

**Stonewall**

# ABOUT THIS RESOURCE

**This resource is produced by Stonewall, a UK-based charity that stands for the freedom, equity and potential of all lesbian, gay, bi, trans, queer, questioning and ace (LGBTQ+) people.**

At Stonewall, we imagine a world where LGBTQ+ people everywhere can live our lives to the full.

Founded in London in 1989, we now work in each nation of the UK and have established partnerships across the globe. Over the last three decades, we have created transformative change in the lives of LGBTQ+ people in the UK, helping win equal rights around marriage, having children and inclusive education.

Our campaigns drive positive change for our communities, and our sustained change and empowerment programmes ensure that LGBTQ+ people can thrive throughout our lives. We make sure that the world hears and learns from our communities, and our work is grounded in evidence and expertise.

To find out more about our work, visit us at [www.stonewall.org.uk](http://www.stonewall.org.uk)

**Registered Charity No 1101255 (England and Wales) and SC039681 (Scotland)**

Stonewall is proud to provide information, support and guidance on LGBTQ+ inclusion; working towards a world where we're all free to be. This does not constitute legal advice, and is not intended to be a substitute for legal counsel on any subject matter.

# STONEWALL GLOBAL WORKPLACE BRIEFINGS

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# AMER

## NORTH, CENTRAL AND SOUTH AMERICA PACK

Argentina, Brazil, Canada, Chile, Colombia, Jamaica, Mexico and  
United States of America





Population: 44+ million



Stonewall Global Diversity Champions: 28



## THE LEGAL LANDSCAPE

In Stonewall's **Global Workplace Equality Index**, broad legal zoning is used to group the differing challenges faced by organisations across their global operations.

Argentina is classified as a Zone 2 country, which means sexual acts between people of the same sex are legal but no clear national employment protections exist. Two further zones exist. In Zone 1 countries, sexual acts between people of the same sex are legal and clear national employment protections exist on grounds of sexual orientation. In Zone 3 countries, sexual acts between people of the same sex are illegal.

### FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Article 14 of the Constitution (1853) protects the **right to publish ideas** without prior censorship and to associate for useful purposes.

International conventions approved by Argentine laws also generally protect the rights to **freedom of expression and association**.

There are **no LGBT-specific additions or restrictions** to the rights to freedom of expression, association and assembly.

Federal Non-Discrimination Law No. 23,592 (1988) determines civil and **criminal sanctions for limiting, restricting, obstructing or impeding** the free and full exercise of the **constitutional rights** of any person **based on discriminatory reasons**.

### FAMILY AND RELATIONSHIPS

**Sexual acts** between people of the same sex are not criminalised and are therefore **legal**.

There are **equal ages of consent** for sexual acts regardless of gender under Articles 25 and 26 of the National Civil and Commercial Code (2015).

**Same-sex marriage is legal** under Federal Civil Marriage Law No. 26,618 (2010).

Articles 402 and 509 of the National Civil and Commercial Code (2015) provide for equal effects, rights and obligations within marriage for same-sex couples and different sex couples. In addition, same-sex and different-sex couples can **enter cohabitation unions**.

LGBT people have **equal rights to adopt** under the federal Civil Marriage Law No. 26,618 (2010) and Article 599 of the National Civil and Commercial Code (2015).

An **adoption existing prior to the change of legal gender can be maintained** under federal Gender Identity Law No. 26,743 (2012).

Since federal Gender Identity Law No. 26,743 (2012) came into force, **no marriage restrictions exist for trans people**.

### EQUALITY AND EMPLOYMENT

Article 17 of the Labour Contract Law (1976) **prohibits** any kind of **discrimination against workers** based on sex. Even though **sexual orientation and gender identity are not expressly mentioned**, these **are considered included** within the term "sex".

The Trade Unions Law (1988) provides that **trade unions cannot establish differences for sexual reasons** and should abstain from providing a discriminatory treatment to its members. Sexual orientation or gender identity are considered included within the term 'sexual'.

The Constitution (1853) states that all inhabitants of Argentina are **equal before the law** and admissible to employment without any condition other than that of aptitude.

**Every person has the right to not be discriminated** in any way. This is determined under several laws, such as Article 43 of the Constitution.

**If murder is motivated by the victim's sexual orientation, gender identity or expression**, this will be **considered an aggravating circumstance** in the sentencing under Law No. 26,791 (2012).

Other non-labour laws regarding discrimination that could be applied to labour relationships include federal Non-Discrimination Law No. 23,592 (1988) and Fight Against AIDS Law No. 23,798 (1990).

In the Province of **Buenos Aires**, at least **one per cent of staff in the public sector** should be **trans people** under Law 14,783 (2015).

### GENDER IDENTITY

**Legal gender recognition exists for trans people** under federal Gender Identity Law No. 26,743 (2012).

**All legal documents can be changed** to reflect the legal change in gender and name. The law is ambiguous in that it does not mention whether the legal gender can be changed only to 'female' or 'male' or also another gender. The Argentine Civil Registry only allows the legal gender to be **changed to female or male**.

**No surgical intervention**, hormone or other psychological or medical treatment is required for the legal change of gender or name.

Persons **under the age of 18** with the **assistance of the minor's lawyer** may request the respective rectifications through a legal representative or the court, as determined by Article 5 of federal Gender Identity Law No. 26,743 (2012) and Article 27 of Law No. 26,061 (2005).

### IMMIGRATION

Argentine law does **not distinguish** between **same-sex** and **different-sex relationships for immigration** purposes.



## A VIEW FROM ARGENTINA

Lucila Lancioni and Mariano Ruiz are Secretary of Labour Inclusion and LGBT Employment Advocate at the Federación Argentina de Lesbianas, Gays, Bisexuales y Trans (Argentinian LGBT Federation). This is a network of organisations across 24 provinces working together to promote equality and non-discrimination for LGBT people in Argentina. Mariano is also the Latin America Outreach and Communication Policy Manager at International Day Against Homophobia, Transphobia and Biphobia (IDAHOBiT).



### Is there a gap between the legal realities and lived experiences for LGBT people in Argentina?

Despite a number of progressive laws, LGBT people in Argentina experience discrimination in many areas of their lives. This is the case especially within education, employment and healthcare and is gravest outside bigger cities. Often lesbian, gay and bi people are not open about their sexual orientation in order to avoid harassment. Trans people in Argentina have an average life expectancy of 42 years, and face high levels of violence, including from the police. Although medical transitioning support is supposed to be free, few hospitals provide this, and medical staff are largely untrained to do so. Many trans people are also rejected by their families and become homeless while still young. This and discrimination in employment and education often forces trans people to engage in sex work as the only way of earning money.

### What needs to happen for this gap to close?

Progressive policies, programmes and initiatives are needed to achieve equality in employment, education and healthcare and to develop acceptance in society. Inclusion must be promoted, and children taught to celebrate differences. The police and medical staff need to receive LGBT-specific training to deliver their services without discrimination. Positive developments include a recently introduced district law establishing that one per cent of public servants in Buenos Aires need to be trans employees. If implemented well, this law could serve as an example for other districts. Scholarships for trans people to finish their education could also help.

### What is the workplace like for LGBT people?

It is often difficult for lesbian, gay, bi and especially trans people to access employment. However, if they succeed they also experience discrimination in the workplace itself. LGBT staff often face bullying and harassment from their colleagues and aren't promoted due to their sexual orientation and gender identity. As there is no federal legislation that had been effective in prohibiting such discrimination, LGBT employees can do little about this, and are often forced to hide their sexual orientation and gender identity.

### What can businesses do in Argentina to promote LGBT equality?

Internal anti-discrimination policies that specifically refer to sexual orientation and gender identity are key in creating inclusive workplaces for LGBT staff. The introduction of equal benefits is also vital. Some multinational corporations already have such policies in place, and more need to follow their lead. Visible LGBT role models can further contribute to a more inclusive workplace, as they let LGBT employees know they are not alone. Organisations can also drive change outside of the workplace. Partnering with local LGBT organisations and participating in Pride parades are two examples. Businesses can also contribute through advertising their products and services in an inclusive way and stating their commitment to LGBT equality in job adverts.

## LGBT INCLUSION IN THE WORKPLACE

### THE FOUNDATIONS

There are several steps employers can take to start creating a supportive workplace environment for their LGBT employees in Argentina:

-  **Consult local LGBT organisations to understand the local context for LGBT people**
-  **Introduce explicitly LGBT-inclusive anti-discrimination and bullying and harassment policies**
-  **Train HR staff and promote inclusive policies**
-  **Carry out LGBT-inclusive diversity training**
-  **Encourage senior managers to promote their commitment to LGBT inclusion and equality**

### NEXT STEPS

Once a foundation has been built, there are further steps employers can take to bring about positive change for LGBT people. For example:

-  **Audit and extend partner benefits to LGBT partners**
-  **Establish employee engagement mechanisms like LGBT networks and allies programmes**
-  **Carry out LGBT awareness-raising events**
-  **Partner with local LGBT groups to advance LGBT equality beyond the workplace**
-  **Work with suppliers and partners to advance LGBT workplace equality**

Employers can improve their initiatives by participating in Stonewall's Global Workplace Equality Index - a free benchmarking tool offering a clear roadmap to LGBT inclusion in the workplace. [www.stonewall.org.uk/gwei](http://www.stonewall.org.uk/gwei)

## LGBT INCLUSION IN THE WORKPLACE

### Thomson Reuters

Thomson Reuters has a global network for LGBT employees and their allies. In 2010, a local chapter of the Pride at Work network was established in Buenos Aires. The Argentine chapter approached people in offices throughout Argentina and Latin America to participate in the 'It Gets Better' project. This is a movement in which employees post videos sharing their personal stories and letting LGBT people know that they are not alone. Collaboration on the video resulted in new Pride at Work chapters opening in Chile and Costa Rica. Since then, the Buenos Aires chapter has regularly collaborated with colleagues throughout Argentina and the region for various projects, such as running events for IDAHOBiT. The network also collaborates with the local chapter of the employee resource group Women at Thomson Reuters to address issues of intersectionality. Thomson Reuters in Argentina runs a series of informative legal sessions on women and LGBT issues. The sessions are open to all employees and are run by La Ley, Thomson Reuters local subsidiary and legal information provider. Thomson Reuters collaborates with employers on LGBT equality issues, such as the LGBT Chamber of Commerce and the GNETWORK tourist event in Argentina.



## GET INVOLVED



### THE ANNUAL LGBT CALENDAR

**November** – Festival Internacional de Tango Queer.  
[www.festivaltangoqueer.com.ar](http://www.festivaltangoqueer.com.ar)

**November** – Marcha de orgullo LGBTIQ / Pride Festival in Buenos Aires.  
[www.marchadelorgullo.org.ar](http://www.marchadelorgullo.org.ar)

Check the events websites for the most up-to-date information on dates.



### FIND LGBT GROUPS AND COMMUNITIES

**Comunidad Homosexual Argentina** – an LGBT advocacy group offering free legal advice, a mental health clinic and telephone information service. The group is also active in the prevention of HIV/AIDS. [www.cha.org.ar](http://www.cha.org.ar)

**Movimiento Antidiscriminatorio de Liberación** – a group dedicated to ending discrimination against the trans community and providing educational and legal advice. [www.grupomal.blogspot.co.uk](http://www.grupomal.blogspot.co.uk)

**Federación Argentina de Lesbianas, Gays, Bisexuales y Trans** – a network of groups across 24 provinces working together to promote equality and non-discrimination for LGBT people in Argentina. [www.falgbt.org](http://www.falgbt.org)

**Sociedad de Integración Gay Lésbica Argentina** – a group organising recreational events, counselling, lectures and offering HIV/AIDS consultation services. [www.sigla.org.ar](http://www.sigla.org.ar)

**Grupo Nexo** – a community support organisation seeking to improve the quality of life for LGBT people, offering arts workshops, therapy and educating about health issues. [www.nexo.org](http://www.nexo.org)

**PFALYG Argentina** – a support group for parents and friends of LGBT people who work to support the community. [www.familiaresdegays.com.ar](http://www.familiaresdegays.com.ar)

**La Fulana** – an organisation dedicated to lesbians and bi women, creating an open space to discuss feminist and queer issues in Buenos Aires and Argentina in general. [www.lafulana.org.ar](http://www.lafulana.org.ar)



## STONEWALL'S GLOBAL DIVERSITY CHAMPIONS PROGRAMME WORKS WITH 28 ORGANISATIONS OPERATING IN ARGENTINA.

Our team of workplace advisors offers tailored one-to-one advice on how to create LGBT-inclusive workplaces globally. If you would like to receive support or want to be featured as a case study in one of our Global Workplace Briefings, contact Stonewall.

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#### Legal Partner



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#### Supporting Legal Partner



# BRAZIL



Population: 207+ million people



Stonewall Diversity Champions: 50



## THE LEGAL LANDSCAPE

In Stonewall's **Global Workplace Equality Index**, broad legal zoning is used to group the differing challenges faced by organisations across their global operations.

