



# LGBT+ Inclusive Policies and Practices



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# Context

Canada is considered one of the most progressive countries in the world with respect to LGBT+ rights — a reputation earned through the work of countless advocates, established case law and federal legislation over the last three decades.

- **1995** - The Supreme Court of Canada established that sexual orientation, though not expressly included, qualified as a prohibited ground to support claims of discrimination under Section 15(1) of the Charter of Rights & Freedoms (**Egan v. Canada, [1995] 2 S.C.R. 513**).
- **1996** - Sexual orientation was added to the **Canadian Human Rights Act**, adding protection and discrimination recourse for lesbian, gay and bisexual Canadians.
- **1998** - The Supreme Court declared any Province that left sexual orientation out of their respective legislation was violating s.15(1) of the Charter (**Vriend v. Alberta, [1998] 1 S.C.R. 493**).
- **2005** - The **Civil Marriage Act** passed, meaning same sex couples could enter federally recognized civil unions (and receive the spousal recognitions that came with them, i.e., benefits).
- **2011** - The last province or territory (Nunavut) legalized same sex parent adoptions.
- **2017** - Gender identity and gender expression were added to the Canadian Human Rights Act, adding protection and discrimination recourse for transgender, non-binary and gender diverse Canadians.

This legislation should, and often does, set the bar for minimum LGBT+ inclusion efforts across our society (though members of these communities still experience very real challenges despite legislation). It also prohibits discrimination on these grounds in public and private sector employment, and, as labour law tells us, management and/or owners are required to provide accommodations for employees that fall under protected grounds up to the point of undue hardship.

However, when it comes to the workplace, something is still being lost in translation.

LGBT+ individuals across our country still:

- have higher unemployment rates: “relative to heterosexual men, bisexual women are the least likely to be employed (64% less likely), followed by bisexual men (56%), heterosexual women (53%), and lastly gay men (32%).” (Waite, Pajovic, & Denier, 2020)\*  
(\*Note: The Canadian Community Health Survey does not record gender identity, therefore trans, non-binary and other gender diverse individuals are unfortunately not included in this review.)
- get underpaid: “The average personal incomes of LGBTQ2+ income earners were also significantly lower (\$39,000) than those of non-LGBTQ2+ (\$54,000) people in Canada” (Prokopenko & Kevins, 2020)
- contend with harassment, discrimination and feeling less safe at work than their heterosexual and cisgender counterparts. (Jaffray, 2020)

**Working towards genuine and authentic LGBT+ inclusive hiring, retention, training, customer service, marketing and overall culture is the only way to address these discrepancies.**

Keep in mind these challenges only speak to declared LGBT+ identities, and do not reflect the compounding impact of other identity and cultural factors, such as race, Indigeneity, socioeconomic placement, disability and other factors.

# About This Guide

The *LGBT+ Diversity & Inclusion (D&I) Policy & Practices Guide — Internal and External* is a component of a broad suite of resources offered by Canada’s LGBT+ Chamber of Commerce (CGLCC). Alongside online training, D&I workshops, seminars and other developed guides, it aims to support Canadian businesses in their efforts to become more authentically inclusive for LGBT+ workers and customers.

Given its focus on policy and procedure development, this guide is broad in scope and endeavours to be applicable for businesses of various industries, sizes and policy development processes.

The *Policy & Practices Guide*’s key goals are to provide you and your business’s decision makers with:

1. Comprehensive guidance through applying an LGBT+ lens to the policy development process.
2. The tools to identify and challenge LGBT+ focused policy and practice limitations within your organization, including:
  - a. A list of questions to drive the analysis of current consideration of LGBT+ individuals throughout existing policy.
  - b. Direct suggestions for what should be included in LGBT+ specific policy and procedures.
  - c. Developed scenarios to demonstrate application.
  - d. Outlining of potential challenges and silver linings.\*\*
3. The confidence to begin the process of creating truly inclusive environments for LGBT+ workers and customers.

**\*\*\*“Potential Challenges and Silver Linings”** — A feature throughout this Guide meant to prepare and provide insight to businesses on the potential challenges and benefits that they may encounter as they navigate this process. These can be found at the end of each section, contained within a coloured text box.

## Notes About Language

**Identity language** is constantly evolving and expanding. Words like “trans(gender)”, “cis(gender)”, “queer” or “LGBT+” have generally accepted definitions, but can also be somewhat subjective.

For an expanded list of definitions of language commonly used when speaking about Two Spirit, lesbian, gay, bisexual, trans, queer/questioning, intersex and asexual individuals and allies, please refer to the Glossary in CGLCC’s *Tourism Toolkit*.

Worth noting as well: “practice(s)”, “procedure(s)” and “process(es)” can be used interchangeably to describe the series of steps taken to enact a policy and are used as such in the text of this Guide.

CGLCC, Canada’s LGBT+ Chamber of Commerce, uses the acronym ‘LGBT+’ when referring to the community, pertaining collectively to people who identify as gay, lesbian, bisexual, Two-Spirit, transgender, queer, questioning, intersex and/or asexual, along with people with gender expressions outside traditional norms and/or other queer people and their allies. We acknowledge that there are many variations of this acronym and encourage you to use an acronym that most reflects your perspective.

