

UnlockEquality:

Level up your workplace

5. Inclusion of LGBTQ+ & Gender-diverse employees

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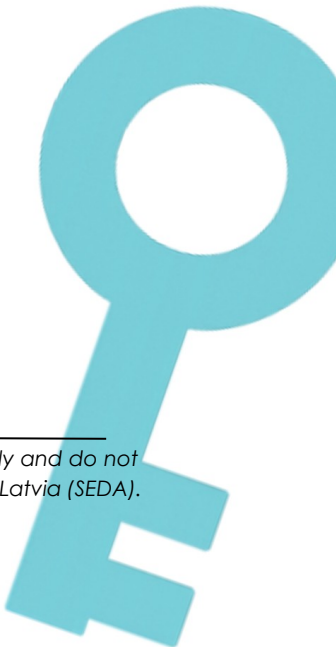
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5. Inclusion of LGBTQ+ & Gender-Diverse Employees

5.1 Respectful Communication

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Short Description

This checkpoint assesses whether all employees are addressed respectfully through correct names and pronouns, and whether individuals are free from pressure to disclose their sexual orientation or gender identity. Respectful communication supports dignity, psychological safety, and equal participation at work.

Practical Example

Employees' chosen names and pronouns are used in meetings, emails, and internal systems, and misgendering is corrected respectfully.

What to Observe

- Correct use of chosen names and pronouns
- Prompt and respectful correction of misgendering
- No pressure to disclose gender identity or sexual orientation
- Inclusive communication norms shared with staff

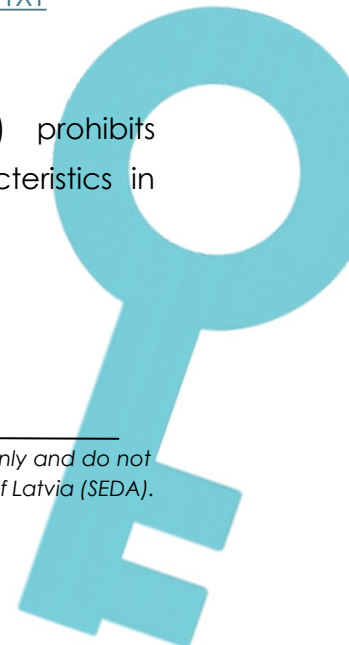
EU Law / EU Reference

- Council Directive 2000/78/EC – prohibits discrimination in employment based on sexual orientation.
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32000L0078>
- Charter of Fundamental Rights of the European Union, Articles 1 and 21 – human dignity and non-discrimination.
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>

Optional National Supplement – The Netherlands

- Equal Treatment Act (Algemene wet gelijke behandeling) prohibits discrimination based on sexual orientation and gender characteristics in employment.

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Checklist Assessment Table

Item (Checkpoint Title)		Yes	No	Needs Work	Notes
Correct pronouns and names used		☐	☐	☐	
Misgendering corrected promptly		☐	☐	☐	
No pressure to disclose identity		☐	☐	☐	

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5.2 Facility Access

Short Description

This checkpoint evaluates whether employees can access workplace facilities that correspond to their self-identified gender, ensuring dignity, safety, and non-segregation for gender-diverse staff.

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Practical Example

Employees may use toilets and changing facilities aligned with their gender identity, with optional unisex facilities available.

What to Observe

- Access to facilities based on self-identified gender
- Availability of private or unisex facilities where possible
- No segregation or isolation of gender-diverse employees
- Clear internal guidance on facility use

EU Law / EU Reference

- Charter of Fundamental Rights of the European Union, Article 21 – prohibition of discrimination.
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>
- European Institute for Gender Equality (EIGE) – guidance on gender identity and workplace inclusion.
<https://eige.europa.eu>

Optional National Supplement – The Netherlands

- Dutch equality bodies recognise access to facilities aligned with gender identity as part of equal treatment obligations.

Checklist Assessment Table

Item (Checkpoint Title)	Yes	No	Needs Work	Notes
Access to self-identified-gender facilities	☐	☐	☐	
Private/unisex options available	☐	☐	☐	
No segregation or isolation	☐	☐	☐	

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5.3 HR & IT Systems

Short Description

This checkpoint examines whether HR and IT systems support gender diversity by allowing easy updates of personal data while ensuring confidentiality and privacy during transitions. Page | 7

Practical Example

Employees can update their name and gender marker in internal systems without requiring legal gender recognition.

What to Observe

- Simple procedures for updating personal data
- Confidential handling of sensitive information
- No requirement for legal gender change
- Clear HR guidance for staff and managers

EU Law / EU Reference

- General Data Protection Regulation (GDPR) – protection of sensitive personal data.
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016R0679>
- Charter of Fundamental Rights of the European Union, Article 8 – data protection.
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>

Optional National Supplement – The Netherlands

- Guidance from the Dutch Data Protection Authority (Autoriteit Persoonsgegevens) on handling sensitive personal data.

Checklist Assessment Table

Item (Checkpoint Title)	Yes	No	Needs Work	Notes
Easy updating of personal data	☐	☐	☐	
Confidentiality during transitions	☐	☐	☐	
No legal gender change required	☐	☐	☐	

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5.4 Training & Awareness

Short Description

This checkpoint assesses whether LGBTQ+ inclusion is integrated into staff training and whether managers are equipped to support gender-diverse employees effectively.

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Practical Example

Mandatory diversity training includes LGBTQ+ inclusion, and managers receive guidance on supporting transitioning employees.

What to Observe

- LGBTQ+ inclusion included in diversity training
- Guidance available for managers and teams
- Regular updates to training materials
- Leadership participation in training

EU Law / EU Reference

- European Commission – Gender Equality Strategy: promoting inclusive and safe workplaces.
<https://commission.europa.eu>
- European Institute for Gender Equality (EIGE) – training and awareness resources.
<https://eige.europa.eu>

Optional National Supplement – The Netherlands

- National equality bodies promote LGBTQ+ inclusion training in workplaces.

Checklist Assessment Table

Item (Checkpoint Title)	Yes	No	Needs Work	Notes
LGBTQ+ inclusion in training	☐	☐	☐	
Guidance for supporting transitions	☐	☐	☐	

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5.5 A Safe & Supportive Environment

Short Description

This checkpoint evaluates whether the organisation actively ensures a safe environment for LGBTQ+ employees through zero tolerance of harassment, inclusive language, and access to support networks. Page | 9

Practical Example

The organisation enforces a zero-tolerance policy on harassment and supports LGBTQ+ employee resource groups.

What to Observe

- Zero tolerance for harassment or discrimination
- Support networks or employee resource groups
- Inclusive language in policies and communications
- Clear reporting and follow-up mechanisms

EU Law / EU Reference

- Council Directive 2000/78/EC – harassment constitutes discrimination when it creates a hostile environment.
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32000L0078>
- Charter of Fundamental Rights of the European Union, Article 1 – respect for human dignity.
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>

Optional National Supplement – The Netherlands

- The Netherlands Institute for Human Rights supports employers in preventing discrimination and harassment.

Checklist Assessment Table

Item (Checkpoint Title)	Yes	No	Needs Work	Notes
Zero tolerance for harassment	☐	☐	☐	
Support networks available	☐	☐	☐	
Inclusive language used	☐	☐	☐	

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