

# “Inclusion of LGBT community at Workplace in India”

**Author: Dr. Tejashree Deshmukh**

Dean-Academics

PTVA's Institute of Management

Chitrakar Ketkar Marg,

Vile Parle (East),

Mumbai – 400 057.

## **Abstract:**

On September 6, 2018, Supreme Court of India in its landmark judgement decriminalized Section 377 of Indian Penal Code, allowing sexual orientation or relationship between two consenting adults of the same gender in private. It upheld the basic right to live and work with dignity irrespective of sexual orientation and/or preferences. This judgment has a long-term impact on the workplace scenario in India, as it insists on equal opportunity and recognition to the employees irrespective of their sexual orientation and/or preferences. This paper aims to understand the way LGBT community is looked upon and treated at the workplace in India, issues faced by the members of this community at workplace and ways to get them into the mainstream Indian workplace.

**Key words: LGBT, workplace, inclusion, sexual orientation, sexual preferences.**

## **Introduction:**

Indians are known to show their homophobic tendencies for decades together. Being a part of LGBT (Lesbian, Gay, Bi-sexual, Transgender) community has almost always been considered a social stigma. Even the immediate families of the members of this community most often don't support them emotionally as well as socially. Their plight at the workplace has been still worse and till recently they were looked down upon and teased and harassed at the workplace in India. There was a lot of discrimination taking place in corporate India with respect to LGBT community. However, the landmark judgement by the Hon'ble Supreme Court of India on September 6, 2018 forced the Indian organizations to adopt a different view and perspective about LGBT community and their rights at the workplace, by decriminalizing Section 377 of Indian Penal Code. It de-criminalized sexual orientation and/or relationship between two consenting adults of the same gender in private. It strongly upheld the fundamental right to live and work with dignity of such adults. This landmark judgment will be having a long-term impact on corporate India, as earlier even the organizations which wanted to support LGBT inclusion at their place, were wary of regulation issues.

## **General Workplace Scenario for LGBT community at Workplace in India:**

Though the judiciary now supports LGBT by decriminalizing Section 377, acceptance of this community by the society, is still a distant dream. Still the so called “straight individual” does not show the respect and equality towards these people by their words and actions. And role of corporate India in bringing this change, is going to be vital.

TimesJobs survey 2018 highlighted the general attitude at the workplace in India. Almost 57% of the people surveyed said that their organizations don't openly hire LGBTQ candidates. More than 55% of the participants were of the opinion that these people experience bias at their workplace, which include bias over gender, ethnicity and sexual orientation.

A research conducted by the Indian Institute of Management, Ahmedabad in association with BD Foundation in 2015 titled as “Inclusion in India Inc”, showed that only 2% of the organizations surveyed by them were comfortable even about speaking on the LGBT inclusion issues at workplace. 98% of the companies were not taking any steps to make the workplace LGBT inclusive.

MINGLE(Mission for Indian Gay and Lesbian Empowerment ) conducted a survey of 100 Indian LGBT employees in 2016 which led to conclusion that 40 percent of these employees were harassed at workplace and most of the companies did not have LGBT workplace protection policies in place.

Though Indian organizations are increasingly taking steps towards workplace diversity and inclusion, their efforts are not supported by the employees wholeheartedly. Even when the management is supportive of LGBT community, these people continue to get teased and bullied by other employees. Many organizations today have formal policies that intend to stop such discrimination and harassment of LGBT members and few also have a dedicated department or diversity officer to drive such change. The primary role of such diversity officers is to create and maintain a safe and respectful workplace for all employees irrespective of their sexual orientation and/or preference so that it leads to a work environment that allows every employee to bring his/her whole and the best self to the organization. However, the sad part is that many times the diversity officers themselves are found to be at fault, instead of ensuring such equity at workplace.

## **Slow but Steady Change in the Workplace Attitude towards LGBT Community in India: A Ray of Hope for Community Members:**

Acknowledging the fact that India is a homophobic nation, expecting a radical change in the attitude and perception of people towards LGBT community, should be a dream far-fetched. However, corporate India has started witnessing slow and steady change in its approach towards this community and is coming up with various ways to make the workplace more inclusive.

These days companies in India have started introducing a mechanism to immediately escalate any case where the members of LGBT are victimized due to homophobia and have a zero-tolerance policy in place with respect to it. Organizations are slowly changing their work and are sensitizing their employees towards the issues of LGBT including the unconscious or unintended bias towards this community. Some companies have started forming buddy groups or support groups between the individuals belonging to this community and those who are not a part of LGBT to sensitize each segment to the other segment's thought process. Induction programs that enable LGBT members to get some extra time to scale-up and fit into the organizational culture, as many of them are new to corporate set-up, is another welcoming effort put forth by some organizations to make the workplace more inclusive. Few of these organizations have started encouraging leadership teams to regularly take up the issue of workplace inclusion in their discussion, with a hope that it will have a trickle-down effect on all employees.

Using right pronouns while addressing the members of LGBT community while respecting their preferred gender identity, is the least that everyone in the organization is expected to do in order to make workplace more inclusive.

Indian companies have slowly started having LGBT friendly measures and policies that include gender neutral washrooms, extending insurance benefits to same sex partners, insurance coverage for any transition-related procedures, surrogacy leave policy irrespective of the gender of the partner, parenting leave policy, etc.

Indian business conglomerate, Godrej is the frontrunner in making the workplace inclusion a part of their work culture and has introduced significant changes to its human resource policy that include having 'other' as one of the options to represent gender, the use of word 'partner' in place of 'spouse', a medical scheme that offers a choice to a worker to select a spouse/domestic partner as a dependent and covers same sex dependents, AIDS patients and fertility treatments. The adoption policy of the company is designed keeping in mind a gender neutral primary caregiver. Godrej established a "Culture Lab", which along with their internal Diversity & Inclusion team work to create awareness about LGBT employees and issues related to them.

