender identity. Moreover, it could result in that individual avoiding social work events and certain colleagues out of the fear of the consequences associated with exposing their identity. Eventually this employee could feel discouraged and find employment at another company due to the lack of feeling safe or respected in their workplace.

Improving the inclusivity framework of LGBTQ+ employees can have meaningful benefits. These simple EDI changes can encourage retention of talented employees that are part of the LGBTQ+ community. This also can create opportunities to promote a healthy corporate environment by implementing clear policies and leading with inclusive behavior from a top-down process. While reading the following, think of examples that pertain to your corporate organization and how you could implement these small changes.

¹ D&I Champion or D&I Ally: Which one are you?, Akash Chander, July 22, 2020.

² A Workplace Divided, Understanding the Climate for LGBTQ Workers Nationwide, Human Rights Campaign, 2018.

1. Know the Rainbow's Alphabet

Understanding the proper terminology of a particular community allows one to learn about their lived experiences. The LGBTQ+ community is not a monolith population; it is composed of a unique variation of individuals whose identity and experiences vary from one another. Being able to understand the proper terminology of members of the LGBTQ+ community and the nuances of their perspective is the first step to being able to understand their lived experiences. This will also allow community members to feel respected and recognized for their unique experiences, perspective and identity.

2. Understand Intersectionality

Intersectionality is an identity concept whereby a person may be affected by a number of discriminations and/or disadvantages based on being part of more than one diverse or marginalized group. Think of it as an intersection of their identity, which takes into account one's overlapping identities and experiences potentially reflecting the complexity of prejudices they may face. Company leadership will gain at listening to and recognizing the challenges experienced by their employees of intersectional perspectives, this could allow a dialogue of initiatives aimed at identifying issues that are particular to a group within the broader LGBTQ+ community.

3. Lead With and Encourage Use of Gender Neutral Language

Using gender-neutral language sets an example for employees whereby genderneutral language progressively becomes the norm. This is under the premise that no one should assume anything about someone without asking first, even in a corporate environment. Adopting the use of gender-neutral language could allow employees to feel safe and respected without prejudice and prior assumption of their identity. This will also shed light on and address the gender-related gaps in their corporate environment. It can then lead to opening dialogue for genderneutral restrooms, or to modify the dress code policy to avoid gender-related assumptions or stereotypes.³

4. Normalize the Use of Pronouns

Normalizing the use of pronouns in communications with colleagues and clients allow transgender and non-binary employees to feel comfortable within their workplace. This includes encouraging the possibility for employees that identify as such to use non-binary pronouns (i.e., they/them) or those that identify with whatever pronouns they feel most comfortable and congruent with their identity.⁴

When implementing the use of pronouns, employers should keep in mind that pronouns should be selected and written by the person using them and never

³ An Employer's Guide to Using Gender-Inclusive Language in the Workplace, Alexa Drake, June 23, 2020.

⁴ Inclusive Gender Pronoun Use: Trends Across Sectors, Diversity Best Practices.

assigned. It is a common misconception that the use of pronouns in communications should be reserved only for individuals who identify as transgender or non-binary. Global use of pronouns, including by cisgender colleagues will foster an environment where everyone feels not only welcomed, but included regardless of their gender identity. This should be implemented along with training within the organizations to ensure everyone in the company is on board with the inclusive change.

5. Support and Listen to Employee Resource Groups

Employee resource groups are groups of employees who join in their workplace based on shared identities, characteristics or life experiences. They are essentially safe spaces for employees to discuss issues related to their identity groups. It is becoming more commonplace to see employee resource groups centred on sexual orientation and gender identity.⁵

To maximize the benefits of employee resource groups, companies are encouraged to treat these employee resource groups as *advisors* who provide strategic guidance and insight on topics of diversity and inclusion. Companies should avoid considering them as *clubs*, in addition to overburdening them with the organization of social activities.⁶ These groups can provide valuable insight for companies to help adapt benefits packages, corporate policies and many other workplace dynamics.

6. Take a Look at Policies⁷

Policies are clear and comprehensive expectations of a company. It is encouraged that company policies ensure that sexual orientation, gender identity and gender expression are clear, concise and most importantly treated as separate categories protected from discrimination. To state "unlawful discrimination" is discouraged if some states do not have prohibitions against discrimination for sexual orientation, gender identity or gender expression.

Company leadership can also reflect on the following key questions:

- Are equal benefits allowed to same-sex couples and unmarried spouses?
- What do parental and bereavement leave policies provide?
- Does the company have gender transition guidelines that outline how the organization will support an employee who wishes to transition?

⁵ Beyond Diversity: An LGBT Best Practices Guide for Employers, Alison Grenier and Jacq Hixson-Vulpe, Great Places to Work[®] and Pride at Work Canada.

⁶Best Practices in Fostering LGBT Diversity in the Workplace.

⁷ Hiring across All Spectrums : A report on Broadening Opportunities for LGBTQ2+ Jobseekers, Jacq Hixson-Vulpe, Pride at Work Canada

These six small initiatives can have a meaningful impact on corporate structure. Once these initiatives are implemented, measuring performance and continuous training will ensure their effect on corporate culture in the long-term. Consultation with local non-for-profit organizations and EDI consultants who are part of those diverse communities are valuable resources to assist company leaders in their path to improve corporate EDI frameworks. The lasting impact of a more inclusive workplace will allow companies to retain talent, become more competitive, encourage employee engagement, foster creativity, trust and increase the chances of profitability.⁸

Once the benefits of implementing EDI frameworks resonate within a corporate structure, companies can *themselves* become champions for EDI in society. They may choose to encourage suppliers and/or vendors to follow suit, or set the expectations of philanthropic actions to ensure congruency with the values of an organization.

⁸ The business case for diversity in the workplace is now overwhelming, Vijay Eswaran, World Economic Forum.