Brazil is classified as a Zone 2 country, which means sexual acts between people of the same sex are legal but no clear national employment protections exist.

Two further zones exist. In Zone 1 countries, sexual acts between people of the same sex are legal and clear national employment protections exist on grounds of sexual orientation. In Zone 3 countries sexual acts between people of the same sex are illegal.

### FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The Federal Constitution protects the **rights to freedom of expression, association and assembly** generally.

There are **no LGBT-specific restrictions or additions** to these rights.

### FAMILY AND SAME-SEX RELATIONSHIPS

**Sexual acts** between people of the same sex are **legal**.

There is an **equal age of consent** of 14 years for sexual acts regardless of gender under Section 217-A of the Criminal Code.

**Same-sex marriage is legal** and same-sex couples can also enter **civil unions**.

These rights were recognised by the Federal Supreme Court in 2011 and in 2013 the National Justice Council passed Resolution No. 175 prohibiting any registry office to refuse to perform marriages or refuse to convert domestic partnerships into marriages between people of the same sex.

**Same-sex couples** have **equal rights to adopt children** under the Child and Adolescent Statute.

### EQUALITY AND EMPLOYMENT

The Federal Constitution states **'all persons are equal before the law**, without any distinction whatsoever' (Article 5), but it **does not explicitly refer to LGBT people**.

The Brazilian Labour Code and Labour Laws **prohibit employment discrimination in regard to several listed aspects**, however **gender identity and sexual orientation are not included** in this list.

Several parts of Brazil, such as **Rio de Janeiro** (2000) and **São Paulo** (2001), have **labour protection laws prohibiting discrimination based on sexual orientation and gender identity**.

**Hate crimes** based on sexual orientation or gender identity are **not expressly considered aggravating circumstances** in sentencing.

The **use of discriminatory language by public sector actors in regard to gender identity** is **banned** under Decree No 8.727/2016.

### GENDER IDENTITY

In March 2018, the Supreme Court ruled that **trans people no longer need to undergo surgery**, provide a **medical report and get a court ruling to change their legal name and/or legal gender** on official records. Instead they can do so by requesting this at the civil registrar's office. The legal gender can only be changed to female or male.

The Federal **Public Administration is required to respect** a trans person's **'social name'** under Decree No 8.727/2016. This means that all public administration records must have the possibility of using the 'social name' alongside the 'civil name'. Trans people can further request the inclusion of their 'social name' on official documents.

In 2013 a **Gender Identity Bill** was introduced to allow trans people to change their legal gender and name without judicial approval. However, the Bill **has not yet been passed as law**.

**National health services can perform gender reassignment surgery** under Decree No 457/2008, issued by the Ministry of Health.

### IMMIGRATION

**Dependant visas** are, without discrimination, **available for individuals** that are **married** or have entered a **civil union** under Article 3 of Law 13445/2017.

**Temporary visas based on family reunion** may also be **granted** to a spouse or partner **without any kind of discrimination** under Article 45 of Law 13445/2017.



## A VIEW FROM BRAZIL

**Toni Reis** is the president of Aliança Nacional LGBTI, a network of activists dedicated to promoting and defending the human rights of the LGBTI community in Brazil.



### Everyday life

Brazil's culture is contradictory when it comes to LGBT people. The more open-minded parts of society are accepting but a prevailing *machista* culture, which tends to see women as inferior, produces discriminatory, even violent attitudes and reactions towards gender nonconformity and those who break traditional gender roles. The biggest challenges facing LGBT people in Brazil are violence, homicides and increasing religious intolerance. Every year over 300 LGBTI+ people are murdered in Brazil just because they are LGBTI+ and the law provides no specific legal protection.

In larger cities it's easier for LGBT people to be themselves, or to be 'out', than in smaller municipalities, but even in cities LGBT people experience discrimination. A 2017 survey of Curitiba and its surrounding areas found that 84 per cent of LGBT people had suffered discrimination because they were LGBT. 10 per cent had been rejected by their families, and 43 per cent felt they were not fully accepted by their families.

However, we've also seen positive change. Over the last 20 years, LGBT people have become increasingly visible in society. There's been a move away from perceiving LGBT people according to stereotypes and towards understanding differences. This has been helped in particular by soap operas featuring gay, lesbian and trans characters and dealing with the issues seriously. New generations of LGBT people have benefitted from this visibility and also from the efforts of the LGBT movement, including organised Pride events since the mid-1990s. As a result, young people are starting to be less afraid of coming out and being visible in society.

### LGBT groups and advocacy

The Brazilian LGBT movement began to organise itself in the late 1970s. Since then, it has suffered setbacks but also celebrated huge successes including some major legal breakthroughs. The Supreme Court ruled in favour of adoption by same-sex couples in 2005. In 2011, it gave equal status to same-sex civil unions, which led to nationwide recognition of same-sex marriage in 2013. In March 2018, the Supreme Court ruled that trans people have the right to gender identity. This means they no longer need to have medical reports, undergo surgery or go to court to get their name and gender changed on official records. Instead they can do so by requesting this at the civil registrar's office.

Despite these successes, in the past seven years, intolerant religious groups have attempted to influence laws and public policy. We're also still fighting for nationwide legislation that prohibits discrimination based on sexual orientation and gender identity. This has been on the agenda of the National Congress since 2001, but has been systematically barred by fundamentalist and reactionary groups within parliament. The movement is also trying to achieve such legal protection through the judicial branch and two cases have now been filed.

### Workplace

Equal treatment and opportunities are essential for a decent workplace. However, the 2017 survey of Curitiba and its surrounding areas found that 11 per cent of LGBT people had suffered workplace discrimination. It's also particularly difficult for trans people to find employment. As well as anti-trans workplace prejudice, trans students can find it hard to remain at school because of discrimination, and so often do not have the academic qualifications employers require.

In recent years, several leading companies have started to promote respect for diversity, including sexual and gender diversity. In 2013, the Forum on Companies and LGBT Rights was established, whose members include companies, governments and UN agencies. The forum has opened up the debate and helped to promote respect for LGBT people in the workplace.

### Healthcare

Brazil has had a national policy on LGBT health since 2009, which seeks to meet the specific healthcare needs of LGBT people as well as to reduce stigma. However, its implementation differs between states and it cannot be said to be fully available nationwide or outside of state capitals. Since 2008, public health services have been required to call trans people by the name they wish to be called by. Gender reassignment surgery is theoretically available according to the Ministry of Health ordinances, but implementation at state level is uneven and even in 2018 not all states are yet able to offer this service.



## LGBT INCLUSION IN THE WORKPLACE

### THE FOUNDATIONS

There are several steps employers can take to start creating a supportive workplace environment for their LGBT employees in Brazil:

- ✓ **Consult local LGBT organisations to understand the local context for LGBT people**
- ✓ **Introduce explicitly LGBT-inclusive anti-discrimination and bullying and harassment policies**
- ✓ **Train HR staff and promote inclusive policies**
- ✓ **Carry out LGBT-inclusive diversity training**
- ✓ **Encourage senior managers to promote their commitment to LGBT inclusion and equality**

### NEXT STEPS

Once a foundation has been built, there are further steps employers can take to bring about positive change for LGBT people. For example:

- ✓ **Audit and extend partner benefits to same-sex partners**
- ✓ **Establish employee engagement mechanisms like LGBT networks and allies programmes**
- ✓ **Carry out LGBT awareness-raising events**
- ✓ **Partner with local LGBT groups to advance LGBT equality beyond the workplace**
- ✓ **Work with suppliers and partners to advance LGBT workplace equality**

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## LEARN FROM STONEWALL'S GLOBAL DIVERSITY CHAMPIONS

**Accenture** Accenture has put its inclusive policies and diversity values into practice by offering its employees in Brazil the opportunity to include their same-sex spouses as beneficiaries of their private healthcare plan. The LGBT staff network at Accenture Brazil also works to raise awareness of LGBT issues among the workforce and promote respect and an equal working environment. Internal awareness is raised through events such as the Inclusion & Diversity Week or business lunches where network members, executives and allies meet to discuss topics the LGBT staff network is working on. To celebrate LGBT Pride Month, Accenture participates in the Pride parade each year with dozens of employees joining. Accenture also provides diversity training to its employees with the aim of giving individuals the necessary tools and resources to create an inclusive workplace, where LGBT employees can perform at their full potential. Accenture's Diversity & Inclusion team also provided training to the Brazilian leadership team on how to support trans employees who transition. The training entailed education on the LGBT community, including differences between sexual orientation, gender identity and gender expression. It also focused more specifically on steps that can be taken to support a trans employee through transition in the workplace, such as the importance of using the correct pronouns. The firm also seeks to contribute to the local community and collaborated with other companies to provide skill training to local trans youth to better prepare them for the labour market.

**Procter & Gamble** Procter & Gamble (P&G) in Brazil has been investing in creating equal and inclusive workplaces for its LGBT employees. The firm's internal policies expressly prohibit discrimination and harassment based on sexual orientation, gender identity and gender expression. These policies build the foundation for an LGBT-inclusive work environment. A related diversity statement is publicised on P&G's website. P&G reviewed all employee benefits in Brazil to ensure they applied equally to same-sex and different-sex couples. These included health insurance, life insurance plans, leaves of absence and privileges like company cars and relocation support. P&G Brazil also runs an LGBT employee network called GABLE. The network has active members, including LGBT employees and allies, in all P&G offices and manufacturing plants across Brazil. GABLE leads on activities to raise awareness about LGBT matters. For example, the network provides training to all employees and partners on how to create an LGBT-inclusive workplace. GABLE also communicates its stance on LGBT equality externally. In 2017, an advertisement was launched that featured same-sex couples. The GABLE Brazil leader, a trans man, has also been featured in a magazine where he spoke about being trans in the workplace. GABLE also published a social media statement against a court case in which the so-called 'gay conversion therapy' was approved by a judge.



## GET INVOLVED



### THE ANNUAL LGBT CALENDAR

**June** – São Paulo Pride Parade. [www.paradasp.org.br](http://www.paradasp.org.br)

**November** – Rio de Janeiro Pride Parade. [www.arco-iris.org.br](http://www.arco-iris.org.br)

Check the events websites for the most up-to-date information on dates.



### FIND LGBT GROUPS AND COMMUNITIES

**ABGLT** - a national LGBT rights network which brings together over 300 organisations defending the rights of LGBT people and preventing discrimination. [www.abgl.org](http://www.abgl.org)

**Fórum Empresas e Direitos LGBT** - a forum for companies committed to respecting and promoting the human rights of LGBT people. [www.forumempresaslgbt.com](http://www.forumempresaslgbt.com)

**Grupo Arco-Íris** – an LGBT equality organisation working in the areas of health, education, culture, human rights and citizenship. [www.arco-iris.org.br](http://www.arco-iris.org.br)

**Grupo Dignidade** – an LGBT organisation engaging in advocacy, campaigning, training, the provision of information and other services. [www.grupodignidade.org.br](http://www.grupodignidade.org.br)

**Instituto Ethos** – an organisation that helps companies to manage their business in a socially responsible way. Advancing equality and diversity is one of Instituto Ethos' key areas of expertise. [www3.ethos.org.br](http://www3.ethos.org.br)

**ParadaSP** – an association of individuals and community groups who organise the annual Pride Parade in São Paulo. [www.paradasp.org.br](http://www.paradasp.org.br)

**Rede Trans Brasil** – an organisation monitoring human rights violations, violence and homicides against trans people in Brazil. [www.redetransbrasil.org](http://www.redetransbrasil.org)

**Sexuality Policy Watch** – a Brazilian-based global forum composed of researchers and campaigners engaged in mapping developments in sexual and human rights globally. [www.sxpolitics.org](http://www.sxpolitics.org)

**TRANSEmpregos** – a network of employers and jobseekers aimed at facilitating job opportunities for trans people. [www.facebook.com/transempregos/](http://www.facebook.com/transempregos/)



### GET LOCAL LGBT UPDATES

**iGay** – an online LGBT news publication. [www.igay.ig.com.br](http://www.igay.ig.com.br)

**ATHOS GLS** – an online LGBT news portal. [www.athosgls.com.br](http://www.athosgls.com.br)



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Legal Partner



Freshfields Bruckhaus Deringer

Every effort has been made to ensure that the information contained in this Global Workplace Briefing is correct as of February 2018. Introducing any new initiative requires careful consideration and the safety of staff should always be of paramount importance. This overview is for guidance purposes only and does not constitute, nor should it be interpreted as a substitute for, detailed legal advice. If you have any specific legal concerns, always consult with local legal experts. Stonewall Equality Ltd, Registered Charity No 1101255 (England and Wales) and SC039681 (Scotland)

# CANADA



Population: 35+ million



Stonewall Global Diversity Champions: 57

Stonewall  
GLOBAL  
DIVERSITY  
CHAMPIONS



## THE LEGAL LANDSCAPE

In Stonewall's **Global Workplace Equality Index**, broad legal zoning is used to group the differing challenges faced by organisations across their global operations.

Canada is classified as a Zone 1 country, which means sexual acts between people of the same sex are legal and clear national employment protections exist for lesbian, gay, and bi people.