**Credits:** The content for this Guide was developed by Tj Jones of Full Picture Management in collaboration with CGLCC and Tourism HR Canada, and funding was provided by the Government of Canada.

# Section 1: Policies, Practices and Applying an LGBT+ Lens

The chances are that, if you're looking at this Guide, you have some experience with business policies and practices. For those of us just starting out, or who could use a refresher in their fundamentals, this section provides a general overview of what they are and what they do. Also included, is relevant information about LGBT+ individuals that should be considered as you begin the process of better equipping your business to serve them as workers and customers.

## Policies

Business policies serve as guidelines for your business's actions and how it wants to operate. They inform aspects of people and culture management, operations and customer interaction, as well as standardize different facets of day-to-day activities.

Well-designed policy includes:

- The purpose of the policy and what organizational goals it will help the business reach (i.e. the mission of your LGBT+ strategy)
- Any relevant legislation, labour requirements or organization-specific regulations they serve (i.e. anti-harassment legislation)
- Actions/strategies undertaken to enact them (i.e. training or behavioural requirements)
- Methods of addressing non-compliance with the policy, where relevant (i.e. progressive discipline, required training)
- The date the policy comes into effect
- A glossary of any pertinent words or phrases contained in the policy that may be unfamiliar to readers (i.e. terminology)

Having these components present in the policy itself keeps your business's goals top-of-mind while helping you maintain compliance with relevant legislation, establish employee expectations and outline appropriate, inappropriate and unacceptable behaviour for everyone.

## Practices

If policy statements reflect the principles of your business, it's their accompanying practices, procedures or processes that bring them to life — they provide the instructions that employees and management need in order to act in accordance with them. A clearly outlined and accessible procedure provides uniform direction and guidance to everyone the policy applies to, ensuring consistency across conduct and operations within your business.

## Internal & External

Organizational policies and their accompanying practices can be divided into two subgroups: internal and external. Internal policy tends to have an employee focus and speaks to what happens within the organization, addressing things like employee conduct (dress codes, absenteeism/attendance, workplace behaviour, etc.) and employee-management dynamics. External policy speaks to the business activities that are outward facing, such as customer relations and marketing.

**Doing the work to align these components — internal and external policies and their related procedures — with your business's values and strategy as early in the process as possible will mitigate potential challenges in implementation, supporting you in accomplishing your D&I goals.**

## Applying an LGBT+ Lens to Policy & Practices

To develop and implement an informed and meaningful LGBT+ strategy\* that centres the equitable inclusion of LGBT+ communities, you will also need to develop and implement (or improve existing) specific LGBT+ focused policy and practices.

Including explicit references to LGBT+ individuals and their particular needs in both policy and procedure is a vital step to accomplishing this — it signals your commitment to the strategy and ensures that your business is equipped to follow through on your promises of LGBT+ worker and customer inclusion.

## CONSIDERATIONS & POSSIBLE APPLICATIONS

There are a number of “special considerations” that need to be taken into account when defining your LGBT+ inclusion strategy, policy and practices.\* Keep in mind that these factors are increased exponentially when the individuals that are affected live at the intersection of multiple identities and cultures. Awareness of these considerations can inform how you begin to think about what truly LGBT+ focused D&I policies and practices within your organization should involve, and, more importantly, what they can accomplish.

1. **Physical and psychological safety** is of paramount importance to individuals across LGBT+ communities, and for good reason: homophobia, transphobia and biphobia all still exist, institutionally and societally, and can still lead to psychological, sexual and physical violence against LGBT+ people — up to and including death.

**Possible Applications:** Including and enforcing anti-harassment and anti-discrimination legislation through both employee and customer focused policy and well-defined practices can help you create safer physical and psychological space for a group that, like most marginalized populations, has learned to be wary of public spaces. *Potential policy areas:* Employee Code of Conduct, Culture Management, Customer Relations.

\*For more information, please see the *LGBT+ Inclusion Guide* in CGLCC's *Tourism Toolkit!*

2. An environment that instills **a sense of belonging** for LGBT+ workers and customers can help alleviate the isolation that results from being marginalized. Many individuals within these communities, all around the world, experience exclusion and an absence of representation on a daily basis in their family dynamics, healthcare and educational systems, faiths and from their governments.

**Possible Applications:** Supporting local LGBT+ organizations and Pride celebrations and creating physical space or products that acknowledge gender diversity can help demonstrate to LGBT+ individuals that they are welcome and able to be their authentic selves within your space, tethering people that otherwise may have very few accepting and affirming connections. *Potential policy areas:* Corporate Social Responsibility (CSR), Inclusive Marketing, Accessible Physical Space/Accommodations

3. LGBT+ people have learned to curate their own lists of **trusted sources of information**, including supportive members of their family and social groups, and media that is genuinely informed by lived experience.

