



RAINBOW CHECKLIST FOR COLLECTIVE LABOUR AGREEMENTS

NETWORK RAINBOW FNV



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RAINBOW CHECKLIST FOR COLLECTIVE LABOUR AGREEMENTS

This Rainbow Checklist is an initiative of Network Rainbow FNV and provides an overview of ways in which Collective Labour Agreements and other terms and conditions of employment can be designed to reflect the diversity of employees. This not only concerns differences in lifestyles and relationship structures, but also the wide range of experiences and expressions relating to sexual orientation, gender identity, gender expression and sex characteristics. Its purpose is to promote equal treatment and to prevent and actively combat discrimination, exclusion and unequal treatment of LGBTI+ people, including lesbian, gay, bi+, asexual, transgender, queer and intersex people.

The checklist has primarily been developed for two target groups. First, it is intended for trade union members, union representatives, and members of works councils and employee participation councils. They can use this checklist to assess the extent to which the Collective Labour Agreement or internal policies within their organisation contribute to inclusion and equal treatment. Secondly, the checklist is intended for Collective Labour Agreement negotiators. They can use the points included to formulate proposals for improving terms and conditions of employment and to critically assess proposals made by employers in terms of their impact on LGBTI+ employees.

The aim of this checklist is to provide practical, immediately applicable building blocks for strengthening inclusive employment policies. Trade unions and employee participation bodies have an important role to play in this regard. A well-developed diversity and inclusion policy not only contributes to the legal position, safety and well-being of employees, but also benefits the organisation as a whole. It can contribute to a better working environment, higher employee engagement and increased productivity. At the same time, including provisions in a Collective Labour Agreement is only a first step: effective implementation and compliance are at least as important.

For that reason, the checklist focuses not only on the content of Collective Labour Agreement provisions, but also on the way they are implemented and embedded in practice. Explicit attention is paid to the efforts employers make to ensure that agreements are effectively implemented, the resources made available for that purpose, and the way in which monitoring and evaluation take place. Sustainable improvement can only be achieved where policies are monitored on an ongoing basis and adjusted where necessary.

In recent years, this checklist has, among other things, been applied during the revision of Collective Labour Agreement provisions within the Municipal Public Transport Company (GVB) in Amsterdam. The experiences gained during this process have contributed to the further development of the checklist. It is expected that more organisations and sectors will make use of it.

The checklist has recently been expanded and updated with new themes and points for consideration, including multi-parent families, inclusive care relationships, and the position of LGBTI+ employees in international contexts (for example, when working abroad). In doing so, the checklist reflects current social and legal developments in the field of diversity and inclusion.

As insights and legislation continue to evolve, this checklist is explicitly not intended to be a static document. It is designed to be reviewed and refined on a regular basis. Feedback from practice is therefore of great importance, and suggestions for improvement, clarification or additions are most welcome.

Network rainbow FNV

*Network Rainbow FNV is FNV's cross-sectoral LGBTI+ network. The network is active across all sectors and affiliated unions and is committed to advancing the interests of LGBTI+ employees and promoting inclusive workplaces. FNV members can join the network free of charge via the **Network Rainbow FNV** website.*



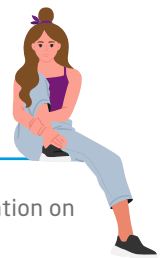
1. GENERAL

Article 1 of the Dutch Constitution provides that discrimination on any ground is prohibited and explicitly refers, among other grounds, to religion, belief, political opinion, race, sex, disability and sexual orientation. This provision forms a fundamental principle for equal treatment in employment relationships. The Equal Treatment Act (Algemene Wet Gelijke Behandeling - AWGB) gives further effect to this constitutional principle and prohibits discrimination in, among other areas, employment.

Although gender identity and gender expression are not explicitly included as separate protected grounds under the Equal Treatment Act, the case law of the Court of Justice of the European Union establishes that discrimination on these grounds falls within the concept of "sex".^{1 2} At the same time, policy and societal developments are increasingly aimed at the explicit recognition of these grounds in legislation and regulations.