Two further zones exist. In Zone 2 countries, sexual acts between people of the same sex are legal but no clear national employment protections exist on grounds of sexual orientation. In Zone 3 countries, sexual acts between people of the same sex are illegal.

### FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Section 2 of the Canadian Charter of Rights and Freedoms, a constitutional document, **protects the fundamental freedoms of expression, association and assembly.**

### FAMILY AND RELATIONSHIPS

**Sexual acts** between people of the same sex **are legal** under the Criminal Law Amendment Act, SC 1968- 69, c 38.

The **age of consent** is **16 years** for vaginal and oral sex but is **18 years** for anal sex.

**HIV non-disclosure is criminalised**, which means people living with HIV must be able to produce proof that they disclosed their HIV status prior to sexual activities.

**Same-sex marriage** was **legalised** in 2005 with the enactment of the Civil Marriage Act SC 2005, c 33, providing a gender-neutral definition of marriage.

As a result, there are also **no marriage restrictions specific to trans people.**

Same-sex couples are as eligible as opposite-sex couples for all forms of **recognised partnerships** in Canada.

In 2000, the Parliament of Canada passed Bill C-23, Modernization of Benefits and Obligations Act, which provides same-sex couples with the **same social and tax benefits** as opposite sex couples in common-law relationships.

There are **no legal prohibitions to same-sex adoption** in Canada.

### EQUALITY AND EMPLOYMENT

Section 15(1) of the **Canadian Charter guarantees equality** and serves to **protect minority rights**. In 1995, the Supreme Court of Canada ruled that **"sexual orientation" should be read into the Charter.**

**Gender identity** has **not been expressly recognised** as an analogous ground of discrimination **under Section 15** of the Charter **but trans individuals** have **previously been able to rely on the section** to assert their equality rights.

Section 3(1) of the Canada Human Rights Act **prohibits discrimination on the grounds of sexual orientation, gender identity or expression.**

In 1998, the Supreme Court of Canada ruled that **provincial human rights legislation** must **protect individuals against discrimination on the basis of sexual orientation.** Now all provinces and territories provide such legal protection, particularly in matters of employment, accommodation and contract.

**Ontario** became the first province to specifically **prohibit discrimination on the basis of 'gender expression'** in 2012, followed by **several other provinces.**

Section 718.2(a)(i) of the Criminal Code provides an **aggravating circumstance** relevant to sentencing **where the offence was motivated by bias, prejudice or hate based on the sex, sexual orientation, or gender identity or expression** of the victim.

### GENDER IDENTITY

Trans people have the **right to change** their **name and legal gender.**

However, the **requirements** for changing name and the legal gender marker on official documents **vary greatly** from province to province and legal gender change **may require proof of gender-reassignment surgery.**

Subject to varying requirements, the **legal gender** can be **changed on most identification documents**, including birth certificates, passports, driver's licenses and Social Insurance Number cards.

**On a federal level, proof of gender-reassignment surgery is no longer required** to amend a person's gender marker on immigration and citizenship documents.

**Adult persons** will **soon be able to change the gender marker on their passports to 'female', 'male' or 'X'** (unspecified). Until the 'X'-option is available, the person may request a note to be added to their passport which indicates that the gender marker should be 'X'. These interim measures were put in place starting 13 August 2017. It is unclear when the note will be replaced with the 'X'.

### IMMIGRATION

The Immigration and Refugee Protection Act provides same-sex spouses with the **same immigration opportunities** as opposite-sex spouses.

**Trans migrants cannot change the legal gender** marker on their residency and immigration documents **before receiving citizenship in some provinces**, such as Quebec.

## A VIEW FROM CANADA

**Kathleen Pye** is Director of Research and Policy at Egale Canada Human Rights Trust. The group seeks to advance the human rights of lesbian, gay, bi trans, queer, questioning, intersex and Two Spirit (LGBTQI2S) people through research, education and community engagement. Egale conducts research on LGBTQI2S matters and produces educational materials and reports.



### What are the gaps in the legal framework for LGBT people?

It is problematic that there are inconsistencies in the LGBTQI2S-related legislation across the territories and provinces. While all territories and provinces have legislation that prohibits discrimination based on sexual orientation, only 10 out of 13 have similar provisions for gender identity and/or expression. The new government has pushed this matter at a national level and there is some positive movement. Bill C-16 is currently underway and would include gender identity and expression as grounds of prohibited discrimination in the Canadian Human Rights Code among other things.

However, other matters remain to be legislated for by territories and provinces, for example health and education. It is important that we keep addressing concerns where they exist. Bill C-36 introduced in 2014 is also problematic, and especially affects trans and gender diverse people. The law makes it illegal to purchase sexual services but legal to sell them. Trans and gender diverse people often work in this sector, not least because they face barriers in accessing other areas of the job market. The law further restricts their ability to earn a living.

### What are some specific problems that affect trans people?

The lived situation for LGBTQI2S people can differ greatly depending on the area. In general, the situation is worse for LGBTQI2S people who are also affected by other forms of marginalisation, for instance indigenous LGBTQI2S people.

We see that rates of homelessness are especially high among trans and gender diverse people, but also bi people. In terms of health care, trans and gender diverse people often face difficulty in accessing appropriate and comprehensive health care. While such services may be easier to find in Ontario, waiting lists are long. In other areas, especially in more rural areas, the situation can be very bad. In terms of education, schools are getting better at promoting diverse and inclusive learning environments. For instance, some schools have inclusion policies in place, though they still need to get better at the implementation of such policies. Gender and sexuality alliance groups are also being formed at schools and can have very positive impacts. But again, how inclusive a school is will often depend on the area.

### What problems do LGBT people face in the workplace?

A preliminary problem is that there hasn't been a lot of research on this topic in the Canadian context, and so we often have to rely on research done in the USA. More research now exists in regard to lesbians and gay men in the workplace, but less so for trans, gender diverse and bi people.

We do know however, that trans and gender diverse people in particular face extreme barriers when trying to access the job market. Unemployment rates are very high among these groups. Safety within the workplace is also a concern. Although legislation exists to protect LGBTQI2S employees from discrimination, there's not a lot of preventive work that's done. This means that often something needs to go wrong before LGBTQI2S staff can truly rely on their rights.

### What can employers do to support LGBT employees and the LGBT movement in Canada?

Many employers feel they are constrained in what they can do or don't know where to start. However, there's a lot employers can do to create equal and inclusive workplaces for their LGBTQI2S staff. In all their efforts, employers should be reaching out to and learning from the LGBTQI2S community. This also makes it easier to start and to work around resource constraints. In general, employers should start by building LGBTQI2S-inclusive policies. Consulting the LGBTQI2S community ensures that the policies are well formulated, adequate and comprehensive.

But policies alone are not enough. It is absolutely necessary that employers have an appropriate implementation plan in place and that they act in a preventive rather than reactionary way. Employers can also support the LGBTQI2S community more generally, but they need to be mindful of their impact. Here it is important to reach out to LGBTQI2S communities to ask what businesses can do and whether their support is wanted. It's also important to seek feedback to improve any initiatives.

## LGBT INCLUSION IN THE WORKPLACE

### THE FOUNDATIONS

There are several steps employers can take to start creating a supportive workplace environment for their LGBT employees in Canada:

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li> <b>Consult local LGBT organisations to understand the local context for LGBT people</b></li> <li> <b>Introduce explicitly LGBT-inclusive anti-discrimination and bullying and harassment policies</b></li> </ul> | <ul style="list-style-type: none"> <li> <b>Train HR staff and promote inclusive policies</b></li> <li> <b>Carry out LGBT-inclusive diversity training</b></li> <li> <b>Encourage senior managers to promote their commitment to LGBT inclusion and equality</b></li> </ul> |
|--|---|

### NEXT STEPS

Once a foundation has been built, there are further steps employers can take to bring about positive change for LGBT people. For example:

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li> <b>Audit and extend equal benefits to LGBT partners</b></li> <li> <b>Establish employee engagement mechanisms like LGBT networks and allies programmes</b></li> <li> <b>Carry out LGBT awareness-raising events</b></li> </ul> | <ul style="list-style-type: none"> <li> <b>Partner with local LGBT groups to advance LGBT equality beyond the workplace</b></li> <li> <b>Work with suppliers and partners to advance LGBT workplace equality</b></li> </ul> |
|---|---|

Employers can improve their initiatives by participating in Stonewall's Global Workplace Equality Index - a free benchmarking tool offering a clear roadmap to LGBT inclusion in the workplace. [www.stonewall.org/gwei](http://www.stonewall.org/gwei)



## LEARN FROM STONEWALL'S GLOBAL DIVERSITY CHAMPIONS

### Gowling WLG

Much of Gowling WLG's LGBT diversity and inclusion work derives from the firm's strong engagement with Canadian LGBT organisations and initiatives. The firm partners with Pride at Work, a national organisation that supports LGBT inclusion in the workplace. In 2015, Gowling WLG sponsored the organisation's workplace conference, which was attended by some of the firm's senior staff. In order to raise awareness about LGBT workplace issues, Gowling WLG received all-staff training from Pride at Work. Since 2015, firm-wide activities have been held to acknowledge and support Day of Pink. Established by the Canadian Centre for Gender and Sexual Diversity, the event combats homophobia and transphobia. Since 2016, the UK and Canada offices have worked together to spread awareness of Day of Pink to other locations. As a result, partners and staff from all Gowling WLG's offices including Moscow, Dubai and Singapore have participated and worn pink in active support of the cause. Members of the firm regularly attend events for Start Proud in Canada. These provide a forum for university students to network and learn about careers and being "out" in the legal and corporate communities. The firm celebrates Pride activities across Canada including participating in Pride parades in some cities, and has a strong social media presence, regularly posting messages and photos of events that are supportive of the LGBT and other equality-seeking communities.

### PwC

GLEE is PwC Canada's network for LGBT employees and their allies. It was set up in 2006 to enable LGBT employees to bring their whole selves to work. The network has also helped PwC Canada become actively involved with recruitment and business networking organisations focused on LGBT equality in the workplace. This includes a partnership with Pride at Work Canada, which provides support and networking for LGBT professionals. Such partnerships help PwC Canada to support its LGBT employees, while also positioning the firm as an employer of choice for the LGBT community. GLEE Canada, which today has over 130 members, annually hosts a Pride BBQ in the Toronto office. In 2016, the event was attended by over 200 clients and staff, which is a manifestation of GLEE Canada's steady growth. The network's development has also coincided with strong progress in some of PwC's key diversity and inclusion metrics. For example, out-of-university new starters have reported that GLEE and the experiences shared by LGBT employees have been instrumental in their decisions to select PwC as an employer. PwC has further generated client relationships and positive client feedback through the reach of GLEE and the GLEE Pride BBQ.





## GET INVOLVED



### THE ANNUAL LGBT CALENDAR

**June** – Pride Toronto. [www.pridetoronto.com](http://www.pridetoronto.com)

**August** – Vancouver Pride. [www.vancouverpride.ca](http://www.vancouverpride.ca)

**August** – Montreal Pride. [www.fiertemontrealpride.com](http://www.fiertemontrealpride.com)

Check the events websites for the most up-to-date information on dates.



### FIND LGBT GROUPS AND COMMUNITIES

**Action Sante Travesti(e)s et Transsexuel(le)s du Quebec (ASTTeQ)** – an organisation promoting the health and well-being of trans people through peer support, advocacy, education, outreach, community empowerment and mobilization. [www.astteq.org](http://www.astteq.org)

**Canadian Gay & Lesbian Chamber of Commerce** – a group aiming to build a coalition of LGBT-owned and operated businesses and serving as a network for LGBT business proprietors and professionals. [www.cglcc.ca](http://www.cglcc.ca)

**Egale Canada Human Rights Trust** – an organisation working to advance the human rights of LGBT people through research, education and community engagement. [www.egale.ca](http://www.egale.ca)

**The Lesbian & Gay Immigration Taskforce** – a group sharing information and lobbying for changes to immigration regulations concerning same-sex couples. [www.legit.ca](http://www.legit.ca)

**PFLAG Canada** – a group of parents and families of lesbian, gay and bi people with an aim to support their LGB family members and each other. [www.pflagcanada.ca](http://www.pflagcanada.ca)

**Pride at Work Canada** – an organisation working with employers to create equal and inclusive workplaces for their LGBT employees in Canada. [www.prideatwork.ca](http://www.prideatwork.ca)

**QMUNITY** – an LGBTQ/2S centre in Vancouver. [www.qmunity.ca](http://www.qmunity.ca)

**Trans Lifeline** – a group operating in the USA and Canada and offering a confidential information and counselling service for trans people in crisis. [www.translifeline.org](http://www.translifeline.org)

**The 519** – an LGBTQ community centre based in Toronto. [www.the519.org](http://www.the519.org)

**Welcome Friend Association** – a group promoting understanding and cooperation between the LGBT community and its allies, offering advice on a range of topics as well as running trainings and a Rainbow Camp for young people. [www.welcomefriend.ca](http://www.welcomefriend.ca)



### GET LOCAL LGBT NEWS

**IN Magazine** – an LGBT lifestyle publication. [www.inmagazine.ca](http://www.inmagazine.ca)

**PinkPlayMags** – an LGBT lifestyle magazine in the Greater Toronto Area. [www.pinkplaymags.com](http://www.pinkplaymags.com)

**The Buzz** – a Toronto LGBTQ community magazine. [www.thebuzzmag.ca](http://www.thebuzzmag.ca)

**Xtra** – an LGBT online news source. [www.dailyxtra.com](http://www.dailyxtra.com)



## STONEWALL'S GLOBAL DIVERSITY CHAMPIONS PROGRAMME WORKS WITH 57 ORGANISATIONS OPERATING IN CANADA.

Our team of workplace advisors offers tailored one-to-one advice on how to create LGBT-inclusive workplaces globally. If you would like to receive support or want to be featured as a case study in one of our Global Workplace Briefings, contact Stonewall.