**Possible Applications:** Seeking out and engaging respectfully and authentically with community-trusted sources about your initiatives and emphasizing how you're "walking the talk" can help you reach potential workers and customers. *Potential policy areas:* Conduct within Partnerships, Public Relations, Customer Relations

4. In the face of marginalization and lack of safety, LGBT+ individuals have learned to "read between the lines" to develop a sense of potential attitudes that may be present towards them within possible workplaces or businesses. Where trust hasn't been established (i.e. in job ads or marketing for unknown companies), this skill can be used to determine the level of authenticity behind a company's actions, and often relies on the **language used** and observable follow through beyond the use of marketing buzzwords.

**Possible Applications:** Understanding the importance of what language you use and integrating it throughout your organization can help present you and your products/ services as potential options — and when your organization's actions support your language, LGBT+ people may even be encouraged to seek you out on their own. *Potential policy areas:* Communications, Broader LGBT+ Inclusion — Inclusive Hiring, Marketing, Customer Relations, PR, etc.

## The importance of follow through...

*Policy means nothing without consistent application.*

And where potential LGBT+ workers and customers are concerned, declarations without authentic demonstration can do more damage than if you had no LGBT+ specific policy in the first place, greatly impacting their trust in your organization.

## Potential Challenges and Silver Linings of LGBT+ Policy Development

Adopting LGBT+ inclusive policy and practices may seem like a daunting undertaking. The process needs to be comprehensive and involve the fabric of your organization to truly accomplish what they set out to do — so it makes sense that it can be a little intimidating.

That said, the demand for LGBT+ rights and inclusion are here to stay, and doing this work is not only what needs to be done for the good of LGBT+ people, but also for the good of your organization and its success, innovation, growth and longevity.\*

With the right tools, attitude and motivation your business can get there, and create spaces and products/services that address the considerations listed above.

Additionally, doing this work alongside those with an LGBT+ perspective adds personal experience to the process, which in turn can support and inform other diversity, equity and inclusion work.

\*For more information, please see the *LGBT+ Business Case for Inclusion* in CGLCC's *Tourism Toolkit!*



# Section 2: Building your LGBT+ Diversity & Inclusion Policy & Practices

## Policy and Practices Development Process

There are a number of different policy development models out there, each with their own breadth and depth. Your organization may already have an established process in place (formal or informal), but, if not, the size, nature and strategy of your business will help you determine which is best suited to your organization and its needs.

For the purposes of this Guide, we will look at a simplified approach and some of the key components of each step:

Analysis →	Development →	Implementation →	Evaluation
<ul style="list-style-type: none"> <li>• Review current policy &amp; practice</li> <li>• Identify gaps and why they exist</li> <li>• Determine capacity and cost</li> <li>• Identify and involve stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• Assign responsibility for the process</li> <li>• Consider implications of addressing gaps</li> <li>• Write policy and relevant procedures</li> <li>• Develop a communication plan</li> <li>• Develop evaluation methods</li> <li>• Get required approval</li> </ul>	<ul style="list-style-type: none"> <li>• Activate communications plan</li> <li>• Ensure access for everyone</li> <li>• Provide training where required to support comprehension</li> </ul>	<ul style="list-style-type: none"> <li>• Measure outcomes against original goals of policy</li> <li>• Create opportunities for feedback from stakeholders</li> <li>• Measure comprehension and compliance</li> <li>• Review language, relevance and applicability to current social context</li> </ul>

## Step 1: Analysis

**Review current policy & practices.** Approach the analysis in a systematic and deliberate way involving policies and practices across all aspects of your business.

**Identify gaps and why they exist.** Review — while keeping the LGBT+ specific considerations outlined in Section 1 in mind — to help you understand your current limitations and inform the development of what’s needed to get your organization to where it should be.

**Determine capacity and cost.** Determine your business’s ability to do the work to genuinely engage this process and consider how you would prioritize and allocate human and financial resources.

**Identify and involve stakeholders.** Pinpoint whose voices should be at the table to guide development, and who you need on-side to support implementation.

### Potential Challenges and Silver Linings of Analysis

This process necessitates more than just putting an LGBT+ D&I policy “on the books” to be done properly. Creating a truly LGBT+ inclusive environment for queer and trans workers and customers will involve scanning all existing policy and practices related to them to determine your business’s current limitations. Holistically appraising your organization now will curtail possible interdepartmental conflict later when individuals access the services/protections offered by your LGBT+ specific policies.



## Example Analysis Questionnaire\*

Existing Policy Review	
<input type="checkbox"/>	Do you have a current LGBT+ Strategy or any current policy or practices that focus on LGBT+ inclusion?
<input type="checkbox"/>	If not, do your existing policies specifically include the language of sexual orientation, gender identity and expression, etc.?
<input type="checkbox"/>	Does organizational awareness of the legislation that protects individuals from discrimination based on sexual orientation, gender expression and gender identity exist within your business?
<input type="checkbox"/>	Are you considering the specific needs of existing or potential LGBT+ employees in your HR processes?
<input type="checkbox"/>	Are your physical spaces and events accessible and welcoming for LGBT+ individuals?
<input type="checkbox"/>	Do your internal and external communications acknowledge and respect gender and sexual diversity as well as non-heterosexual partner dynamics?
<input type="checkbox"/>	Are you specifically and respectfully including LGBT+ individuals in your marketing efforts?
<input type="checkbox"/>	Do you partner with or support LGBT+ organizations?
Organizational Capacity	
<input type="checkbox"/>	Do you have an established policy and practices development process? Assigned personnel?
<input type="checkbox"/>	Do you have personnel within your business willing, capable and available to lead this process?
<input type="checkbox"/>	Are you able to compensate workers involved in this process accordingly?
<input type="checkbox"/>	Would hiring a consultant to facilitate the process make sense?
<input type="checkbox"/>	Do you have an existing D&I budget?
<input type="checkbox"/>	Could your budget accommodate a new project of this nature and potential magnitude?
<input type="checkbox"/>	What are your current LGBT+ D&I priorities? Is there a specific area that you feel you should focus on?

