

Bargaining LGBTQ2+ rights:

A CHECKLIST FOR COLLECTIVE AGREEMENT LANGUAGE

This document provides a checklist of ways to advance LGBTQ2+ rights through the collective agreement.

Your collective agreement should:

- Include gender identity, gender expression and sexual orientation as prohibited grounds of discrimination and harassment.
- Have strong anti-harassment and violence prevention language that addresses homophobia, biphobia, transphobia, heterosexism and other forms of oppression. LGBTQ2+* workers who are Indigenous, racialized, women and persons with disabilities are marginalized in multiple and intersecting ways.
- Treat same-gender, opposite-gender, and gender diverse relationships the same. LGBTQ2+ workers and their families should have entitlements equal to other workers under benefits, pensions, leaves (family, bereavement, marriage, parental, adoption), tuition subsidies, relocation expenses, travel passes, legal services and other policies, programs and clauses related to partners and dependents. Qualifying rules like proof of relationship and length of cohabitation must not discriminate.
- Cover medication, treatments and medical leave for in vitro fertilization, insemination, hormone therapy and other reproductive health needs.
- Cover gender-affirming surgical care, medication, counseling and related services and products such as hormone therapy, electrolysis, breast or penile prosthesis, wigs, gaffer underwear, chest binders, voice classes, medical-related travel expenses and other costs.
- Provide leave of absence (paid, flexible and without loss of service or seniority) and strong return to work and accommodation for workers undergoing a gender transition. Offer transition and support plans.
- Provide safe change rooms, washrooms and other gendered spaces. Use renovations and other opportunities to continually make spaces safer and more gender inclusive.
- Use gender-neutral and trans-inclusive language and pronouns.
- Ensure appropriate names and pronouns are used in the workplace and workplace-related content such as nametags, schedules, office doors and so on.
- Ensure that dress codes, uniforms and other clothing rules do not have a negative impact on LGBTQ2+ workers.

* LGBTQ2+ is short for lesbian, gay, bisexual, trans, queer, two-spirit and other marginalized gender and sexuality locations, identities and expression.

- Protect the privacy and confidentiality of LGBTQ2+ workers, prohibiting anyone from sharing information about a worker's identity, orientation or expression without the express permission of the individual.
- Provide training on gender and sexual diversity as part of comprehensive anti-oppression training for governing bodies and staff.

For more information, see:

cupe.ca/gender-diversity

Canadian Labour Congress.
Workers in Transition Guide.