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Legal Partner



**GOWLING WLG**

Every effort has been made to ensure that the information contained in this Global Workplace Briefing is correct as of July 2018. Introducing any new initiative requires careful consideration and the safety of staff should always be of paramount importance. This overview is for guidance purposes only and does not constitute, nor should it be interpreted as a substitute for, detailed legal advice. If you have any specific legal concerns, always consult with local legal experts. Stonewall Equality Ltd, Registered Charity No 1101255 (England and Wales) and SC039681 (Scotland)

## CHILE



Population: 17.9 million



Stonewall Global Diversity Champions: 54



## THE LEGAL LANDSCAPE

Stonewall uses broad legal zoning to group the differing challenges faced by employers across their global operations.

Chile is classified as a Zone 1 country, which means sexual acts between people of the same sex are legal and clear national employment protections exist for lesbian, gay, and bi people.

To help put this into context, it is important to note that two further zones exist:

In Zone 2 countries, sexual acts between people of the same sex are legal but no clear national employment protections exist on grounds of sexual orientation. In Zone 3 countries, sexual acts between people of the same sex are illegal.

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Article 19 No. 12, 13 and 15 of the Constitution protect **the rights to freedom of expression, association and assembly**.

These may be restricted under specific circumstances but there are **no LGBT-specific restrictions or additions** to these rights.

## FAMILY AND RELATIONSHIPS

**Sexual acts** between people of the same sex over the age of 18 are not criminalised and are therefore **legal**.

The **age of consent is 18 years for same-sex intercourse** between men and **14 years for opposite-sex intercourse** under Articles 363 and 365 of the Criminal Code. Constitutional Court rulings have established the age of consent for **same-sex sexual intercourse between women as 14 years**.

**Same-sex marriage is not legal** under Article 102 of the Civil Code and Law No. 19,147 as marriage is defined as a union between a man and a woman.

All couples, including **same-sex couples**, can enter a **civil union** under Law No. 20,830. These unions mainly provide financial rights, such as inheritance in the case of the death of a partner. They do not provide equivalent rights to marriage.

Same-sex couples have **no legal right to adopt** children as only married couples can adopt children.

## EQUALITY AND EMPLOYMENT

**Employment discrimination** on the grounds of **sexual orientation and gender identity** are **prohibited** under Article No. 2 of the Labour Code.

**Discrimination** on the grounds of **sexual orientation and gender identity** is also **criminalised** under Law No. 20,609 and Article 5 (b) of Law No. 21,120, which comes into effect in October 2019.

Article 19 No. 2 of the Chilean Constitution provides for **equality before the law**. There is no explicit reference to sexual orientation and gender identity.

Hate crimes based on **sexual orientation and gender identity** are considered an **aggravating circumstance** in sentencing under Article No. 12.21 of the Criminal Code.

## GENDER IDENTITY

Trans people **can change their legal gender** under Article No. 6 of Law No. 21,120, which comes into effect in October 2019. **No documents are exempt from this**.

Legal gender can **only be changed to male or female**. There is no option to change legal gender to a third gender.

**For those aged 18 or older**, legal gender change is subject to a **formal application to the Civil Registry and statements from two witnesses**.

**For minors**, legal gender change is subject to a **formal application** submitted before a Family Court and **completion of a psychological test**.

Under Law No. 21,120, which comes into effect in October 2019, trans people can **change their legal name** through the same procedure as a legal gender change.

## IMMIGRATION

The Chilean Immigration Department **grants visas for same-sex partners**, however, this is **not legally regulated** and is at the discretion of the Immigration Department.





## A VIEW FROM CHILE

Stonewall spoke to **Emilio Maldonado**, General Director of **Iguals Servicios Educativos y Consultoría** and the Coordinator of **Pride Connection Chile**. **Iguals Servicios Educativos y Consultoría** works towards the full inclusion of LGBT people in Chilean society by advocating for policy change, increasing education on sexual orientation and gender identity, and supporting employers to create inclusive workplaces. **Pride Connection Chile** is a network of over 50 major businesses working towards full LGBT inclusion.

Stonewall spoke to **Matías Valenzuela Cortez**, Legal Consultant and **Franco Fuica**, Coordinator of Legislation and Public Policies at **Asociación OTD Chile (Organizando Trans Diversidades)**. The organisation works towards the recognition and empowerment of trans and intersex people through research, advocacy, and training programmes with employers in Chile.



### Everyday life

**Emilio:** “Chile has become a much better place for LGBT people. Legislative goals like civil unions, anti-discrimination law, and the Gender Identity Act have been achieved. However, people still face discrimination, especially in rural areas. Some conservative groups attack LGBT people and while physical violence is unusual, verbal and psychological violence is not uncommon. Gender impacts LGBT people’s experiences. Gay and bi men face fewer challenges than lesbians, bi women and trans people, particularly trans women, due to the patriarchal culture here.”

**Matías and Franco:** “Inequality significantly impacts trans people’s lives. Trans people also face discrimination, with trans men and trans women experiencing this differently. Trans women are more likely to be poor and face extreme day-to-day discrimination. However, trans men can face other types of harm such as ‘corrective’ rape and violence.”

### LGBT groups

**Emilio:** “LGBT groups can operate freely and aren’t usually harassed or persecuted. However, LGBT organisations lack resources and funding. They’re very grassroots as the government and businesses haven’t fully realised the importance of LGBT organisations. Many LGBT groups focus on legal recognition in areas like marriage equality and adoption and on violence against LGBT people. Igualés Servicios Educativos y Consultoría is focusing on workplace equality.”

**Matías and Franco:** “While LGBT groups can generally operate freely, right-wing politicians use support for LGBT rights to appear progressive and downplay their historic responsibility for human rights violations. Trans people can also face a lot of hate speech online. The state offers no financial support to LGBT groups, making it much harder to operate.”

### Visibility

**Emilio:** “Many LGBT people are out to friends and family in private. In public, it depends on whether a space is considered safe. LGBT people are somewhat visible in the media, particularly gay men and some trans activists. However, lesbians and bi people are much less visible.”

**Matías and Franco:** “There have been some steps towards trans visibility. The release of *A Fantastic Woman*, which won an Oscar, has been hugely influential. Some people working in trans rights organisations and the private sector are very visible, although this is an exception. Trans people and trans issues are somewhat visible in the media but are often not addressed sensitively.”

### Workplaces

**Emilio:** “Workplaces are conservative and most LGBT people, especially trans people, are afraid of being fired if they come out. Trans people also face significant barriers to formal employment. We hope the implementation of the Gender Identity Act in October 2019 will slightly improve the situation, as people will be able to obtain documents matching their gender identity.”

To support LGBT employees, employers need to take LGBT inclusion seriously. Businesses need to genuinely commit to implementing inclusive practices, such as ensuring policies explicitly include LGBT staff. However, to be a true ally to the LGBT community, employers also need to publicly demonstrate their support. This might involve participating in Pride and making their marketing LGBT inclusive. It would be helpful if employers advocated for LGBT rights. This can be done by lobbying the government and highlighting the benefits of LGBT inclusion for businesses and Chile.

Additionally, as workplace ignorance is a challenge, employers can promote inclusion and support local LGBT organisations simultaneously by asking LGBT groups to provide training for staff. This is particularly important for small groups who may not be able to connect with large employers otherwise.”

**Matías and Franco:** “Discrimination causes many trans people to leave education, making accessing employment difficult. When employed, trans people often lack contracts and social security, making it easy to fire people because of their gender identity. Trans people also face discrimination and harassment, but barriers to justice mean perpetrators are rarely held accountable. To support trans employees, businesses must make eradicating discrimination a core goal. This can be achieved through training, which could be conducted by a local LGBT organisation.

Employers can lobby for positive legislative change for the trans community – the influence of businesses on legislation is very strong. Additionally, businesses can use platforms like advertising to present trans people positively and combat discrimination. Accessing employment is difficult, so concrete commitments to employing trans staff would be transformative. Many multinationals make a commitment to trans inclusion that isn’t reflected in Chile. Global LGBT commitments should be implemented here, too.”

### Healthcare

**Emilio:** “In theory, trans people should be able to access inclusive healthcare, but this isn’t the case. Healthcare for LGB people is not inclusive. Apart from HIV treatment, which is state provided, no healthcare addresses LGB people’s specific needs, especially lesbians. For example, lesbians can’t access state-funded reproductive support that straight cis women can.”

**Matías and Franco:** “Access to adequate trans-specific healthcare is very limited: if a person is unemployed (as is the case for most trans people), they’ll receive the lowest level of care within the public system. Waiting lists are very long, and only 11 hospitals offer hormone therapy and gender confirmation surgery. Access to information also is a barrier – within the public system, it isn’t clear how a trans person would access such treatments.”

## LGBT INCLUSION IN THE WORKPLACE

Stonewall's [Global Workplace Equality Index](#) is the definitive benchmarking tool for global LGBT workplace equality. It's a great way to assess your organisation's progress and navigate the challenges of upholding inclusive values locally. The Global Index provides your organisation with a clear and rigorous action plan for your LGBT inclusion work across the globe.

The Index evaluates an organisation's performance across eight areas of employment policy and practice. In line with these areas, in Chile employers can work to:

1. Implement LGBT-inclusive **policies and benefits**, such as anti-discrimination and bullying and harassment policies, transitioning at work policies, and equal partner and family benefits.
2. Carry out comprehensive **all-staff training** on sexual orientation and gender identity.
3. **Engage staff** by setting up local LGBT employee network groups and developing ally programmes.
4. Empower **senior leaders** to advance LGBT inclusion within your organisation and advocate for equality.
5. Assess whether you can **monitor** sexual orientation and gender identity data in order to understand and improve the experiences of LGBT employees.
6. Evaluate your **procurement** practices to ensure LGBT inclusion forms part of the tendering process and your engagement with potential and existing suppliers.
7. Work to understand the **local context** and support **local communities** by partnering with local LGBT groups.
8. Ensure your **mobility** policies account for employees' sexual orientation and gender identity and provide staff travelling to or from Chile with adequate, LGBT-specific information.



## LEARN FROM STONEWALL'S GLOBAL DIVERSITY CHAMPIONS

### Accenture

In Chile, sexual orientation and gender identity are expressly included in Accenture's anti-discrimination policy and equal benefits are provided for same-sex partners. Accenture also has a transitioning at work policy, with guidelines for team leaders, human resources, and transitioning individuals. Accenture's policies are brought to life through all-staff training sessions on LGBT inclusion in the workplace.

Several events and activities are run to raise awareness, coinciding with key dates celebrating LGBT identities. For IDAHOBIT, Accenture has an office-wide day of reflection and education, as well as celebrating 'Pride season' for all of June and walking in the Pride parade. Intersectionality is a key part of Accenture's approach to diversity and inclusion in Chile. In October, 'Diversity Week' is celebrated in the office, which is dedicated to understanding how the different parts of people's identities make them who they are. During this week, speakers give presentations and group discussions are held on how people can work together to create a culture of equality.

Accenture partners with Fundacion Iguales, a Chilean LGBT organisation, and is a member of Pride Connection. The firm has also worked to address the systemic barriers faced by trans people by providing materials and running workshops for Escuela Amaranta, a school for trans children who have not been accepted in the formal education system.



## GET INVOLVED



### THE ANNUAL LGBT CALENDAR

**July or November/December** – Pride/Open Mind Fest [www.movilh.cl/gayparade/gay-parade](http://www.movilh.cl/gayparade/gay-parade)

**October** – Transfest, organised by OTD Chile [www.otdchile.org](http://www.otdchile.org)

**October** – Cine Movilh [www.movilh.cl/cine/el-festival](http://www.movilh.cl/cine/el-festival)

Check the events websites for the most up-to-date information on dates.