In addition, increasing attention is being paid to the position and emancipation of intersex people, as reflected, among other things, in national policy agendas.³

It is important that Collective Labour Agreements and internal policies reflect these developments and go beyond the statutory minimum by being explicitly inclusive and protective.



CHECK:

- ☐ Does the Collective Labour Agreement or any other applicable policies clearly state that discrimination on the grounds of race, origin, national or ethnic origin, religion, belief, political opinion, sex, sexual orientation⁴, gender identity or gender expression will not be tolerated, and that unequal treatment on the grounds of intersex status must also be prevented and actively addressed?
- ☐ Does the Collective Labour Agreement explicitly state that discrimination on the grounds of sexual orientation, gender identity, gender expression and (inter)sex characteristics is prohibited, in addition to the existing statutory protected grounds?
- ☐ Is the text drafted in gender-inclusive language (using terms such as they, them, partner(s) and parent(s)/carer(s))?
- ☐ Does it include measurable objectives, such as annual reporting on diversity data and policy evaluations?
- ☐ Is there a procedure for reporting and addressing discrimination that guarantees confidentiality?
- ☐ When conducting (internal) research, are diversity characteristics collected in a consistent and appropriate manner, where permitted under the General Data Protection Regulation (GDPR)?

2. DIVERSITY LABELS, CHARTERS AND SIMILAR INITIATIVES

Organisations are increasingly committing themselves to diversity and inclusion policies through charters, quality labels and other public declarations. These instruments serve as a form of public commitment and demonstrate that organisations are actively working to prevent discrimination and promote equal treatment.

An important example is the **Diversity Charter**, which was developed following the advice of the Social and Economic Council (SER) on labour market discrimination.⁵ Organisations that sign this charter commit themselves to concrete diversity and inclusion objectives and report periodically on their progress.

In addition, various other initiatives and declarations focus on specific groups or themes, including:

- the **Dordrecht Declaration** (focused on transgender inclusion)
- the **Dutch Intersex Declaration**



- sector-specific quality labels, such as the **Roze Loper**⁶ (healthcare and social care)

Although such initiatives are valuable, they are only effective when accompanied by concrete measures, clear objectives and structural monitoring. Merely signing a charter is not sufficient; it must be translated into policy and practice.

Visibility is also important. Active participation in initiatives such as Coming Out Day, Bi Visibility Day or Pride events can contribute to an inclusive organisational culture, provided that such participation is supported by substantive policy and is not merely symbolic.

Finally, it is important that organisations act consistently: diversity and inclusion policies should also apply to international offices and partnerships, ensuring that employees can rely on comparable protection wherever they work.

CHECK:

-
- ☐ Has the employer signed a diversity quality label or charter? (such as the Diversity Charter, the Roze Loper, the Dordrecht Declaration or the Dutch Intersex Declaration)
-
- ☐ Does the charter include clear and measurable objectives?
-
- ☐ Is the quality label or charter actively promoted and made visible? (for example through the annual report, events or the organisation's website)
-
- ☐ If the employer has signed such a quality label or charter, is this also referred to in the Collective Labour Agreement?
-
- ☐ Have both commitments to make an effort and measurable outcomes been agreed?
-
- ☐ To what extent are there procedures within the organisation that do not directly concern employees themselves, but nevertheless indirectly set standards for relationships, for example those of patients (for instance, where the sibling of a seriously ill patient is allowed to visit, but their partner(s) or more than two parents are not)?
-
- ☐ To what extent does the organisation visibly demonstrate that it values combating discrimination and promoting (sexual) diversity, for example by facilitating an LGBTI+ employee network, participating substantively in visibility days, including those for lesser-known groups such as Bi Visibility Day, or by taking part in events such as Roze Zaterdag, Canal Pride or similar events?
-
- ☐ If the organisation operates internationally, to what extent do the same rules apply in its international offices to protect employees against discrimination and to promote sexual, sex and gender diversity?
-
- ☐ Does the organisation have an LGBTI+ employee network with appropriate facilities and a dedicated budget?
-
- ☐ Does the same diversity and inclusion policy apply across its international offices?
-

3. RECRUITMENT AND SELECTION

Recruitment and selection are a crucial stage at which inclusion—or exclusion—begins. Research shows that LGBTI+ people are still more likely to experience unequal treatment, both explicitly and implicitly, for example through stereotyping, unconscious bias or a lack of recognition of specific life circumstances. This may manifest itself in differences in contract types, career progression opportunities or the assessment of CVs.