Stakeholder Engagement	
<input type="checkbox"/>	Do you have anyone within your business that could provide insight informed by lived experience?
<input type="checkbox"/>	Would management/owners/your Board support this process?
<input type="checkbox"/>	Are you open to feedback from members of LGBT+ communities on how you can improve your LGBT+ D&I efforts? Are you accessible to these communities?
<input type="checkbox"/>	Are you willing and able to connect with LGBT+ advocates and organizations?
<p>(Questionnaire developed by Full Picture Management)            *This list is not exhaustive! Responses to these questions will likely inspire others — they are meant to get you thinking about what needs to be considered in the development and implementation stages.</p>	

## Step 2: Development

**Assign responsibility for the process.** Establish a lead (individual or team, depending on the size and capacity of your organization) for this process to help ensure consistency, accountability and focus on the project.

**Consider the implications of addressing gaps.** Consider and integrate the implications for the entire organization throughout the development process: potential unforeseen costs, extra personnel requirements, change and proactive culture management, destabilizing policy or operations in other departments, etc.

**Write policy and relevant procedures.** Task qualified individuals with drafting the new policies and practices, ensuring compliance with your process and any other relevant regulations.

**Develop a communications plan.** Create a comprehensive communications plan that ensures that everyone affected is made aware of the new policies and practices, able to easily access the updated material and comprehends the language, how to comply and their associated responsibilities.

**Develop evaluation methods.** Identify tools (such as engaging stakeholders, compiling HR complaints or issues and logging challenges with dissemination) to measure compliance and the success of the new or revised policy at meeting its original goals. Determining efficacy will also inform review and future revisions.

**Get required approval.** Obtain sign-off from stakeholders identified in the analysis phase.

## A. DEVELOPING INTERNAL POLICY & PRACTICES

A diverse workforce that is properly supported increases productivity, innovation and provides greater insight and avenues to access a broader market.\* Ultimately, this means that hiring and supporting LGBT+ workers within your organization can contribute a great deal of value to your business and its operations.

A great place to start, when looking to improve or supplement existing policy and practices to support your LGBT+ Inclusion Strategy, is within your Human Resources function. Recruitment practices, channels and goals that encourage proportional representation can address both underemployment and underrepresentation in management experienced by LGBT+ communities; compensation and benefits packages can improve access to equitable pay and affirmative care and onboarding, culture management and training and development can mitigate discrimination, harassment and minority stress — increasing safety for LGBT+ workers and customers alike. Other considerations, such as the availability of inclusive physical space, internal communications and the coordination of in-house events are also worth noting.

\*For more information, see the *Business Case for LGBT+ Inclusion* in CGLCC's *Tourism Toolkit!*

### Internal Elements to Support an LGBT+ D&I Strategy

#### Recruitment & Selection

- Develop LGBT+ specific recruitment goals for proportional representation in line with the general population.
- Accessible and (respectfully, not tokenized) targeted recruitment, including for management and C-Suite positions.
- Presence of a diversity statement within job postings.
- Procedure in place for when names and genders over work experience differ — education credentials, previous workplaces, references, etc. could all list a previous name.
- Policy and directives in place to challenge bias against work history, name change, etc.

### The Question of the “Rainbow Resumé” ...

“An audit study found that job applicants in Canada who are outed by their previous job experience are 17 per cent less likely to receive an interview offer.” (Druhan, 2021)

### Attracting and reaching LGBT+ workers

When surveyed about “steps employers could take”, LGBT+ individuals said:

- publicizing their LGBT+ policies (66%)
- explicitly stating they are LGBT+ friendly on job postings (64%)
- leadership and staff receiving LGBT+ specific training (63%)
- advertising in LGBT+ media (42%)

would lead them to feeling “more comfortable applying to an organization.”