### FIND LGBT GROUPS AND COMMUNITIES

**Fundacion Iguales** – an organisation working towards equality of rights and non-discrimination on the grounds of sexual diversity. [www.iguales.cl](http://www.iguales.cl)

**MUMS Chile** – a national non-governmental organisation that defends LGBTIQ+ rights through political advocacy and community strengthening. [www.mums.cl](http://www.mums.cl)

**MOVILH** – a national organisation defending social, cultural, political, economic and legal rights of LGBT people. [www.movilh.cl](http://www.movilh.cl)

**OTD Chile** – a Chilean group promoting the human rights of trans and sexually diverse people. [www.otdchile.org](http://www.otdchile.org)



### NATIONAL HUMAN RIGHTS INSTITUTION

**Instituto Nacional de Derechos Humanos** – [www.indh.cl](http://www.indh.cl)

The Instituto Nacional de Derechos Humanos is the Chilean National Human Rights Institution where complaints of human rights violations on the grounds of sexual orientation and gender identity can be made.



## STONEWALL'S GLOBAL DIVERSITY CHAMPIONS PROGRAMME WORKS WITH 54 ORGANISATIONS OPERATING IN CHILE.

The **Global Diversity Champions** programme gives employers the tools they need to take a strategic and structured approach to LGBT equality initiatives globally and provides a network to keep them informed of legal changes and implications for their staff wherever they are in the world. Our team of workplace advisors offer tailored one-to-one advice on how to create LGBT-inclusive workplaces globally and members gain exclusive access to our full library of resources offering step-by-step guidance on different areas of LGBT inclusion. If you would like to receive support or want to be featured as a case study in one of our Global Workplace Briefings, contact [memberships@stonewall.org.uk](mailto:memberships@stonewall.org.uk)

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# COLOMBIA



Population: 48 million



Stonewall Global Diversity Champions: 44



## THE LEGAL LANDSCAPE

Stonewall uses broad legal zoning to group the differing challenges faced by employers across their global operations.

Colombia is classified as a Zone 1 country, which means sexual acts between people of the same sex are legal and clear national employment protections exist for lesbian, gay, and bi people.

To help put this into context, it is important to note that two further zones exist:

In Zone 2 countries, sexual acts between people of the same sex are legal but no clear national employment protections exist on grounds of sexual orientation. In Zone 3 countries, sexual acts between people of the same sex are illegal.

### FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Articles 13, 16, 20, 37 and 38 of the Constitution protect the rights to **freedom of expression, assembly and association**.

There are **no LGBT-specific restrictions or additions** to these rights.

### FAMILY AND RELATIONSHIPS

**Sexual acts** between people of the same sex are not criminalised and are therefore **legal**.

There is an **equal age of consent of 14 years** for sexual acts regardless of gender under Article 209 of the Criminal Code.

The Constitutional Court ruled that **same-sex marriage is legal** in its judgement SU-214 in 2016.

All couples, including same-sex couples, can **enter civil unions and have de facto unions declared** as per the Constitutional Court judgement C-075, 2007.

Same-sex parents have **equal rights to adoption** as per the Constitutional Court judgement C-683, 2015.

**Trans parents** have their relationship to their child recorded based on their **legally registered gender**.

### EQUALITY AND EMPLOYMENT

**Employment discrimination** on the grounds of **sexual orientation and gender identity** is **prohibited** through Constitutional Court judgments T-1122/2002, T-804/2014 and T-141/2017.

**Discrimination** on the grounds of **sexual orientation and gender identity** is **prohibited** under Article 1 of Law 1752/2015, amending Law 1482/2011.

All people are **equal before the law** under Article 13 of the Constitution and Article 10 of the Labour Code. There is no explicit reference to sexual orientation and gender identity.

Hate crimes based on **sexual orientation and gender identity** are considered an **aggravating circumstance** in sentencing under Article 134c of Law 1482, 2011, amending the Criminal Code.

Decree 762/2018 established a group of **governmental bodies to monitor the rights of LGBT people in public and private organisations**.

Articles 33, 40 and 53 of Law 1801/2016, the National Police Code, sets out **explicit protections for the LGBT community** and establishes penalties for acts of discrimination.

### GENDER IDENTITY

Trans people over the **age of 18 can change their legal gender on all identification documents** including the birth certificate under Decree 1227, 2015 and Constitutional Court Judgement T-063, 2015.

Legal gender can **only be changed to male or female**. There is no option for a third gender under Article 2.2.6.12.4.3 of Decree 1227, 2015.

**Legal gender change** is **subject to a request before a notary** under oath of a voluntary gender change under Article 2.2.6.12.4.3 of Decree 1227, 2015.

Trans people **can change their legal name** by submitting a request before a notary under Article 6 of Decree 999, 1998.

### IMMIGRATION

**Dependent visas** can be granted to any economically dependent family member of the visa titleholder, **including same-sex spouses or partners** under Article 26 of Resolution 7045 of 2017, issued by the Ministry of Foreign Affairs. (Cfr. C-577 of 2011).



## A VIEW FROM COLOMBIA

Stonewall spoke to **Juan Felipe Rivera**, a Constitutional Litigation Lawyer with **Colombia Diversa**. Colombia Diversa works to promote the human rights of LGBT people in Colombia and advocate for legal change. It also focuses on positively transforming perceptions of LGBT people in Colombia and encouraging greater levels of organisation and political impact in the Colombian LGBT community.



### Everyday life

**Juan:** “In the last 25 years, a significant number of legal rights have been won, mostly through landmark cases of the Constitutional Court of Colombia, and an improvement in visibility has led to greater acceptance. However, discrimination still exists, and many challenges remain. In Latin America, there’s a fringe but growing faith-based movement combatting ‘gender ideology’, a term used to describe LGBT rights and women’s rights. The movement is attempting to roll back social and legal gains for LGBT people.

Factors such as disability, race, class, and location shape LGBT people’s experiences. For example, LGBT people with disabilities are often told they can’t know if they’re LGBT due to their disability, and we’ve seen LGBT people being expelled from indigenous communities. Small and medium cities and rural areas are more conservative, so LGBT people there are more likely to face everyday discrimination.

LGBT people are visible in Colombia, but lesbians, gay men, and trans women are much more visible than other groups. LGBT news articles appear regularly in the media and TV shows have begun to feature more LGBT characters. There were also LGBT ministers in the last two governments. However, trans men are not visible at all and there are very few references to bi people in the media.

Anyone travelling to Colombia should be aware that public displays of affection can result in verbal harassment and, in rare cases, physical violence. Non-stereotypical gender expression is also a factor which may lead to harassment or discriminatory treatment. In Bogota, a very liberal city, the chance of this occurring in tourist areas is generally low. However, the risk may be higher elsewhere, especially in small towns and rural areas.”

### LGBT groups

**Juan:** “In Colombia, LGBT groups tend to be small and informal, without any legal status, and tend to focus their efforts on promoting the social and cultural contributions of LGBT people. There are only a few large organisations which work on a wider array of topics. In principle, LGBT groups can operate freely. However, several regions are still affected by criminal factions as a result of armed conflict, and this can stop LGBT groups from working or severely limit their scope of work. These factions are sometimes anti-LGBT and will enact ‘social cleansing’ campaigns where they threaten or carry out violence against LGBT groups, activists, and people. The prevalence of anti-LGBT campaigns has led to a growing stigma and distrust of LGBT activists.

While Colombia has made several significant legal gains regarding LGBT rights in recent years, often these rights only exist on paper. Making these gains a reality is one of the biggest priorities here. LGBT groups also work on specific issues including the experiences of trans men in the military; the construction of memory and justice involving crimes against LGBT persons within the Colombian armed conflict and peace process implementation; and improving healthcare and legislation around HIV/AIDS.”

### Workplaces

**Juan:** “While workplace discrimination and harassment laws exist, implementation in daily life is low. Most trans people are denied access to education, family support, and healthcare, meaning very few trans people can apply for formal employment. Even if they do, when employers learn a potential employee is trans, they often immediately exclude them from the application process. For LGB people, the ability to access employment is often related to the extent to which they conform to stereotypical ideas of masculinity and femininity. Feminine men and masculine women who are LGB often face barriers to accessing employment.

Homophobic, biphobic, or transphobic remarks are common at work. This forces LGBT people to stay closeted and makes workplaces oppressive. In Colombia, LGBT people often face hostility, including within faith communities. This can affect someone’s experience of coming out at work and Colombia Diversa have heard of LGBT people feeling unable to stay in their job because of discrimination they faced after coming out.

In terms of supporting employees, it’s important that businesses have a clear policy setting out their support for LGBT people, and that discrimination and harassment will not be tolerated. There should be mandatory training for all employees about conduct inside and outside the workplace. Additionally, businesses can support local LGBT organisations in a range of ways, for example sharing knowledge or making donations.

Businesses should also engage in lobbying and discuss LGBT rights with the government whenever possible: this can be really impactful. Employers can publicly signal their commitment to LGBT rights, which not only helps combat prejudice and stigma, it also makes LGBT people feel supported. When advocating for LGBT rights, businesses should be aware of the diversity of LGBT people’s lives, LGBT people’s experiences, and the impact their activities will have on the community.”

### Healthcare

**Juan:** “Trans people can face barriers when it comes to healthcare. Those looking to medically transition must go through a lengthy and complicated referrals process where they have to ‘prove’ they are trans. Trans people with poor relationships with their psychiatrists may have their treatment suspended. People from rural areas often have a much harder time accessing trans-inclusive healthcare. Often, healthcare providers try to deny services to which people are legally entitled. LGBT people also experience discrimination from healthcare professionals. Their bias can lead to misdiagnoses of health issues based on the sexual orientation or gender identity of the patient.”

## LGBT INCLUSION IN THE WORKPLACE

Stonewall's [Global Workplace Equality Index](#) is the definitive benchmarking tool for global LGBT workplace equality. It's a great way to assess your organisation's progress and navigate the challenges of upholding inclusive values locally. The Global Index provides your organisation with a clear and rigorous action plan for your LGBT inclusion work across the globe.

The Index evaluates an organisation's performance across eight areas of employment policy and practice. In line with these areas, in Colombia employers can:

1. Implement explicitly LGBT-inclusive **policies and benefits**, such as anti-discrimination and bullying and harassment policies, transitioning at work policies, and equal partner and family benefits.
2. Carry out comprehensive **all-staff training** on sexual orientation and gender identity.
3. **Engage staff** by setting up local LGBT employee network groups and developing ally programmes.
4. Empower **senior leaders** to advance LGBT inclusion within your organisation and advocate for equality.
5. Assess whether you can **monitor** sexual orientation and gender identity data in order to understand and improve the experiences of LGBT employees.
6. Evaluate your **procurement** practices to ensure LGBT inclusion forms part of the tendering process and your engagement with potential and existing suppliers.
7. Work to understand the **local context** and support **local communities** by partnering with local LGBT groups.
8. Ensure your **mobility** policies account for employees' sexual orientation and gender identity and provide staff travelling to or from Colombia with adequate, LGBT-specific information.



## LEARN FROM STONEWALL'S GLOBAL DIVERSITY CHAMPIONS

### Accenture

In Colombia, sexual orientation and gender identity are expressly included in Accenture's anti-discrimination policy and equal benefits are provided for same-sex partners. Accenture's policies are brought to life through all-staff training sessions on LGBT inclusion in the workplace. Staff are provided with a range of ways to engage with LGBT inclusion and Accenture has both an LGBT network chapter and ally programme in Colombia. The ally programme promotes a 'walk the talk' ethos, providing staff with ways to visibly signify their support for LGBT people and encouraging them to role model respect and inclusion.

Increasing awareness is an essential part of Accenture's LGBT inclusion initiatives. An LGBT committee runs a range of events and activities throughout the year, including training sessions, ally events and updates on LGBT initiatives, as well as celebrating international days focused on the LGBT community. To advance LGBT equality in the wider community, Accenture is a founding member of Pride Connection in Colombia and has a direct relationship with the LGBT Chamber of Commerce, in which they post vacancies to increase LGBT recruitment and share best practice. All staff are also invited to take part in the LGBT national Pride parade to visibly promote equality and support the Colombian LGBT community.





## GET INVOLVED



### THE ANNUAL LGBT CALENDAR

**July** – Bogota Pride March, organised by Mesa de Trabajo LGBTI Bogotá [www.facebook.com/mesaLGBTI](http://www.facebook.com/mesaLGBTI)

Check the event websites for the most up-to-date information on dates.



### FIND LGBT GROUPS AND COMMUNITIES

**Cámara de Comerciantes LGBT de Colombia** – an advisory service for businesses serving the LGBT population [www.cclgbt.co](http://www.cclgbt.co)

**GAAT Foundation** – a national organisation providing support to LGBT people in Colombia and working to advance LGBT equality. [www.fundaciongaat.com](http://www.fundaciongaat.com)

**Colombia Diversa** – a non-governmental organisation working to promote LGBT people's rights, transform people's attitudes about the LGBT community and increase its political impact. [www.colombiadiversa.org](http://www.colombiadiversa.org)

**Liberarte** – counselling for lesbian, gay, bisexual and transgender people. [www.liberarte.co](http://www.liberarte.co)

**Red Somos** – an organisation promoting the rights of young people, women and the LGBT community. [www.redsomos.org](http://www.redsomos.org)



### GET LOCAL LGBT NEWS

**Guia Gay Colombia** – an LGBT guide to Colombia. [www.guiagaycolombia.com](http://www.guiagaycolombia.com)

**Sentiido** – a website providing analysis and opinions relating to sexual diversity. [www.sentiido.com](http://www.sentiido.com)



### NATIONAL HUMAN RIGHTS INSTITUTION

**Defensoria del Pueblo (Ombudsman's Office of Colombia)** – [www.defensoria.gov.co](http://www.defensoria.gov.co)

The Ombudsman's Office of Columbia is the Colombian National Human Rights Institution, where complaints of human rights violations on the grounds of sexual orientation and gender identity can be made.