An inclusive recruitment process therefore requires an active and conscious approach. This begins with job advertisements and ongoing communication: the language used should be inclusive and explicitly welcome applicants from marginalised groups.⁷ It is also important that selection procedures are designed to be as objective as possible, for example by using fixed assessment criteria and structured interview methods.

Training also plays an important role. Recruitment staff should have an understanding of the diverse experiences of applicants, such as career interruptions resulting from medical treatment or social circumstances, including transition processes. Inclusive recruitment therefore requires not only appropriate policies, but also the necessary skills and awareness.



CHECK:

-
- ☐ Does the organisation pay attention to recruiting through "rainbow channels" as well as beyond its own networks?
-
- ☐ To what extent does the job advertisement contribute to inclusive recruitment by explicitly welcoming and encouraging applications from marginalised groups, including LGBTI+ people?
-
- ☐ Is the job advertisement drafted using gender-inclusive language, including gender-neutral wording and pronouns, and free from implicit bias?
-
- ☐ Is a candidate's sex/gender disregarded when storing information about applicants?
-
- ☐ Is a standard set of interview questions used for every applicant so that candidates are assessed against the same competencies? Does the job advertisement state that the company or organisation is committed to diversity and inclusion?
-
- ☐ It is a recognised fact that LGBTI+ employees are more likely to be offered temporary contracts. Do the works council or employee participation council take action if there are indications of an imbalance between temporary and permanent contracts (both in type and number) in the recruitment or contract renewal of LGBTI+ employees?
-
- ☐ Are there agreements in place to prevent LGBTI+ employees from being disproportionately affected during reorganisations or mergers?
-
- ☐ When employees leave the organisation, for example through exit interviews, does the works council or employee participation council investigate whether there has been possible unequal treatment or circumstances that disproportionately affect LGBTI+ employees?
-
- ☐ Do employee satisfaction surveys include questions about the well-being and position of LGBTI+ people in the workplace?⁸
-
- ☐ If psychological assessments form part of the selection procedure, are they gender-neutral?
-
- ☐ Is recruitment staff provided with training on the inclusive assessment of candidates, including awareness of LGBTI+-related circumstances such as career interruptions resulting from transition processes or medical care?
-
- ☐ Are candidates actively informed about the organisation's diversity and inclusion policy during the recruitment and selection process?
-

4. GENDER IDENTITY AND SEX

Administrative systems are often based on traditional and binary assumptions about sex and identity. This can create obstacles for transgender, non-binary and intersex employees, for example where changes to names and sex markers are difficult to implement or where previous information remains visible in administrative systems.

The guiding principle should be that personal data are only recorded where necessary, and that such records reflect the employee's self-identification. This means that employees should be able to update their name, sex and pronouns easily, without unnecessary administrative burdens. In addition, protecting privacy is essential: previous information should not remain unintentionally visible or traceable.

It is also important that organisations develop policies to support employees during transition processes. This concerns not only the employee concerned, but also managers and colleagues, so that the working environment remains safe, respectful and well informed.

