

The background of the slide is a blurred office scene. In the foreground, a laptop is open on a desk. In the background, several people are visible, some standing and some sitting, in a bright, modern office environment with large windows.

Best Practices for Building a LGBT-Inclusive Workplace

Littler
Employment & Labor Law Solutions Worldwide™

The Business Case for Inclusion

- Improves job satisfaction and employee morale
- Corporate reputation for inclusion
- Competitive advantage in attracting and retaining talent
- May be required in light of changing legal requirements



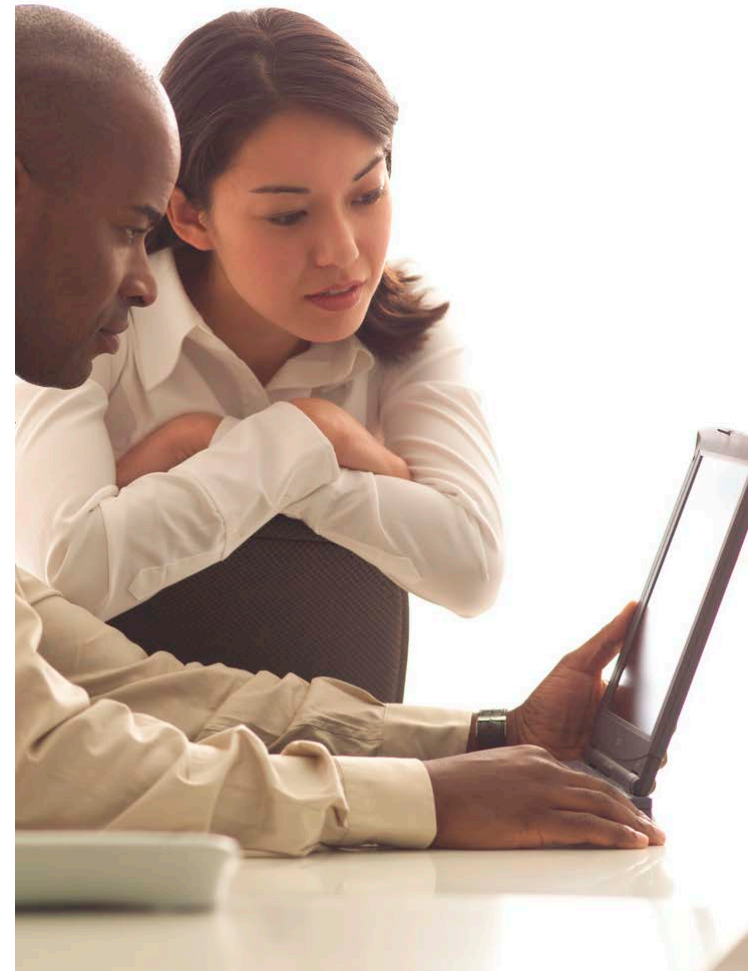
Best Practices

- **Identify organizational issues that affect LGBT employees**
- **Review and update company policies**
 - EEO statement
 - Anti-harassment policy
 - Code of Conduct
 - Dress and Grooming policies
 - Other HR policies and procedures



Best Practices

- **Review company's training and make sure LGBT issues are covered**
 - Harassment and discrimination training
 - Diversity training
- **Communicate policies to employees**
- **Consider transition guidelines for transgender employees**



Best Practices

- **Respect and ensure employee privacy**
 - Treat LGBT issues as confidential
 - Disclose information on need-to-know basis
- **Evaluate benefits offered to employees and make sure to include LGBT employees**
 - Health care coverage
 - Leaves of absence
 - Disability-related benefits
 - Domestic partner and same sex spousal benefits

Balancing Other Concerns

- Religious concerns about LGBT issues
- versus*
- The need to prevent inappropriate workplace behavior



A Company's Sample Approach to LGBT Work Environment Concerns

■ Ensure Appropriate Policies

- Company elects to include sexual orientation and gender identity as its non-discrimination standard in every domestic state, even in locales that do not protect those characteristics by law.

