

Policy plan 2005 – 2008



Dutch trade union for workers
in the public sector

**Commission for
gay and lesbian policy**

1. Introduction

Background information

*ABVAKABO is the Dutch trade union for the public sector.. It affiliated to the Federation of Trade Unions in the Netherlands FNV.
Although the name of the Group in ABVAKABO is “lesbian and gay” the Group is also working for the interests of bisexuals and transgender people (LGBT).*

ABVAKABO's gay and lesbian group started its activities in 1986 as a grassroots group of lesbian and gay trade union members, not satisfied with the general approach the union followed at that time in cases of anti-gay or anti-lesbian discrimination. Gradually, the group got more status. Since 1986, ABVAKABO has developed a formal policy on gays and lesbians at the workplace, deployed and supported international activities on this issue, and installed an advisory body working on this issue. Still, up until this time, the gay and lesbian group has been a group of volunteers.

For several years, the group elects representatives (five men, five women) in a so-called Policy Advice Committee. This body submits advice to the executive board of the union on issues concerning gays and lesbians at the work place.

At this moment, 20 to 30 union members are active members of the gay/lesbian group. There is a tradition of “professional voluntary work” in the group: the union's board has praised us several times for being so effective with so little support from union employees or board members.

The tasks of the Policy Advice Committee are to submit advice, whether requested by the board or on the committee's own initiative,

- on collective labour agreements , e.g.
 - rewording the definition of partners, so that workers in same sex relationships benefit from the same rights – such as in pensions – as their colleagues in heterosexual relationships,
 - rewriting the texts on special leave, so that when workers in a same-sex relationship marry or enter a registered partnership, give birth to children or adopt them, same-sex and opposite-sex relations are treated on an equal basis,

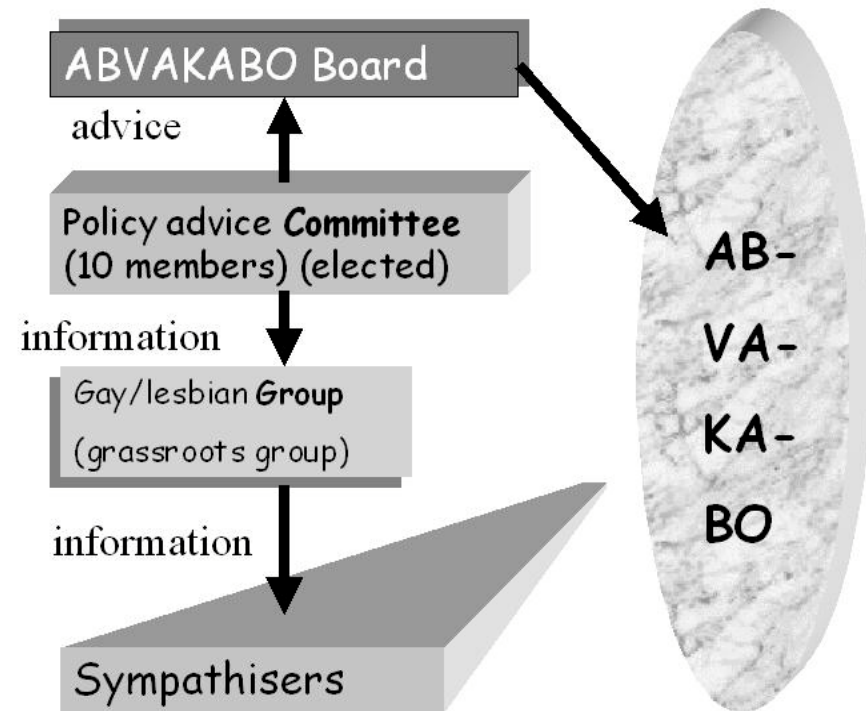
- facilitating protocols counteracting, or rather preventing, discrimination (including discrimination on the basis of sexual orientation) and harassment;
- promoting diversity at the workplace.
- on the union's policy in situations in which equal rights for gays and lesbians are at stake. For instance: the committee urged the board to publicly refuse defending the civil servant who worked at a city hall but refused to marry same-sex couples because of her religion.
- on the union's internal working. As a result, the union has installed a special contact person for (personal and legal) advice in cases of (alleged) discrimination on the basis of sexual orientation. However, this does not absolve other ABVAKABO personnel from responding adequately when lesbian or gay union members have problems or complain.