CHECK:

-
- ☐ Does the personnel administration use a sex designation, or does it provide for sex-neutral registration? Is there perhaps a free-text option?
 -
 - ☐ Do policy and practice ensure that sex is not recorded where this is unnecessary?
 -
 - ☐ Is the personnel administration based on the employee's legal sex, or on the gender identified by the employee?
 -
 - ☐ Is it possible to update a person's name, sex/gender and pronouns within the personnel administration?
 -
 - ☐ Can employees make these changes easily and without unnecessary procedural burdens? Are they actively supported throughout this process?
 -
 - ☐ If an employee's gender has been changed in the personnel administration, does this apply only from the date on which the change was made, or from the start of the employment relationship? (For example, could a certificate of employment or reference issued retrospectively unexpectedly reveal the employee's "former sex"?)
 -
 - ☐ If the organisation were nevertheless to issue a certificate of employment or reference containing a person's "former sex", can the employee easily have this corrected?
 -
 - ☐ Does the employer ensure safety and confidentiality for transgender and intersex employees? Is an employee's gender identity treated confidentially and shared only with their explicit consent? Are additional measures in place to safeguard privacy, safety and an inclusive working environment?
 -
 - ☐ Is intersectionality explicitly addressed in policies and Collective Labour Agreement provisions?
 -
 - ☐ Is a transgender or intersex employee given the opportunity, during or after a transition, both to remain in their current position and, if they wish, to be transferred to another role?
 -
 - ☐ Does the organisation provide guidance and information for colleagues and managers during the transition of a transgender employee?
 -
 - ☐ Is sufficient paid transition leave available for transgender and intersex employees during their transition?⁹
 -
 - ☐ To what extent does the organisation adopt a flexible approach to matters such as dress codes or the use of sanitary facilities?
-



5. EMPLOYEES AND THEIR RELATIONSHIPS

Collective Labour Agreements often link rights to the existence of a partner relationship. Traditionally, these definitions are based on limited and normative assumptions, such as heterosexual relationships, cohabitation requirements or legal formalities. This does not reflect the reality of diverse relationship forms.

An inclusive approach is based on the employee's autonomy to define their relationship(s). The actual caring and emotional relationship should be the determining factor, rather than formal criteria. This helps prevent the exclusion of, for example, partners who do not live together, polyamorous relationships or relationships that have not been legally formalised.

It is also important that all recognised partner relationships are treated equally in terms of employment conditions, including leave and pensions.



CHECK:

- ☐ Does the employee indicate to the employer who should be regarded as their partner(s), and can this be changed if the situation changes? Are there no requirements regarding cohabitation, the enduring nature of the relationship or notarial deeds?
- ☐ How much flexibility does the Collective Labour Agreement provide in its definition of a partner?
- ☐ Are partners treated equally with regard to all leave entitlements and pension rights?
- ☐ Are partners from abroad recognised without discrimination?

6. EMPLOYEES AND THEIR CHILDREN (MULTI-PARENTHOOD)

Collective Labour Agreements generally take into account the possibility that employees have or will have children, and that caring for children may require additional provisions. However, these arrangements are often based on traditional views of parenthood and family formation. In practice, there are various family structures that do not always fall (fully) within the current definitions.

Collective Labour Agreements use different definitions of employees' children. It is important that these definitions are broad and inclusive, and are not based solely on biological or legal kinship. This means that foster children, adopted children and children growing up in multi-parent families should also explicitly fall within the scope of Collective Labour Agreement provisions. The guiding principle should be that the actual caregiving and parenting relationship takes precedence, regardless of the living situation, the age of the child or the legal status of the relationship.

Increasing attention is being given in policy and legislation to multi-parenthood and multi-parent parental responsibility. The State Committee on the Reassessment of Parenthood has made proposals on this subject, which are currently under political consideration. If these proposals are incorporated into legislation, this will result in broader legal recognition of parenthood. Until that process has been completed, Collective Labour Agreement parties have an important role to play by anticipating these developments and preventing employees in diverse family structures from falling through the cracks. In this way, Collective Labour Agreements can contribute to equal treatment and help prevent indirect discrimination.

In addition, it is important that leave arrangements relating to birth, adoption and caregiving are formulated in a gender-neutral way. This is particularly relevant in situations where gender identity and biological functions do not coincide, such as for transgender employees. By basing arrangements on roles and responsibilities rather than on sex, they better reflect the reality of employees.