In the same report, author Hixson-Vulpe also outlines a number of ways businesses can effectively reach potential workers:

- nurture relationships with LGBT+ organizations
- participate/partner with LGBT+ organizations to host LGBT+ specific career fairs
- ensure reps are knowledgeable about LGBT+ communities and relevant policies, and comfortable with using correct language

“Hiring across all spectrums: A report on broadening opportunities for LGBTQ2+ jobseekers.”  
Jacq Hixson-Vulpe, Pride at Work Canada, 2018

### Onboarding & Culture Management

- Explicit mention of LGBT+ identities as protected in code of conduct or code of ethics
  - Reference how this will be enforced, outline reporting channels and consequences
  - Clear description of acceptable language and behaviour in the workplace
  - Dress codes that reference gender identity and expression inclusion
- A statement acknowledging potential and likely biases, and what to do when they manifest
- Accountability for management and HR in advocating, recruiting, training, etc.
- Set proportionate (to the general population) targets for, and proactively address barriers to, LGBT+ representation in management, C-Suite, Board membership
- Support with Employee Resource Group (ERG) development and maintenance
- A developed Workplace Transition Plan\* that includes supports for the person transitioning, their colleagues, and management

\*For more information about Workplace Transition Plans and other trans and non-binary inclusive practices, please see the *Trans & Non-Binary Inclusion Guide* in CGLCC's *Tourism Toolkit!*

### Training & Development (T&D)

- Cultural competency and knowledge applicable to all levels and relationships within the organization, with consideration of power dynamics between roles (i.e. worker to customer, customer to worker, worker to worker, worker to management, management to worker, etc.)
- Training informed and/or led by community-based or lived experience is ideal, and must be compensated appropriately
- Avoid assuming LGBT+ workers will do the work of educating colleagues and management — this can place a great deal of extra emotional labour on LGBT+ workers and risks impacting their safety at work
- Support the development of LGBT+ leadership with access to relevant T&D opportunities (i.e. conferences, networking opportunities)
- Access CGLCC's workshops and online training



### T&D Learning objective examples

- Familiarity with language and terminology
- Ability to differentiate between sexuality, gender identity, gender expression and sex assigned at birth
- An understanding of gender transition and its social and medical aspects
- Awareness of the impact of homophobia, transphobia and heterosexism in the workplace and what constitutes inappropriate language and harassment
- Knowledge of ways to support and acknowledge LGBT+ colleagues inside and outside the workplace

### Training should include:

- Facts vs. stereotypes about LGBT+ people
- Why safe spaces are important and what they look like
- A discussion of biases and how they manifest
- The internal and external benefits of an LGBT+-positive space
- The impact of language, pronoun use and assumptions around gender
- Organizational expectations around interacting with LGBT+ employees and customers
- Opportunities to apply learning in practice (i.e. role play or scenarios)
- Opportunities for staff to brainstorm ways to contribute to an LGBT+ positive space

### Biases – we all have them.

An important and necessary part of building an inclusive culture for any marginalized group is acknowledging and unpacking explicit (conscious) and implicit (unconscious) biases. Training efforts and awareness campaigns should include a discussion of what they can look like, and create space for participants to challenge them in a compassionate, learning-focused environment.

### Data Management

- Inclusive language options for gender, pronouns and family dynamics (where relevant)
- Names (current, previous, “legal”, etc.)
- Critical assessment of genuine relevance and need for disclosure

### Compensation & Benefits

- No unpaid labour for marginalized individuals (i.e. ERG development, T&D, serving as a resource)
- Fair compensation based on experience (policy or directives in place to challenge bias against work history, name change, etc.)
- Recognition of different “family” dynamics for leave (parental, caretaking, etc.)

- Recognition of and commitment to inclusive health coverage and providers (i.e. family dynamics and planning for LGBT+ couples including IVF/adoption considerations and trans affirmative care like hormone replacement therapy (HRT) and gender affirming surgeries and procedures, etc.)
- LGBT+ friendly EAP service providers

### Performance Management

- Consideration of impact that navigating an LGBT+ identity, coming out, family challenges, harassment or bullying can have on performance
- Build procedures for investigations to address bullying/harassment and engage mediation — i.e. back up policy with action designed to hold people accountable for affecting the performance of others

### Accessible Physical Space

- Gender neutral washrooms, changerooms or other accommodations

### Internal Communications

- Use gender neutral language and avoid imposing gender-based honorifics
- Be mindful that employees may have LGBT+ partners, family members or not be out

### In-house Events

- Inclusive and accessible spaces (i.e. same sex partners are welcome, all-access washrooms)
- Dress codes and expectations that support gender identity and expression



## B. DEVELOPING EXTERNAL POLICY & PRACTICES

Considering how your business engages with the market is also a key element to supporting your LGBT+ D&I strategy. Making a concerted effort to help LGBT+ customers access and feel represented in your products/services will expand your market, while integrating supplier diversity into your procurement practices and responsibly engaging with LGBT+ communities beyond just “business” will help your organization be seen as more trustworthy.

### External Elements to Support an LGBT+ D&I Strategy

#### Marketing

- Products should be LGBT+ friendly and not cis or heteronormative
- Packaging and promotion should be inclusive, displaying different relationship and family dynamics, as well as gender presentations
- Product is accessible, and competitively priced/incentivized for the LGBT+ market
- Selected distribution channels should be in line with LGBT+ strategy and supportive of LGBT+ D&I

#### Procurement

- Management-supported policy statement about supplier diversity within sourcing practices
- Developed strategy that aligns with your business’s LGBT+ D&I goals to guide procurement — including defined targets and established metrics to evaluate implementation
- Seek out certifying bodies, such as CGLCC, to connect with authentic Diverse Suppliers

#### Public Relations

- Public declaration of LGBT+ D&I initiatives and planned response to potential complaints
- Community and ally engagement
- Corporate Social Responsibility (CSR) — Contributions and support for Pride and other LGBT+ organizations, inclusive procurement, etc.