- Non-Discrimination

“Company provides equal employment opportunity to everyone without regard to age, race, sex, gender identity, color, religion, national origin, sexual orientation, citizenship status, disability, or covered veteran status.”

Company's Approach to LGBT Work Environment Concerns

- **Ensure Appropriate Policies**

- Anti-Harassment (including retaliation)

“Company does not tolerate discrimination based on protected characteristics. This includes unlawful harassment and retaliation. Protected characteristics include age, race, sex, gender identity, color, religion, national origin, sexual orientation, citizenship status, disability or covered veteran status.”



Company's Approach to LGBT Work Environment Concerns

- **Ensure Appropriate Policies**
 - Transgender Employees
 - Since 2000, Company has maintained workplace guidelines to assist employees who are transitioning gender.
 - Addressing contract and quasi-contract claims



Company's Approach to LGBT Work Environment Concerns

- The following information does not constitute an employee handbook or an employment contract between the Company and you, nor does it guarantee employment or future amount or level of compensation, benefits and/or privileges for any period of time or under any particular terms or conditions. The Company reserves the right in its sole discretion to suspend, amend or terminate the policies, programs, and/or plans described herein, or any part thereof, for any reason at any time. In the event of a conflict between the information contained in this on-line tool and the provisions contained in any policies, programs, or plan documents, the applicable policies, programs, or plan documents shall control in all cases. Also, if there is a conflict with the provisions contained in any applicable collective bargaining agreement (or insurance policy for fully insured benefits), then in such event that CBA (or insurance policy) shall govern with respect to employees covered by such agreement/insured policy. Subject to any applicable CBAs, all employment with the Company or its subsidiaries is considered "at will", meaning that either the employee or the Company may terminate the relationship at any time, for any reason.

Company's Approach to LGBT Work Environment Concerns

- **Ensure appropriate work environment investigations and appropriate action**
 - Multiple avenues for employees to report concerns
 - Trained experts to conduct prompt and thorough investigations
 - Undertake appropriate remedial and preventative action
 - Confirm non-retaliation obligations



Company's Approach to LGBT Work Environment Concerns

- **Ensure appropriate work environment investigations and appropriate action**
 - Behavior that violates the Company's Work Environment Policy, even if intended as a joke, is absolutely prohibited and will be grounds for severe corrective action, up to and including termination of employment. This includes, but is not limited to, threatening, intimidating, interfering with, or abusive, demeaning, or violent behavior toward, another employee, contractor, customer, or vendor, while either on or off duty. Behavior that is also hate-related will result in immediate termination of employment, regardless of length of service and prior employment record.

Company's Approach to LGBT Work Environment Concerns

- **Ensure appropriate work environment investigations and appropriate action**
 - Company does not tolerate hate-related behavior, even if it was intended as a joke. Hate-related behavior will result in immediate termination of employment, regardless of length of service and prior employment record.
 - Hate-related behavior is any action or statement that suggests hatred for or hostility toward a person or group because of their race, sex, sexual orientation, religion, or other protected characteristic. This includes, but is in no way limited to, bigoted slurs, drawings, and symbols such as a hangman's noose, a swastika, or graffiti.

Company's Approach to LGBT Work Environment Concerns

■ Diversity and Employee Resource Groups

- AMR Diversity Advisory Council
- 40+
- Abilities Resource Group
- African American
- Asian/Pacific Islander
- Caribbean
- Christian
- Generation Now
- GLEAM - Gay, Lesbian, Bisexual and Transgender
- Hispanic/Latin
- Indian
- Jewish
- Muslim
- Native American
- Parents At Work
- Veteran Military
- Women in Aviation



Company's Approach to LGBT Work Environment Concerns

■ Diversity and Employee Resource Groups

– Gay, Lesbian, Bisexual and Transgender Groups

- Advocates for gay, lesbian, bisexual and transgendered employee concerns in the workplace
- Liaison between employees, management and community groups
- Helps to identify and maximize opportunities in the marketplace
- Promotes a sense of community among our members, and sponsor educational and cultural programs on issues of interest to our constituents

Thank
You!



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