In the past, the Policy Advice Committee commissioned a study on the discrimination against gay and lesbian workers at the working place. The report on the study was presented to the Dutch media and was well covered by these media. It has also been presented at international conferences and received many positive responses. Recently, Dutch police has decided to start a study on the working conditions of lesbians, gays, women and ethnic minorities in the police force based on the ABVAKABO commissioned study.

ABVAKABO's gay and lesbian group (the "grassroots group") is responsible for the visibility of the union at gay/lesbian manifestations such as Pride. Usually, volunteers will stand in booths and distribute information materials about the union and the gay/lesbian policies and activities. Every time, booth volunteers discover passers-by who are member of ABVAKABO but are unaware of the gay/lesbian policies and activities. Some passers-by become union member, some union member and member of the gay and lesbian group.

Annually, the gay and lesbian group organises a training course of two days, open to union members. This course is meant to exchange experiences at the working place and strategies to prevent or solve discrimination and violence on the personal level. It also provides participants with some insight into the structure and activities of the gay and lesbian group, and encourages the participants to get involved.

Members of the gay and lesbian group, partly in the Policy Advice Committee, are also working on international affairs: trying to get LGBT workers' rights on the agenda of the European and world trade union organisations, co-operating with organisations such as the International Lesbian and Gay Association (ILGA).



Apart from the active 20 to 30 active group members, we have some 400 sympathisers who are kept informed by the newsletter of the gay and lesbian group, called "Inzake . . ." (= "Concerning . . ."). The newsletter provides information on recent developments in the work of the Policy Advice Committee, in the group itself and updates on regional, national or international developments.

Recent activities are influenced by two external factors:

1. The 9/11 attack on the Twin Towers and the Capitol, the 11M attacks on the metros in Madrid, recently followed by the murder on Dutch film maker Theo van Gogh by a Muslim fundamentalist, have caused a wave of emotion against all Muslims in the Netherlands. In the past ten years, it seems that the ant-gay/anti-lesbian aggression of youngsters from an Arab background has been growing. Therefore, the gay and lesbian group participates in the debate on Islam and homosexuality, and in mediation sessions with Muslim people and gays and lesbians, with the aim of creating mutual understanding and respect
2. In recent years, Dutch authorities have abolished special policies for women, for ethnic minorities, for lesbians and gays, claiming that in the long run special policies would not be favourable to any of these groups and that a diversity policy would do more justice to all. Apart from the fact that many of the authorities used this argument to cut down expenses to equal rights policy at all, the diversity concept is a challenge for ABVAKABO's gay and lesbian group to consider co-operation with the women's, the handicapped, the youth, and the ethnic minorities groups.

2. Diversity policy

Recently, ABVAKABO's congress accepted the principle of diversity as a building stone for trade union policy. Since then, it is no longer possible to continue policies for special groups: we need to think about our cause in terms of diversity. Nevertheless, some groups still need special attention. The basic principle of diversity is that each person is different and that differences are normal. Diversity policy, when introduced and executed in a proper way, can certainly encourage the multiformity in working organisations.

In this way the chances on the labour market can be raised for ethnic minorities, women, people with a handicap, gays and lesbians, other groups that are under threat of being marginalised.

The flip side of the diversity policy is that specific interests, complaints or problems are not heard anymore, that the managers and directors do not have their hearts in the diversity principle. In such a situation, the management and boards will experience diversity policy as a burden, for it urges them to change and educate themselves. The Commission thinks however that diversity policy is necessary.

Recommendations:

- that ABVAKABO starts to elaborate concretely what the diversity policy means for the union as a whole and for the various branches of work organised within the union.

Therefore, the Commission recommends that ABVAKABO

- organises a conference on diversity policy for special groups;
- organises a model of implementation for diversity policy.

3. ABVAKABO's services to union members

For lesbians and gays in the Netherlands, many things have changed over the last decade, both in legislation and in collective labour agreements. Any differentiation in labour conditions by employers has been put under legal prohibition. Same sex couples have earned rights for instance by the legislation on partnership registration, by the opening of civil marriage for same-sex couples, by partnership pensions for same-sex couples. Also in the areas of the right to absence from work, and the regulations for setting

apart parts of the salary for special purposes, in the adaptation to the individual situation, there was progress.