#### Customer Relations

- Declared and accessible anti-harassment and anti-discrimination policy governing acceptable behaviour towards, between and from customers
- Create opportunities for customers to provide feedback on their experience of inclusion efforts through surveys, interviews, focus groups, etc.

#### Public Events

- Inclusive and accessible spaces
- Dress codes and expectations that support gender identity and expression
- Actively declare same sex partners are welcome
- Advertising reflects diversity

CGLCC has a number of external practice resources in the *Tourism Toolkit* — be sure to check out the *Marketing to the LGBT+ Community Toolkit*, *LGBT+ Products and Tours*, *Inclusive Procurement Guide*, *Community Engagement Guide* and *Hosting LGBT+ Inclusive Events* for more info!

## Potential Challenges and Silver Linings of Development

Housing your D&I initiatives within Human Resource Management may seem appealing when looking to develop internal policies and practices within your organization, and given HR’s involvement in establishing organizational policy and practices, particularly those that relate to employees, this does make a sort of sense. However, considering an LGBT+ Strategy (or any D&I initiative for that matter) to be the sole responsibility of HR can present challenges in effectively involving outward facing business functions.

Instead, look at this development process as an opportunity to establish and solidify a D&I network that pulls in representation across your organization, enabling a more comprehensive approach to this work. The effort at this stage in the process will pay off in the long term — through consistent interpretation of the policies being adopted and consistent application of relevant procedures and practices — and mitigate potential function or departmental conflict down the road.

**Extra bonus:** Establishing this network will supplement your experience with the policy development process, and further empower and reinforce your organization’s ability to engage in broader D&I work to create better inclusive practices for other marginalized groups.

## Step 3: Implementation

**Activate the communications plan.** Distribute the new policy and practices as well as any associated resources and materials to everyone via established methods, ensuring personnel responsible are accessible to recipients should questions or concerns arise. Document any that do — this data can be used in your evaluation of the policy at its next review.

**Ensure access for everyone.** Establish multiple access points to both the policy and practices and the communications lead for all stakeholders. Options include: as an amendment to the Code of Conduct online or in print, posted on-site, emailed with attachments for workers and on websites and social media for customers. A signature or witnessed declaration, where relevant, is helpful to document acceptance and understanding of related responsibilities, encourages accountability and provides more information for the evaluation phase.

**Provide training where required to support comprehension.** Offer or require organization-wide training and/or briefing around the policy content and any updated procedures.

Implementation can and will look different for differently sized or structured organizations. However, all organizations should employ at least these steps in some way when adopting new policies and practices — you can’t expect an employee or customer to follow a new policy they aren’t aware of, can’t understand or have no frame of reference for.

## UNSUPPORTIVE EMPLOYEES AND CUSTOMERS

*What do you do when not everyone is on board with your efforts to be LGBT+ inclusive?*

It is likely that there will be some measure of pushback from workers or customers. While social dialogue and acceptance of gender and sexual diversity has increased exponentially over the last couple of decades, there are still some very strong feelings about the appropriateness of them being discussed and visible in the workplace and in general.

Internally, this is where highlighting the relevant legislation can be effective, positioning the policy as a tool to adhere to labour and employment law. Given compliance with organizational policy is also a component of the employment contract, disregarding it warrants involvement of the progressive discipline process, which could mean mandated training, suspension or termination depending on the severity of the issue.

Externally, if concerns arise with customers, de-escalate where able, and highlight existing policy around creating and maintaining LGBT+ inclusive spaces. Take the opportunity to engage in a teaching moment if able, and remember that behaviour — not identities — can be regulated, and your organization has a duty to provide a safe environment for its workers and customers.

### Potential Challenges and Silver Linings of Implementation

Challenging unconscious bias may be one of the more challenging aspects of implementing any D&I strategy. Workers may resist complying with rules that force them to accommodate and be exposed to a “lifestyle” that they believe has no place in the workplace, and they may resent the perceived “special treatment” of LGBT+ individuals. Customers may refuse to be served by “people like that” and take their business elsewhere. Both may struggle with having a limit placed on their “ability to express themselves about something they fundamentally disagree with” for various reasons (i.e. religion, personal beliefs, “it’s just wrong and/or abnormal”, etc.).

Be prepared to create space for the tough conversations. The pushback, resistance, anger and exposure of these ingrained biases will be a challenge for everyone involved. Emphasize the need for awareness and having the hard conversations to acknowledge and overcome barriers to acceptance and the creation of compassion — humanize LGBT+ individuals through case studies and personal narratives in training to foster empathy.

Working through these challenges will strengthen your business and cultivate a truly inclusive culture and environment — an environment which will benefit everyone.

### Step 4: Evaluation

**Measure outcomes against the original goals of the policy.** Determine if the purpose of developing the policies — addressing organizational limitations in supporting LGBT+ workers and customers — was met, and if the intended application of the associated practices persisted through implementation.