CHECK:

- ☐ How much flexibility does the Collective Labour Agreement provide in its definition of a child? (including foster families, adoptive families and multi-parent families)
- ☐ Does the Collective Labour Agreement provide parental leave for all caregiving relationships, including non-biological and non-legal children (such as foster children, stepchildren or children in multi-parent families)?
- ☐ Can an employee make use of, for example, emergency leave, even if the child is not their biological and/or legally recognised child?
- ☐ It has recently become legally possible for transgender employees who have undergone a transition to give birth to a child.¹⁰ Are the Collective Labour Agreement provisions on pregnancy and maternity leave formulated in a sex-neutral way?

7. CARE

Employees increasingly combine work with caregiving responsibilities, for example for children, partners, family members or others within their social network. These caregiving responsibilities are diverse and do not always fit within the existing legal frameworks, which often rely on a limited definition of family or household relationships. As a result, employees may not be entitled to the leave they need or may be required to provide extensive justification of their personal circumstances.

Different countries have different models for care leave, ranging from flexible “personal days” to comprehensive statutory parental leave arrangements. The Netherlands also has statutory minimum provisions, such as short-term and long-term care leave, but these are not always sufficient to meet employees’ needs. Collective Labour Agreements can therefore play an important complementary role by providing broader and more flexible arrangements.

An important principle is that employees should experience as few barriers as possible when taking leave for caregiving situations. This means, among other things, that they should not be required to provide extensive justification of their relationship with the person requiring care. At the same time, attention should be paid to the financial consequences of care leave. Long-term caregiving may result in loss of income and interruption of pension accrual, which can have a significant impact on employees’ financial security, particularly over the longer term.

It is therefore desirable for Collective Labour Agreements to include additional provisions, such as (partial) compensation for loss of income and the continuation of pension accrual during periods of unpaid leave. In this way, caregiving responsibilities are prevented from leading to inequality or financial vulnerability, while recognising the societal value of care work.



CHECK:

- ☐ Can employees decide for themselves under which circumstances they take special leave? Can employees take leave for celebrations, bereavement or other events that are important to them (up to a maximum number of days per year)?
- ☐ Where it is clear that a serious situation requires an employee to provide informal care, what additional provisions does the Collective Labour Agreement offer to support working informal carers beyond the Dutch Work and Care Act (namely 70% salary for two weeks of paid short-term care leave and six weeks of unpaid long-term care leave)?
- ☐ Are the provisions for paid leave, including parental leave and partner's birth leave, more generous than the statutory minimum? Partner's birth leave consists of one week of fully paid leave and five weeks of leave paid at 70% of salary. Parents are entitled to 26 weeks of parental leave, of which 9 weeks are paid at 70% if taken within one year of the birth, adoption date or placement of the child.
- ☐ Adoptive parents and foster parents are also entitled to parental leave. Under current legislation, however, a child can legally have only two parents, meaning that in the case of multi-parent families not all parents are eligible for these forms of leave. The Collective Labour Agreement can include additional provisions to make parental leave, partner's birth leave, adoption leave and foster care leave available to all parents.
- ☐ Does the organisation provide a compensation scheme for loss of income for employees who take (temporary) unpaid leave because of intensive informal care, and are arrangements in place for the continuation of pension accrual during this period?



8. PENSIONS

Pension schemes are often based on traditional definitions of partnership and family relationships.

As a result, employees with non-traditional or less formally recognised relationships may be disadvantaged, for example because they are unable to access a partner's pension.

An inclusive pension scheme allows employees to define their own relationships and applies proportionate evidential requirements. This may involve the use of personal declarations or simple registration procedures, rather than formal legal documents.

Account should also be taken of relationships that change over time. Allowing relationships to be recognised retrospectively can contribute to a fairer distribution of rights.