## STONEWALL'S GLOBAL DIVERSITY CHAMPIONS PROGRAMME WORKS WITH 44 ORGANISATIONS OPERATING IN COLOMBIA.

The **Global Diversity Champions** programme gives employers the tools they need to take a strategic and structured approach to LGBT equality initiatives globally and provides a network to keep them informed of legal changes and implications for their staff wherever they are in the world. Our team of workplace advisors offer tailored one-to-one advice on how to create LGBT-inclusive workplaces globally and members gain exclusive access to our full library of resources offering step-by-step guidance on different areas of LGBT inclusion. If you would like to receive support or want to be featured as a case study in one of our Global Workplace Briefings, contact [memberships@stonewall.org.uk](mailto:memberships@stonewall.org.uk)

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# JAMAICA



Population: 2.8 million



Stonewall Global Diversity Champions: 13



## THE LEGAL LANDSCAPE

Stonewall uses broad legal zoning to group the differing challenges faced by organisations across their global operations.

Jamaica is classified as a Zone 3 country, which means sexual acts between people of the same sex are illegal.

To help put this into context, it is important to note that two further zones exist:

In Zone 1 countries, sexual acts between people of the same sex are legal and clear national employment protections exist on grounds of sexual orientation.

In Zone 2 countries, sexual acts between people of the same sex are legal but no clear national employment protections exist on grounds of sexual orientation.

### FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The rights to **freedom of expression, association and assembly** are protected under Sections 13 (3) (c) and (e) of the Constitution.

There are **no LGBT-specific restrictions or additions** to these rights.

### FAMILY AND RELATIONSHIPS

Anal sex is **illegal** under Sections 76 of the Offences Against the Person Act. This is punishable with up to seven years imprisonment.

**'Acts of gross indecency'** between males are **criminalised** under Section 79 of the Offences against the Person Act. This is punishable with up to two years imprisonment. 'Acts of gross indecency' is generally interpreted as **sexual acts between men**.

**Sexual acts between women** are **not criminalised**.

The **age of consent** for vaginal sex is **16 years** under Section 10 of the Sexual Offences Act. The Act **makes no provisions** as to the **age of consent** for **consensual same-sex sexual acts**.

**Same-sex marriage** is **not legal** because Section 18(2) of the Constitution defines marriage as a union between a man and a woman.

Under Section 18(2) of the Constitution, **a person's sex they were assigned at birth** is used to **determine their gender** for the purposes of marriage.

Same-sex couples **have no legal right to adopt children** under Sections 9 and 10 of the Children (Adoption of) Act.

Trans parenthood is not recognised. **Parenthood on birth certificates** is recorded based on the **parent's sex they were assigned at birth**.

### EQUALITY AND EMPLOYMENT

**Discrimination in employment** on the grounds of sexual orientation and gender identity is **not prohibited**.

Section 13 (3) of the Constitution provides for **equality before the law**. There is **no explicit reference to sexual orientation or gender identity**.

Hate crimes based on sexual orientation and gender identity are **not considered aggravating circumstances** in sentencing.

**Discrimination on the grounds of sexual orientation in public service is prohibited** under the non-binding 2004 Staff Orders. These guidelines have been referred to by courts on several occasions.

### GENDER IDENTITY

Trans people **cannot change their legal gender**.

Trans people can **change their legal name on all identity documents** by deed poll.

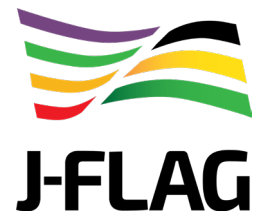
### IMMIGRATION

Same-sex relationships are **not recognised for immigration purposes**.



## A VIEW FROM JAMAICA

Stonewall spoke to **Suelle Anglin**, Associate Director of Marketing, Communications and Engagement at the **Jamaica Forum for Lesbians, All-Sexuals and Gays (J-FLAG)** about the context for LGBT people in Jamaica. J-FLAG is an LGBT organisation working for the equal treatment of the LGBT community in Jamaica through advocacy for legal reform and other community engagement and visibility programmes.



### Everyday life

**Suelle:** “LGBT Jamaicans’ experiences are hugely diverse, with class, race, gender, and religion all shaping this. Middle and upper-class LGBT people might have a completely different experience from marginalised or low-income communities. Gender also impacts visibility. While all LGBT people face discrimination, the fetishization (which is still harmful), of lesbians means they appear less likely to face harmful behaviour than gay and bisexual men and trans people, who are more apprehensive about being visible because of this, especially at work or in mainstream spaces.

Digital environments act as safe spaces for many queer Jamaicans, enabling them to have conversations, partake in activism and practise self-liberation. Differences in people’s experiences can also be seen in online visibility. On social media, you are more likely to see visible, out lesbians than gay men. LGBT people are also visible in the media, but again certain identities are more visible than others. There are openly gay men and women on TV and there are very visible trans people across sectors such as advocacy, activism, art and fashion. Since early 2019, a few popular women in the entertainment industry have publicly identified as bisexual.”

### LGBT groups

**Suelle:** “Few organisations focus solely on LGBT rights in Jamaica, but many groups’ work intersects with LGBT issues. J-FLAG’s priorities, as the foremost LGBT rights organisation in Jamaica, are varied. There is a big focus on political mobilisation and human rights and legal education for the LGBT community. There is also a lot of work on assessing the current legal framework and understanding where advocacy efforts and public tolerance can be increased. J-FLAG is also continuing its efforts around community development and engagement especially in rural spaces, and capacity building regarding workplace inclusion.

Overall, Jamaica is a complex place to live as an LGBT person. However, the community continues to stand resilient even when there are challenges. While there is still a large amount of work to be done for LGBT equality in Jamaica, a lot of progress has happened in the last 20 years. While a vast amount of challenges still exist, LGBT people throughout Jamaica are deciding to wake up every day and live fulfilling lives, and each year the LGBT community continues working to improve the human rights situation here.”

### Travel

**Suelle:** “The best thing to do if you want to come to Jamaica is research the context here. Many LGBT tourists have visited the island and made great memories. If intending to travel to Jamaica, people can reach out to J-FLAG to get an understanding of the culture and get recommendations on safe spaces. Jamaica can seem a very classist society, so foreigners will generally be treated better than locals. Tourism industry figures have made several statements welcoming LGBT tourists, but J-FLAG still encourages everyone

to practice personal safety when travelling here, as you would in any country. There are also tour guides from the LGBT community who can help ensure you experience the island and culture safely such as DudeJa Vacation Club and Kingston Experience Tours.”

### Workplaces

**Suelle:** “The biggest issues in workplaces in Jamaica are discrimination and a lack of policies and procedures protecting LGBT people. Often, colleagues are the source of harassment and discrimination so having policies to combat this is essential. There are high rates of unemployment amongst trans people due to the lack of public education regarding their identities and strictly gendered dress codes.

To support LGBT employees, employers need to enforce policies that explicitly address equal treatment at work. Inclusive practices, language, and respect should be a part of initial training processes, so that people are sensitised to those with different identities from the outset. Employers have a responsibility to make it clear that every member of staff deserves to feel that their workplace is a safe space. Sometimes really small changes, like putting up a rainbow sticker or a poster highlighting the importance of correct pronouns can go a long way toward showing LGBT people are in a supportive environment.

Businesses can do a lot externally too. Visibility is very powerful and is a key way for businesses to support LGBT organisations and promote equal treatment of LGBT people. Businesses can offer support through big actions, like taking part in or supporting Pride, or smaller actions, like displaying rainbow flags during Pride week. Employers including respect and tolerance in their marketing campaigns or running training sessions with staff are also great ways to support LGBT equality.

For example, telecommunications company Digicel released a campaign called ‘Respect Jamaica’ about respecting people regardless of their sexual orientation, amongst other things. It had a massive impact on discussions around LGBT people in Jamaica. If a global brand that is known for being inclusive internationally consulted with civil society groups and implemented a similar campaign in Jamaica it would do wonders for the people and the movement here.”

### Healthcare

**Suelle:** “Despite TransWave Jamaica’s efforts, trans-specific healthcare is unavailable. Many healthcare staff are ignorant about trans identities and stigma persists. Hormone replacement therapy can’t be accessed through the healthcare system and gender affirming surgeries are not covered by health insurance. Some aspects of healthcare are more widely available to LGBT people, but discrimination is still a challenge. LGBT people who can access private healthcare are generally less likely to face discrimination.”

## LGBT INCLUSION IN THE WORKPLACE

Despite the challenging context for LGBT people in Jamaica, there is great scope for employers to contribute to a Jamaican society that supports equality for LGBT people. There are a number of ways that an employer can do this through their programmes and policies – however, to ensure that they develop their practices it is important for them to monitor and evaluate their performance.

Stonewall's [Global Workplace Equality Index](#) has been developed as a key resource for monitoring performance and it is the definitive benchmarking tool for global LGBT workplace equality. It's a great way to assess your organisation's progress and navigate the challenges of upholding inclusive values locally. The Global Index provides your organisation with a clear and rigorous action plan for your LGBT inclusion work across the globe.

The Index evaluates an organisation's performance across eight areas of employment policy and practice. In line with these areas, there are several steps employers can take to create a more inclusive and supportive workplace environment for their LGBT employees that suits the context of Jamaica, while being mindful that LGBT-inclusive activity that is appropriate elsewhere may put LGBT staff in danger in Jamaica. The safety and security of LGBT staff, both from Jamaica and elsewhere, should be paramount at all times and will require careful consideration. Employers should:

1. Implement globally LGBT-inclusive **policies and benefits**, such as anti-discrimination and bullying and harassment policies, transitioning at work policies and equal partner and family benefits.
2. Carry out comprehensive diversity **training**.
3. **Engage staff** by ensuring they can access global ally programmes without exposing themselves to risk.
4. Empower **senior leaders** to advance LGBT inclusion within your organisation and advocate for equality.
5. Evaluate your global **procurement** practices to ensure LGBT inclusion is a key part of the tendering process and your relationship with potential and existing suppliers.
6. Work to **understand the local context and support local communities** by partnering with local LGBT groups.
7. Ensure your **mobility** policies account for employee's sexual orientation and gender identity and provide staff travelling to or from Jamaica with adequate, LGBT-specific information. Be prepared to evacuate staff in emergency situations that affect your LGBT employees.



## LEARN FROM STONEWALL'S GLOBAL DIVERSITY CHAMPIONS

In our experience, sharing case studies from employers operating in-country can be highly informative. However, we were unable to secure a case study that an employer could share publicly. Bearing this in mind, we are keen to work with employers and discuss individually any challenges they face because of the restrictive context in Jamaica. To learn about the steps employers are taking to support their LGBT staff in other zone three countries, please refer to Stonewall's [Global Workplace Briefings](#) on Uganda, Nigeria, Kenya and Singapore.

If you operate in Jamaica and are taking steps, big or small, to advance LGBT inclusion and would like to be profiled as a best practice case study, please contact [global.programmes@stonewall.org.uk](mailto:global.programmes@stonewall.org.uk)



## GET INVOLVED



### THE ANNUAL LGBT CALENDAR

**August** – Pride Week, organised by J-FLAG [www.jflag.org](http://www.jflag.org)

**October** – Montego Bay Pride [www.facebook.com/MoBayPride/](http://www.facebook.com/MoBayPride/)

Check the event websites for the most up-to-date information on dates.



### FIND LGBT GROUPS AND COMMUNITIES

**TransWave Jamaica** – a trans-led organisation seeking to make society safe and inclusive for trans people.  
[www.transwaveja.org](http://www.transwaveja.org)

**Women's Empowerment for Change (WE-Change)** – a community-based organisation working to advocate for lesbian, bisexual and trans women. [www.wechangeja.org](http://www.wechangeja.org)

**J-FLAG** – a non-governmental organisation working to advance the human rights, livelihoods and well-being of LGBT people in Jamaica. [www.jflag.org](http://www.jflag.org)



## STONEWALL'S GLOBAL DIVERSITY CHAMPIONS PROGRAMME WORKS WITH 13 ORGANISATIONS OPERATING IN JAMAICA.

The *Global Diversity Champions* programme gives you the tools you need to take a strategic and structured approach to LGBT equality initiatives globally and provides a network to keep you informed of legal changes and implications for your staff wherever they are in the world. Our team of workplace advisors offers tailored one-to-one advice on how to create LGBT-inclusive workplaces globally and members gain exclusive access to our full library of resources offering step-by-step guidance on different areas of LGBT inclusion. If you would like to receive support or want to be featured as a case study in one of our Global Workplace Briefings, contact [memberships@stonewall.org.uk](mailto:memberships@stonewall.org.uk)

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# MEXICO



Population: 124+ million



Stonewall Global Diversity Champions: 46



## THE LEGAL LANDSCAPE

In Stonewall's **Global Workplace Equality Index**, broad legal zoning is used to group the differing challenges faced by organisations across their global operations.