**Create opportunities for feedback from stakeholders.** Seek out the experiences of LGBT+ workers and customers — this will truly help you determine the efficacy of your LGBT+ D&I policies. Did they feel better represented, safer and more welcome? How do non-LGBT+ employees feel about implementation? Did they feel sufficiently knowledgeable and supported? How does management/ the Board feel about the allocation of resources and associated costs?

**Measure comprehension and compliance.** Review any logged HR complaints or reports since implementation — were there any trends that spoke to particular issues (i.e. awareness or comprehension of the policy, challenges with compliance that could reflect cultural issues with LGBT+ considerations)? Consider the best ways to address these trends, such as further training, broader promotion, more refined policy, etc.

**Review language, relevance and applicability to current social context.** Investigate whether the language, focuses and particular action items and processes of the policy are still socially relevant and applicable.

Any results, gaps or required adjustments gleaned from the evaluation process should be taken into account during a formal policy review and serve as the foundation for initiating the development process from the beginning to revise the policy and its practices.

### Potential Challenges and Silver Linings of Evaluation

Tracking the impact of this type of policy could be difficult given it depends on a traditionally marginalized group disclosing their experiences to a source of authority: their employer. It also requires accountability from all levels of the organization regarding their engagement and respect for the process. Ensuring that you have accessible reporting channels and reliable follow through (particularly around unacceptable behaviour on the part of employees) will address some of these concerns.

Doing the work to accurately get a sense of where the policy is working or falling short will enable your organization to improve it, and truly accomplish your LGBT+ equity and inclusion goals.

### Summary

As mentioned in Section 1, this is an involved and potentially difficult process. However, it has the ability to pay off incredible dividends in LGBT+ customer loyalty and revenue, and help align your organizational culture with the values set out by meaningful D&I work — that everyone is entitled to a safe and validating work environment and should be celebrated for the differences they are able to contribute.



# Section 3: Scenario Analysis

## Scenario #1

*Two women reserved, and were assigned to, a room in a hotel with only one queen bed. Upon check-in, the front desk clerk is frantic, and apologetic that they will have to share a bed. The women reassure the clerk that they are a married couple in order to settle the situation.*

Implications of the clerk's reaction:

- Non-heterosexual relationship dynamics are not a possibility to the clerk — there had to be a mistake, rather than a deliberate choice in reserving the room.
- The clerk believed that the insinuation that they would share a bed is wrong or offensive, warranting an immediate fix and apology.
- The rest of the employees could feel similarly to the clerk, and the physical spaces (pool, in-house restaurant, etc.) may not be inclusive, possibly leading to discomfort and the guests feeling unsafe.
- The business has either not offered LGBT+ awareness training or activities to challenge bias or not made it mandatory or enforced it, and likely doesn't prioritize LGBT+ inclusion — meaning, more often than not, no protections for them as LGBT+ customers.
- This may not be a place they want to bring their business, a fact that they may share with their networks.

**Issues:** Heteronormativity (the cultural structure and belief that heterosexuality is the default), erasure of non-heterosexual relationship dynamics and lack of knowledge on the part of the front desk clerk.

**Relevant Policy & Practices:** Anti-harassment and anti-discrimination policies, statement of inclusion in the Employee's Handbook/Code of Conduct, internal communications and inclusive marketing.

**Immediate Solution:** Apologize, proceed with the booking and offer something complimentary for the confusion.

**Long Term LGBT+ Inclusion Goals:** The addition of direct references to LGBT+ workers and customers in the anti-harassment and anti-discrimination policies, and inclusion statement in the Employee's Handbook or Code of Conduct in addition to D&I training for personnel.

## Scenario #2

*One of your customers comes up to you to complain: there is a man in the women's washroom. Upon investigation, you see that everyone in the washroom is using it for its intended use. You also notice that one of the women in the washroom has a more typically "masculine" physique. The complaining guest is insistent that "he" shouldn't be allowed to use the women's washroom.*

**Issues:** Transphobic behaviour, misgendering (deliberate use of an incorrect pronoun) and gender or washroom policing (presuming to know a person's gender or appropriate washroom better than they do based on how their gender is perceived) on the part of the complaining customer. Implications of passing (being perceived as heterosexual or cisgender, usually used in reference to trans individuals) vs. not passing.

**Relevant Policy & Practices:** Anti-harassment and anti-discrimination policies as applied to customers and customer interactions, employee responsibility in creating and maintaining accessible and inclusive space for LGBT+ customers, organizational commitment to creating and maintaining accessible and inclusive space for LGBT+ customers, washroom access for trans and gender-diverse individuals.

**Immediate Solution:** Focus on the behaviour, not the identity — address the customer that is behaving in a way that disrespects another person's identity. Offer them an alternative washroom if available, take the opportunity to highlight organizational policy around accessible space in line with legislation and engage a "teaching moment" if willing and able. If they escalate, ask them to leave. Check in with the customer that has been singled out.