But it seems that it is less easy to truly realise the obtained rights at the workplace. First, some workers do not know what rights they have; secondly, it may depend on the good will of their chiefs if they can truly execute the right.

Trade union members with complaints or questions may find answers in the union, or outside it, but this is not an easy procedure.

Recommendations:

- that ABVAKABO improves its services to members.
- Therefore, the Commission recommends that ABVAKABO:
- improves its information services in general;
 - improves the courses for workers at the ABVAKABO call centre. The majority of the call centre workers does not have the correct and adequate information available;
 - improves and extends the facilities via the internet;
 - extends the facilities for union members to follow courses;
 - improves the services for victims of improper conduct at the workplace.

4. Improving the social climate at the working place

How does the social climate at a working place influence the way in which the personnel experiences its work? At the end of the 90s, that was a major topic for the Commission on lesbian and gay policies – and it still is.

In the 90s, the Commission therefore ordered two studies by the NISSO, the Dutch Institute for Social Studies on Sexuality.

The first study was based on a comparison of two randomly chosen groups of heterosexuals and compares the work experiences of heterosexuals and homosexuals in the broadest sense.

The second study is based on a survey among the readers of the magazine of the Group, which is called *"Inzake..."*.

From the first study it was clear that lesbians and gays have a different perception of their social labour climate. The most evident differences between the labour experiences of heterosexuals and their homosexual colleagues were:

- gays and particularly lesbians, need more days off than heterosexual workers;
- gays and lesbians experience less social support from their colleagues than heterosexual workers;
- lesbian and gay workers have less space to express their personalities at work;
- lesbian and gay workers are less informed about the current events at their workplace..

One of the conclusions from the second study can be that the readers of *"Inzake..."* are more open about their homosexuality, but also experience more negative reactions.

The Dutch laws are adequate enough to combat discrimination, such as by dismissal or denial of promotion, especially after a legislative change urged by the EU Directives. The problem is not in lack of legal rules. But there is a problem in changing the social atmosphere at work – which is much more complicated than setting rules.

The impression is getting stronger that during the past decade, due to social events, the number cases of intimidation and social exclusion has not only ceased to drop, but has in fact grown.

It is evident that the situation at schools is worsening. Now, more than a decade ago, teachers and pupils hide their homosexuality, because they don't feel safe at school. We also hear some stories from our grassroots members about growing numbers of negative experiences in other types of work.

Recommendations:

- that ABVAKABO contributes to the improvement of the social climate at the workplace;
- Therefore, the Commission proposes that ABVAKABO:
- drafts proposals for structural improvements in collective labour agreements such as contracts with the organisations that submit advice on the actual working situation;
 - supervises possibilities to concretely realise the rights that were already acquired;
 - formulates a lesbian-friendly policy at the workplace level.

5. Social dialogue

It is undeniable that the social cohesion is deteriorating in the Netherlands. This goes for various aspects of life, including religion and sexual orientation. The only way to stop this is a social dialogue in which all groups of society are included.

Recommendation:

- that ABVAKABO continues contributing to the Social Dialogue and tries to bridge the gaps between various social groups.

6. International

History:

ABVAKABO FNV has a name for its international activities against discrimination based on sexual orientation. Before most of the trade unions, it already had its group of active lesbian and gay members. Its gay and lesbian policy serves as an example for trade unions in the world that recognise that they also have a role in defending lesbian and gay rights.

From 1993 onwards, Public Services International (PSI) has an official policy against discrimination of lesbians and gays. This is a result of an initiative in which ABVAKABO as one its member organisations played an important role.

In 1998 and 2002 ABVAKABO contributed considerably to the international trade union conferences linked to the Gay Games in Amsterdam and in Sydney.

Recent developments:

In 2004 the first meeting of the Lesbian, Gay, Bisexual and Transgender Forum of Public Services International (PSI) and Education International (EI) took place in Porto Alegre (Brazil).

The gay/lesbian Group of ABVAKABO participated in the preparations. The Forum drafted recommendations to the boards of both trade union world umbrella organisations, and a co-ordinating group will help the follow-up on the recommendations of the Forum.

Recommendation:

- that ABVAKABO continues its vanguard role on the international level.

Therefore, the Commission recommends that ABVAKABO:

- contributes actively to the LGBT policy of PSI and IE and to the implementation of this policy in the Forum;
- makes its experience and its skills available to trade union groups in other countries;
- starts a twinning project with a similar group from a developing country.