Mexico is classified as a Zone 1 country, which means sexual acts between people of the same sex are legal and clear national employment protections exist for lesbian, gay, and bi people.

Two further zones exist. In Zone 2 countries, sexual acts between people of the same sex are legal but no clear national employment protections exist on grounds of sexual orientation. In Zone 3 countries, sexual acts between people of the same sex are illegal.

### FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The Constitution (1917) protects the rights to **freedom of expression and peaceful association and assembly** for legal purposes for every individual.

**Any act** intended to prevent the **participation in associations, or any limits to the freedom of expression** will be **considered a discriminatory act** (Article 9 of the Federal Law to Prevent and Eliminate Discrimination 2003).

There are **no LGBT-specific additions or restrictions** to these rights.

### FAMILY AND RELATIONSHIPS

**Sexual acts** between people of the same sex are **not criminalised** and are therefore legal.

There is an **equal age of consent** for sexual acts regardless of gender under Article 261 of the Federal Criminal Code. This age can vary between States.

**Marriage** between same-sex couples is **legal** and regulated by the Civil Codes of **10 States**.

In 2005, the **Supreme Court** ruled that the Civil Codes of those States which say that marriage can only occur between a man and a woman, are unconstitutional. This **obliges every State to legally recognise marriage** between same-sex couples.

At a federal level, civil partnerships are not recognised. At the state level, **six States do recognise same-sex registered partnerships**. Attached rights are similar to those of marriages, but not the same.

The adoption of children by same-sex couples is only regulated in three States. Notwithstanding, in 2011 the Supreme Court of Justice declared **constitutional the right** of same-sex married couples **to adopt**.

In 2017, jurisprudential criteria **confirmed the right of same-sex married couples to adopt** and **includes** the possibility of the use of **scientific methods** for procreation.

### EQUALITY AND EMPLOYMENT

Article 1 of the Constitution **prohibits discrimination based on sexual orientation**.

Article 2, 5 and 56 of the Mexican Federal Labour Law (1970) **prohibit employment discrimination based on gender or sexual orientation**.

There is no prohibition of discrimination that makes explicit reference to gender identity but **trans people are protected** under the general anti-discrimination provision.

Under the Criminal Code of Mexico City (2002), hate crimes committed based on sexual **orientation and/or gender identity** are **considered an aggravating circumstance**.

Under the Federal Criminal Code, **those who deny** the provision of a **service, deny or restrict labour and/ or educational rights due to reasons of sexual preference** are **punished with imprisonment or community work and a fine**. The penalty is increased if the individual committing the crime is a public officer or if there is an existing labour relationship with the victim.

### GENDER IDENTITY

On a **federal level, no gender recognition** exists.

Article 135 Bis (2008) of the Civil Code of **Mexico City** (1928), Article 36 of the Civil Code of the State of **Nayarit**, and Article 117 of the Family Code of the State of **Michoacán** are the **only legal provisions regulating gender recognition** in Mexico.

The person must be 18 years of age and present the change request before the Registry Office of Mexico City, Nayarit or Michoacán. **No surgical intervention or medical diagnosis** is needed. The legal gender can only be changed to female or male.

### IMMIGRATION

Pursuant to Article 55 (2014) of the Immigration Law (2011), **dependent visas are available to partners of people working** in the country. The applicable legal framework does **not specify** if these are **available for same-sex partners**.



## A VIEW FROM MEXICO

**César Cassas Ferrer** is President and Founder of the Federación Mexicana de Empresarios LGBT (Mexican Federation of LGBT Business). The organisation seeks to promote economic growth enterprises, businesspeople and entrepreneurs that are either LGBT or LGBT-inclusive.



### What are some of the remaining legal challenges for LGBT people in Mexico?

A lot of progress has been made for the legal equality of LGBT people in Mexico. However, more needs to be done for full legal equality. For example, equal marriage exists but not on a national level.

In May 2016, the President of Mexico, Enrique Peña Nieto, proposed to change the Constitution and national civil code to legalise same-sex marriage. This followed a ruling by the Supreme Court stating that it was unconstitutional for states to bar same-sex couples from getting married. However, no tangible actions have yet followed the President's announcement. It is worrying that some religious groups are now protesting with the aim of limiting the rights of LGBT people.

### What is the lived situation for LGBT people in Mexico?

The lived reality for lesbian, gay and bi people differs greatly in different parts of Mexico. In Mexico City and some other big cities there is a higher level of acceptance and there are many LGBT community spaces and events. However, in smaller cities people are often less familiar with, and less educated about, LGBT issues, which makes it harder for LGBT people to come out. Even though laws exist to protect LGBT people, they aren't always applied consistently in rural areas.

Trans people face high levels of discrimination throughout the country. Violent hate crimes are regularly committed against trans people, and often end in murder. Many trans people are also expelled from their family homes at a young age, cannot complete school and face severe barriers when trying to access the job market.

### What are the barriers LGBT people face in the workplace?

Again, this will depend very much on whether the individual works in a big or small city. Smaller towns are often less accepting, and many LGBT people hide their sexual orientation and gender identity because they fear that it will be detrimental to their career.

The workplace also differs for LGBT people depending on whether they work for a multinational organisation or local employer. Many multinational organisations have diversity and inclusion initiatives that promote LGBT equality in the workplace. When such initiatives are absent, LGBT employees may not dare to be out to their colleagues and employers.

### What can employers do to support their LGBT employees and the LGBT movement in Mexico?

Employers should audit their policies and benefits and make sure that these are inclusive of LGBT people. For example, harassment of and discrimination against LGBT employees should be expressly banned. Benefits, such as parental leave, should be available regardless of the gender of the employee or their partner. Businesses can also engage their employees through LGBT and allies network groups.

Employers should engage with LGBT organisations to learn from their expertise and to offer support. Through engaging with other businesses, employers can drive best practice in LGBT diversity and inclusion throughout the country.



## LGBT INCLUSION IN THE WORKPLACE

### THE FOUNDATIONS

There are several steps employers can take to start creating a supportive workplace environment for their LGBT employees in Mexico:

- ✓ **Consult local LGBT organisations to understand the local context for LGBT people**
- ✓ **Introduce explicitly LGBT-inclusive anti-discrimination and bullying and harassment policies**
- ✓ **Train HR staff and promote inclusive policies**
- ✓ **Carry out LGBT-inclusive diversity training**
- ✓ **Encourage senior managers to promote their commitment to LGBT inclusion and equality**

### NEXT STEPS

Once a foundation has been built, there are further steps employers can take to bring about positive change for LGBT people. For example:

- ✓ **Audit and extend equal benefits to LGBT partners**
- ✓ **Establish employee engagement mechanisms like LGBT networks and allies programmes**
- ✓ **Carry out LGBT awareness-raising events**
- ✓ **Partner with local LGBT groups to advance LGBT equality beyond the workplace**
- ✓ **Work with suppliers and partners to advance LGBT workplace equality**

Employers can improve their initiatives by participating in Stonewall's Global Workplace Equality Index - a free benchmarking tool offering a clear roadmap to LGBT inclusion in the workplace. [www.stonewall.org.uk/gwei](http://www.stonewall.org.uk/gwei)



## LEARN FROM STONEWALL'S GLOBAL DIVERSITY CHAMPIONS

**Baker McKenzie** Baker McKenzie's anti-discrimination policy in Mexico bans discrimination based on sexual orientation and gender identity. The policy applies during recruitment as well as the full employment cycle. Awareness sessions are carried out to talk about the importance of acceptance and zero tolerance of any type of discrimination. These sessions are mainly focused on LGBT inclusion and are aimed at creating engaged and supportive teams. In 2012, all employee benefits were extended to cover same-sex couples. Since then, partners of employees receive the same benefits regardless of sex. Baker McKenzie's Diversity and Inclusion committee works to promote an open-minded culture where every LGBT employee feels welcomed. As part of the committee's work, all employees were encouraged to participate in unconscious bias training. The training aimed to stop biased behaviour against LGBT people and other marginalised groups inside and outside the workplace. As part of D&I initiatives in Mexico, Baker McKenzie is now part of Pride Connection Mexico. This is a network of companies that share and promote best practice regarding LGBT+ workplace inclusion. Baker McKenzie participate in their monthly sessions and events and provide pro bono support.

**IBM** More than 30 years ago, IBM included sexual orientation as part of its Equal Opportunity policy and included gender identity and expression in 2002. In Mexico, IBM has provided equal partner benefits to its employees in same-sex relationships since 2004. IBM Mexico engages its LGBT employees through a business resource group (BRG), EAGLE. The BRG conducts specific events to recruit straight allies and conducts straight ally certification training. As an example, IBM offers facilitated sessions on LGBT inclusion to help non-LGBT employees better understand issues their LGBT colleagues face in the workplace. EAGLE also runs a reverse mentoring program, in which LGBT employees act as mentors and line managers as mentees. IBM Mexico's leadership team participates in unconscious bias training. Each June is LGBT Pride month at IBM Mexico, during which a series of awareness-raising events are organised. The LGBT network supports these events, for instance by providing rainbow ally and LGBT lanyards for employees to wear in the offices. IBM Mexico is a founding member of the Mexican National Lesbian and Gay Chamber of Commerce and works actively with this organisation to secure supplier diversity and to share best practices with clients and business partners. IBM is also a founding member of PRIDE CONNECTION, a group that aims to share LGBT-inclusion practices among member companies and hosts networking events for our employees.





## GET INVOLVED



### THE ANNUAL LGBT CALENDAR

**March** – Premio Maguey Over the Rainbow Film Festival. [www.figc.mx/maguey](http://www.figc.mx/maguey)

**June** – Guadalajara Pride. [www.guadalajarapride.com](http://www.guadalajarapride.com)

**June** – Mexico City Pride / Marcha del Orgullo LGBT de la Ciudad de México.  
[www.facebook.com/MarchaLGBTCDMX](http://www.facebook.com/MarchaLGBTCDMX)

Check the events websites for the most up-to-date information on dates.



### FIND LGBT GROUPS AND COMMUNITIES

**Centro Apoyo Identidad de Trans** – a Mexico City-based trans rights organisation working to influence policy and defend the human rights of trans people with a focus on the areas of health, employment and social justice.  
[www.centroapoyoidentidadestrans.blogspot.com](http://www.centroapoyoidentidadestrans.blogspot.com)

**Centro Comunitario de Atención a la Diversidad Sexual** – a community centre in Mexico City, promoting the rights of LGBT people.  
[www.facebook.com/centro.comunitario.lgbt](http://www.facebook.com/centro.comunitario.lgbt)

**Familias por la Diversidad** – an organisation for parents of LGBT children working to advance acceptance of LGBT people.  
[www.familiasporladiversidad.org](http://www.familiasporladiversidad.org)

**Federación Mexicana de Empresarios LGBT** – an organisation promoting economic growth enterprises, businesspeople and entrepreneurs that are either LGBT or LGBTinclusive. [www.fmelgbt.mx](http://www.fmelgbt.mx)



## STONEWALL'S GLOBAL DIVERSITY CHAMPIONS PROGRAMME WORKS WITH 46 ORGANISATIONS OPERATING IN MEXICO.

Our team of workplace advisors offers tailored one-to-one advice on how to create LGBT-inclusive workplaces globally. If you would like to receive support or want to be featured as a case study in one of our Global Workplace Briefings, contact Stonewall.

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C R E E L

GARCÍA-CUÉLLAR  
AIZA Y ENRÍQUEZ

# UNITED STATES OF AMERICA



Population: **326+** million people



Stonewall Diversity Champions: **76**



## THE LEGAL LANDSCAPE

In Stonewall's **Global Workplace Equality Index**, broad legal zoning is used to group the differing challenges faced by organisations across their global operations.

The US is classified as a Zone 2 country, which means sexual acts between people of the same sex are legal but no clear national employment protections exist.

Two further zones exist. In Zone 1 countries, sexual acts between people of the same sex are legal and clear national employment protections exist on grounds of sexual orientation. In Zone 3 countries sexual acts between people of the same sex are illegal.

### FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The First Amendment to the Constitution explicitly protects **freedom of speech and peaceful assembly**.

The Supreme Court ruled that the Fourteenth Amendment to the Constitution should be interpreted to protect the right to **freedom of association** (N.A.A.C.P. v. Alabama (1958)).

There are **no LGBT-specific restrictions or additions** to these rights.

### FAMILY AND SAME-SEX RELATIONSHIPS

**Sexual acts** between people of the same sex are **legal** (Supreme Court ruling Lawrence v Texas (2003)).

There is an **equal age of consent** for sexual acts regardless of sexual orientation. The age varies from 16 to 18 years depending on the state.