**Long Term LGBT+ Inclusion Goals:** Presence of inclusive policy on promotional materials (website, pamphlets, transaction agreements, etc.) and signage within the physical space (hallways, inside the washrooms, etc.).

## Scenario #3

*An employee approaches HR to disclose the beginning of a gender transition and asks if there are any supports available and how it should be shared with colleagues. The HR manager looks surprised and mutters, "here we go..." while grabbing a copy of the Employee Handbook from a drawer and flipping it open. "I think we have a policy that outlines some steps, but nobody else here has transgendered, and the training was... not yesterday. Give me a sec."*

**Issues:** Ineffective communication of available trans-inclusive policy to employees, insufficient knowledge and ineffective training and follow-up, implication of willingness to breach privacy and confidentiality, inappropriate language use ("transgendered" is not a verb).

**Relevant Policy & Practices:** LGBT+ inclusive culture and culture management, appropriate initiation of a Workplace Transition Plan, privacy and confidentiality, effective training for staff and management, policy review, updating and re-training.

**Immediate Solution:** Take accountability for the lack of knowledge and ask for reasonable time to collect information to properly prepare to initiate the Transition Plan. Provide a follow up date, and obtain their consent to direct them to any relevant resources internally or externally that you are aware of that may have more information in the meantime.

**Long Term LGBT+ Inclusion Goals:** Inclusive policy and practice, confidentiality review and retraining for management, updates to Employee Handbook, evaluate and revise communications plan, develop more effective promotion of inclusion efforts, engage employee training or an awareness campaign.

## Scenario #4

*The new LGBT+ targeted packaging and promotional materials for your line are performing well in all but two of the stores that carry your product — both of which have been top sellers for you in the past. Running the numbers tells you there's been no change in sales of the product with the old packaging, so you connect with the merchandising teams at the stores. After hearing that they "have it on the floor with the rest of your product," you set up a video tour to see how it's being displayed and discover both locations have none of the promo materials displayed and one or two examples of the new packaging hidden behind the old.*

**Issues:** Inadequate assessment of the location's alignment with your LGBT+ D&I strategy before shipping and absence of follow-up after they put out the product. Lack of promo and accessibility for target customers, noncompliance with your marketing plan (display and promo) for the new packaging and "hiding the product" — all signalling an unwillingness on the part of the distributor to display packaging and promotional materials that depict same sex couples and individuals of different gender expressions.

**Relevant Policy & Practices:** Ensuring product awareness and availability for the target market, ensuring distribution points are aligned with and supportive of your LGBT+ D&I strategy, effective LGBT+ inclusive marketing implementation guidelines (vetting distributors, follow up/evaluation of efforts, repercussions for noncompliance, etc.).

**Immediate Solution:** Gauge the attitudes of the sellers about the packaging and promo materials, re-emphasize your LGBT+ D&I goals and policy and what will happen if they are unable to meet your requirements. Request that the sellers rearrange the displays to match your marketing plan and reiterate consequences of nonadherence, step up other types of promo in the area (if safe to do so) and revisit to ensure your plan is being adhered to.

**Long Term LGBT+ Inclusion Goals:** Evaluate and supplement the steps of your marketing strategy where needed, ensure your team is equipped to properly vet business locations and able to follow up to verify compliance.

# Section 4: Resources for Employers

## LGBT+ individuals in the Workplace

**"In & Out: Diverging Perspectives on LGBT Inclusion in the Workplace"** — A report produced in 2015 by the Canadian Centre for Diversity and Inclusion in partnership with Pride at Work Canada. Utilizes the lived experience of survey participants to discuss workplace inclusion of LGBT+ individuals and provides recommendations on how to improve it.

**"Beyond Diversity: An LGBT Best Practice Guide for Employers"** — A resource developed by Pride at Work Canada with the support of A Great Place to Work in 2017. Includes a list of strategies to improve LGBT inclusion in the workplace.

**"Hiring Across All Spectrums: A Report on Broadening Opportunities for LGBTQ2+ Jobseekers"** — A report that discusses the concerns of LGBT+ jobseekers and provides suggestions on what employers can do to improve their LGBT+ inclusive hiring practices.

**"Transitioning Employers: A survey of policies and practices for trans inclusive workplaces"** — A report published in April 2020 by Pride at Work Canada (Hixson-Vulpe, 2018) and the Institute for Gender and the Economy (Rotman School of Management, Toronto) that discusses how to create safe and affirming workplaces for trans and gender diverse individuals.

The above Pride at Work Canada resources, **"Beyond Diversity..."**, **"Hiring Across All Spectrums..."** and **"Transitioning Employers..."** are available for download at <https://prideatwork.ca/resources/>

**"Transitioning Employers..."** is also available at <https://www.gendereconomy.org/transitioning-employers/>.

## Policy Development

**"Diversity, inclusion, and equity policy template"** (Bloomerang)

**"Policy development process with best practices and tools."** (Northern Ontario School of Medicine)

\*Outlines the in-house process of the Northern Ontario School of Medicine, but is translatable and includes an in-depth discussion of the development process.

## Policy examples

**"Policy on preventing discrimination because of gender identity and gender expression."** (Ontario Human Rights Commission)



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