### **LGBT Inclusion Works in favour of Corporate India:**

Homophobia and transphobia costs India up to \$32 billion loss in GDP (Radcliffe, 2016). According to Patel (2014), "Other kinds of costs that are not in the study include the brain drain cost; people leaving India because of the stigma of being a LGBT person [...] So there are lots of things I cannot take into account. If I could, it would simply add to my estimate and make it larger; that's why I believe my numbers are conservative." This indicates that the actual loss in GDP for India is much more than the loss estimated by Radcliffe (2016).

There is an awakening among Indian corporates that the people with whom they work, the people to whom these businesses sell and from whom they buy, have representation from the LGBT community. This in turn has made them realize that members of LGBT community may feel threatened or excluded due to non-inclusive HR policies adopted by them. Recent research also shows how diversity can bring out the best in employee and hence, can result in better revenue for the businesses.

In the words of Nisaba Godrej, Chairperson of Godrej Consumer Products Ltd., “Inclusivity does mean innovation. The more inclusive you are, the more debates you can have, the less hierarchy you have, the faster it is to recover from failure... If you say everyone should ‘talk like me, look like me, be like me, have the same background as me’ – I don’t think that would work well for companies.” According to Kellogg Insight’s study in 2010, mixed groups perform better than homogenous groups due to alternative perspectives and “more careful processing of information”.

Indian business houses can gain a lot through LGBTQ inclusion in terms of talent, innovation, great publicity, better brand image which altogether of course leads to better money. It shall be a win-win situation for both Indian companies and LGBT community.

A company that believes in diversity and inclusion, can embrace individual differences among employees. Being aware of such differences, if leveraged properly, it will lead to a strong, efficient, loyal and accepting workforce. Such an organization will be able to create a more supportive and welcoming ecosystem for all its stakeholders.

Homophobia is one of the important causes of talent migration from our country. IIT petition against Section 377 in the Supreme Court cited the brain drain of LGBT IITians to foreign industries which have more progressive and inclusive policies.

LGBT inclusion is positively related to business innovations and it leads to a happier workplaces where employees feel empowered and accepted. Such employees are more likely to continue for the organization for longer duration.

LGBT friendly marketing policies generally are found to appeal to millennials who appear to be more liberal and tolerant than their earlier generations.

According to Keshav Suri of The Lalit Hotels, “India is far behind in tapping into Pink/LGBTQIA tourism that has been a major contributor to the US and Brazilian economy”. The LGBT Foundation in Hong Kong found that if the LGBT community worldwide were a country, it would be the fourth largest economy GDP wise (2018).

“The purchasing power of the international LGBT community is estimated at 4.6 trillion USD. We are the 4th largest economy in the world – take notice, we are no pushover!” says Christof Wittig, Founder, and CEO at Hornet Networks.

## Conclusion:

Though India is known to be homophobic country, the scenario is changing slowly but steadily, especially after the landmark judgment given by the Hon’ble Supreme Court of India that decriminalized Section 377 of Indian Penal Code. Indian organizations are moving towards becoming more inclusive and diverse workplace that respect and are sensitive towards LGBT community. Research clearly shows a positive correlation between an inclusive workplace and revenue generated by such organization. However, there is a lot that still needs to be done to make workplace scenario in India inclusive in a real sense and to get Indians out of their homophobic nature.

## References:

- Bangalore (2018) How Millennials Are Changing the Face of Marketing Forever. at: <https://www.bcg.com/en-in/publications/2014/marketing-center-consumer-customer-insight-how-millennials-changing-marketing-forever.aspx>, retrieved on May 5, 2019
- Buckshee D.( 2018)Mainstreaming Trans Employees: Guidelines for Corporate India, The WIRE
- Ghosh A, (2019) Dial D for diversity, LGBT Inclusion in Corporate India. UX Collective
- Kellogg Insight (2010). Better Decisions Through Diversity. [online] Kellogg 75 Insight. [https://insight.kellogg.northwestern.edu/article/better\\_decisions\\_through\\_diversity](https://insight.kellogg.northwestern.edu/article/better_decisions_through_diversity) retrieved on May 7, 2019. The real cost of LGBT discrimination. Retrieved from <https://www.weforum.org/agenda/2016/01/the-real-cost-of-lgbt-discrimination/References>
- LGBT at Workplace: The real diversity inclusion - BW people [bwpeople.businessworld.in](http://bwpeople.businessworld.in) › article › LGBT-at-Workplace-The-real-diversity retrieved on May 3, 2019.
- Nambiar N. and Shahani P, (2018) A Manifesto for Trans Inclusion in the Indian Workplace, Godrej India Culture Lab
- Patel, A. (2014). Homophobia May Cost India’s Economy Billions of Dollars. [online] WSJ. Available at: <https://blogs.wsj.com/indiarealtime/2014/06/10/how-homophobia-hurts-indias-economy/> retrieved on May 5, 2019 The real cost of LGBT discrimination
- The Times of India. (2018). A first:LGBT member joins secretariat as full-time staffer - Times of India. Retrieved from [https://m.timesofindia.com/city/bengaluru/a-first-lgbt-member-joins-secretariat-as-full-time-staffer/amp\\_articleshow/66960531.cms](https://m.timesofindia.com/city/bengaluru/a-first-lgbt-member-joins-secretariat-as-full-time-staffer/amp_articleshow/66960531.cms)