**Certain states** that have **age of consent exceptions** for younger people who are close in age **only apply** these exceptions to **different-sex partners**. Texas is an example.

**Same-sex marriage** is **legal** (Obergefell v. Hodges (2015)).

**Some states** additionally recognise same-sex relationships through **civil unions** or **domestic partnerships**.

People have **equal rights to joint adoption and second parent adoption** regardless of sexual orientation (Obergefell v. Hodges (2015)).

The Supreme Court ruled that **same-sex couples** must be **treated the same** as opposite-sex couples on their **child's birth certificate** (Pavan v. Smith (2017)).

### EQUALITY AND EMPLOYMENT

**Employment discrimination against LGBT** people is **not legally prohibited** on a **federal level**.

**Certain states and cities** prohibit discrimination based on **sexual orientation** and **gender identity** in the workplace and beyond. For example, this is the case in California.

The Fourteenth Amendment to the Constitution protects the right to **equality before the law**, but it does not explicitly refer to sexual orientation and gender identity.

**Offences based on actual or perceived sexual orientation or gender identity** are **punishable as hate crimes** and may be subject to harsher penalties under 18 U.S.C. § 249.

**North Carolina's** House Bill 2 **restricts** cities and counties in North Carolina **from protecting against employment discrimination** based on **sexual orientation** and **gender identity**.

### GENDER IDENTITY

**Trans people can change** their **legal gender** on identification documents. However, some states do not allow the gender to be changed on birth certificates.

**Changing the legal gender** marker on a **US passport requires medical certification** of gender transition by a licensed physician under Dept. of State, 7 Foreign Affairs Manual (FAM) § 1300 App. M.

**Requirements for legal gender change on other identification documents** vary by state and often require sex-reassignment surgery.

**Trans people can change** their **legal name on all identification documents**, but the change **must be approved by a court**. Some states also require the applicant to publish the name change in a local newspaper. For example, this is the case in Alabama.

### IMMIGRATION

**Dependant visas** are **available to married spouses** of people working in the country.

Those who can show that a return to their home country puts them at **risk of serious harm because** they are **LGBT can seek asylum** on these grounds under 8 U.S.C.S. § 1158.



## A VIEW FROM THE USA

**The Human Rights Campaign** (HRC) is the United States' largest civil rights organisation working to achieve LGBTQ equality. HRC represents more than three million members and supporters across the country. Members from HRC's communications, global, healthcare, HIV & health equity, legal and workplace programs spoke to Stonewall to tell us about the situation for LGBTQ people in the US.



### Everyday life

While the US has nationwide marriage equality and an inclusive federal hate crimes law, the experiences of LGBTQ people in the US vary dramatically. This can be based on where they live as well as factors such as race, income and educational attainment. Discrimination in employment, housing, education and services remains a significant problem. The federal agencies responsible for enforcing employment non-discrimination laws have determined that LGBTQ people are protected under existing federal laws. However, federal courts have been inconsistent in reaching the same interpretation.

Beginning in 2017, the Trump-Pence administration has been working to overturn recent progress on equality by fighting to eliminate and weaken existing legal protections through the courts. It has further issued instructions to make sweeping changes in the American regulatory system.

At the state and municipal level, both legal protections and oppressive laws exist, depending on the state. 19 states plus the District of Columbia have explicit non-discrimination protections in employment, housing and public accommodations for both sexual orientation and gender identity. These laws deter discriminatory behaviour but enforcement is inconsistent. Oppressive laws typically allow discriminatory behaviour and create a system in which LGBTQ people have no recourse when they are harmed.

All legal protections that do exist help support social acceptance. In turn growing social acceptance helps create more legal changes. Urban areas are generally more accepting of LGBTQ people. And while LGBTQ people have increasing rates of visibility in the media, they are often less visible in their home communities.

### LGBTQ groups and advocacy

The LGBTQ movement in the US is diverse and vibrant. The movement is led by thousands of advocacy organisations and direct service providers at the local, state and federal levels. In this environment, allies have played a critical role in standing up for equality. More than 60 per cent of Americans currently support same-sex marriage and different polls have shown that majorities support trans rights, such as gender-identity inclusive anti-discrimination legislation. Despite growing acceptance and progress, challenges remain. Individuals and organisations opposing LGBTQ rights remain better funded and persistent in trying to halt, undermine and roll back progress.

### Workplace

US federal laws do not consistently afford workplace protections based on sexual orientation or gender identity. LGBTQ jobseekers are left vulnerable to discrimination. Trans people experience rates of unemployment and under-employment up to four times that of cisgender peers. LGBTQ people must utilise resources such as the HRC Foundation's Corporate Equality Index to see whether an individual employer has enacted its own LGBTQ protections.

Private sector employers have led the way on comprehensive policies, benefits and practices for LGBTQ workers and their families. By adding specific sexual orientation and gender identity protections into existing non-discrimination policies, employers can mitigate the patchwork of state laws leaving significant gaps in LGBTQ workplace protections. In addition, businesses can ensure LGBTQ workers and their eligible family members are covered under employer-provided health, leave and financial benefits. Employers can support inclusive environments and leadership opportunities by resourcing LGBTQ and allied employee resource groups. They can also invest in training and education on issues of LGBTQ diversity.

Businesses can engage the external LGBTQ community in the US through public policy advocacy, supplier diversity programmes, sponsorship and philanthropy of LGBTQ organisations. Corporate executives can leverage their unique platforms to further pro-LGBTQ public policy and combat anti-LGBTQ laws at the federal and state levels. In addition, businesses can integrate diverse LGBTQ content into marketing and promotional materials as well as creative content that promotes inclusivity.

### Healthcare

Healthcare is gradually becoming more LGBTQ inclusive in the US. Some states and many healthcare providers and facilities offer patient non-discrimination protections for LGBTQ patients. More and more healthcare providers and facilities are offering employee training on LGBTQ cultural competency and inclusion.

People in the US access healthcare insurance through either their employers or a variety of governmental programmes such as Medicare and Medicaid. This means a person's ability to access LGBTQ-inclusive healthcare services, such as transition-related coverage or HIV prevention (PrEP), depends on the type of health insurance they have. It also depends on the level of training and experience of their provider and healthcare facility. Larger urban areas are more likely to have inclusive services. However, social determinants such as stigma, discrimination, poverty and homelessness prevent many LGBTQ individuals from accessing services where they exist.

## LGBT INCLUSION IN THE WORKPLACE

### THE FOUNDATIONS

There are several steps employers can take to start creating a supportive workplace environment for their LGBT employees in the US:

- ✓ **Consult local LGBT organisations to understand the local context for LGBT people**
- ✓ **Introduce explicitly LGBT-inclusive anti-discrimination and bullying and harassment policies**
- ✓ **Train HR staff and promote inclusive policies**
- ✓ **Carry out LGBT-inclusive diversity training**
- ✓ **Encourage senior managers to promote their commitment to LGBT inclusion and equality**

### NEXT STEPS

Once a foundation has been built, there are further steps employers can take to bring about positive change for LGBT people. For example:

- ✓ **Audit and extend partner benefits to same-sex partners**
- ✓ **Establish employee engagement mechanisms like LGBT networks and allies programmes**
- ✓ **Carry out LGBT awareness-raising events**
- ✓ **Partner with local LGBT groups to advance LGBT equality beyond the workplace**
- ✓ **Work with suppliers and partners to advance LGBT workplace equality**

Employers can improve their initiatives by participating in Stonewall's Global Workplace Equality Index - a free benchmarking tool offering a clear roadmap to LGBT inclusion in the workplace. [www.stonewall.org/gwei](http://www.stonewall.org/gwei)



## LEARN FROM STONEWALL'S GLOBAL DIVERSITY CHAMPIONS

**Google** Google uses its position as a leading technology company to positively influence the lives and rights of LGBT people across the US. Google collaborates closely with LGBT advocacy groups like the HRC to learn about and understand the issues affecting LGBT people in the country. As a result, Google has utilised its power to advocate for legal changes. For example, in support for same-sex marriage, Google signed an open letter to the US government as well as a statement to the US Supreme Court. Google also uses its media platforms to change hearts and minds. This includes YouTube campaigns to amplify the voices of LGBT people and the creation of LGBT-themed Google Doodles.

**Citi** Citi is committed to creating equal and inclusive workplaces for its LGBT employees and its policies build the foundation for this. Citi's US anti-discrimination policies expressly ban discrimination and harassment based on sexual orientation and gender identity. Citi also offers equal partner benefits to same-sex and different-sex couples in the US. A transitioning at work policy ensures that managers and HR can support trans employees who are transitioning. Additionally, trans-specific health benefits are included under Citi's healthcare scheme for employees. As part of its approach to increasing diversity, Citi has a Pride Affinity Steering Committee co-chaired by senior leaders to help provide accountability for LGBT diversity outcomes. The Affinity Steering Committee oversees all aspects of Citi's LGBT workplace equality, including the 14 local LGBT employee network chapters in the US, with around 2,700 members. These are open to LGBT people and allies. The network chapters are initiated and led by employees and offer professional development, mentoring and networking. Many of the network chapters also support LGBT organisations. For example, the local Pride chapter in New York City has collaborated with SAGE, an organisation focused on supporting older LGBT people. In addition to supporting SAGE's mission through volunteering, Citi Community Development has supported SAGE's efforts to expand the amount of affordable housing for older LGBT people, and has provided financial education support. Citi also runs initiatives to train staff on LGBT topics. For example, in 2018 an LGBT inclusion education series focused on allyship and education on global LGBT issues to help raise employee awareness. An Ally 101 session, led by the organisation PFLAG Straight for Equality, was introduced by our two Pride Affinity co-leads and focused on US-specific data, information, ally programming and opportunities. Citi has also shown its support for LGBT equality in the US by signing amicus briefs relating to key cases before the Supreme Court.



## GET INVOLVED



### THE ANNUAL LGBT CALENDAR

**June** – New York Pride. [www.nycpride.org](http://www.nycpride.org)

**June** – San Francisco Pride. [www.sfpride.org](http://www.sfpride.org)

Check the events websites for the most up-to-date information on dates.

**October** – Out and Equal Yearly Workplace Summit. [www.outandequal.org/event/workplacesummit/](http://www.outandequal.org/event/workplacesummit/)

**All year** – Find Prides across the country: [www.gaypridecalendar.com](http://www.gaypridecalendar.com)



### FIND LGBT GROUPS AND COMMUNITIES

**The National Center for Lesbian Rights** – an organisation working to advance LGBT rights through litigation, legislation, policy and public education. [www.nclrights.org](http://www.nclrights.org)

**The National Center for Transgender Equality** – an organisation focusing on social justice advocacy for trans people. [www.transequality.org](http://www.transequality.org)

**The National LGBTQ Task Force** – an LGBTQ advocacy group focused on training and mobilising activists across the country. [www.thetaskforce.org](http://www.thetaskforce.org)

**Lambda Legal** - a national organisation working for full recognition of civil rights of LGBT people and everyone living with HIV through litigation, education and public policy work. The group's efforts include workplace protections for LGBT people. [www.lambdalegal.org](http://www.lambdalegal.org)

**Gay, Lesbian & Straight Educators Network (GLSEN)** – a network working to create safe and affirming schools for all, regardless of sexual orientation, gender identity and gender expression. [www.glsen.org](http://www.glsen.org)

**Human Rights Campaign (HRC)** - one of United States' largest civil rights organisations working to achieve LGBTQ equality. [www.hrc.org](http://www.hrc.org)

**Out & Equal Workplace Advocates** – an organisation working to achieve LGBT workplace equality in partnership with businesses and government agencies. [www.outandequal.org](http://www.outandequal.org)

A directory of LGBTQ professional and student associations can be found here: [www.hrc.org/resources/lgbt-professional-and-student-associations](http://www.hrc.org/resources/lgbt-professional-and-student-associations)

The above is a small sample of a variety of national LGBT groups. Many more groups exist on national level and state levels.



### GET LOCAL LGBT UPDATES

**Advocate** – an online and printed LGBT magazine. [www.advocate.com](http://www.advocate.com)

**Curve** – a magazine for bi women and lesbians. [www.curvemag.com](http://www.curvemag.com)

**Metrosource** – a national publication on popular culture from an LGBT perspective. [www.metrosource.com](http://www.metrosource.com)

**Out** – an LGBTQ fashion and lifestyle magazine. [www.out.com](http://www.out.com)

**San Francisco Bay Times** – an LGBTQ magazine. [www.sfbaytimes.com](http://www.sfbaytimes.com)

The above is a small sample of a variety of LGBT magazines.



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Every effort has been made to ensure that the information contained in this Global Workplace Briefing is correct as of February 2018. Introducing any new initiative requires careful consideration and the safety of staff should always be of paramount importance. This overview is for guidance purposes only and does not constitute, nor should it be interpreted as a substitute for, detailed legal advice. If you have any specific legal concerns, always consult with local legal experts. Stonewall Equality Ltd, Registered Charity No 1101255 (England and Wales) and SC039681 (Scotland)