CHECK:

- ☐ How easy or difficult is it for employees to have their partners recognised under the pension scheme that applies to them? Are personal declarations sufficient, or must marriage certificates, cohabitation registrations or notarial agreements be submitted as evidence? Is cohabitation a requirement?
- ☐ Is it possible for previously undeclared relationships to be recognised retrospectively (with an earlier effective date) for the purposes of a partner's pension?
- ☐ In line with the reality at some pension funds, is it possible for a person to have multiple partners who each accrue (a share of) partner's pension rights?

9. INTERACTION WITH THIRD PARTIES

In their work, employees may encounter customers, patients, travellers or other third parties who make discriminatory or disrespectful remarks. Under the Dutch Working Conditions Act (Arbowet), employers have a duty to protect employees against psychosocial workload, including discrimination and harassment.

This requires clear protocols and an active approach by the organisation. Employees should know what they can do in such situations and be able to rely on support when they set boundaries.

It is also important that policies do not exist only on paper, but are actually implemented and evaluated.

CHECK:

- ☐ Does the organisation have a policy for situations in which one or more customers, passengers, patients (or their visitors), pupils or parents behave disrespectfully, offensively or discriminatorily towards employees?
 - ☐ Does this policy explicitly address offensive remarks and similar behaviour based on sexual orientation, sex or gender identity? Are all employees aware of this policy? Is it monitored whether the policy is being used and what results it achieves? Is there a sanctions policy?
-
- ☐ Do employees receive regular training on this?
-
- ☐ Are employees protected against reprisals when they challenge discriminatory behaviour by third parties?
-

10. SOCIAL SAFETY AND UNDESIRABLE BEHAVIOUR

The Dutch Working Conditions Act (Arbowet) requires employers to safeguard the safety and health of employees. This also includes protection against psychosocial workload, including bullying, (sexual) harassment, aggression, violence, social exclusion and discrimination. Employers are required to establish policies for this and to implement them in practice.

In practice, these forms of undesirable behaviour do not affect all groups equally. LGBTI+ people are demonstrably more likely to experience exclusion, microaggressions and discriminatory behaviour in the workplace. These experiences are also diverse and depend, among other things, on gender identity, sexual orientation and other intersecting characteristics. It is therefore important that policies explicitly address these differences and make risks affecting specific groups visible.

Inclusive research plays a central role in this. By explicitly and carefully including diversity characteristics in employee satisfaction surveys, risk assessments and other measurement instruments (within the limits of privacy legislation), organisations can gain insight into where barriers occur. It is essential that such research is conducted carefully, confidentially and with guaranteed anonymity, so that employees feel safe sharing their experiences. The outcomes of these studies should not only be recorded, but also actively followed up with concrete measures.

An important element of the policy is the presence of an independent and competent confidential adviser. This person should have sufficient knowledge of discrimination and exclusion mechanisms, including those that specifically affect LGBTI+ people. In addition, it is important that clear codes of conduct are in place, that employees are informed about them, and that accessible and confidential reporting mechanisms are available. Only when policy, knowledge and practice come together can there be a genuinely safe working environment.



CHECK:

- ☐ Does the Collective Labour Agreement include such a policy, or is such a policy linked to the Collective Labour Agreement?
- ☐ Does this policy specifically address undesirable behaviour based on (perceived) gender identity, sex, gender expression or sexual orientation?
- ☐ Have the risks of undesirable behaviour been identified in the RI&E (Risk Inventory and Evaluation), including whether LGBTI+ people face additional risks? Has an action plan been developed to address these risks at their source? Is attention given to, and knowledge shared about, the different experiences and needs of the various groups covered by the umbrella term?
- ☐ Is there an independent and competent confidential adviser? Does the confidential adviser have sufficient knowledge and expertise to recognise discriminatory and exclusionary mechanisms and to handle complaints appropriately?^{11 12 13}
- ☐ Has a code of conduct been developed in close consultation with the workforce, setting out how people are expected to treat one another, and is there a sanctions policy for those who do not comply with the code of conduct?
- ☐ Are employees provided with information about the policy, social safety and the measures that have been taken?
- ☐ Is there a confidential and easily accessible reporting point?
- ☐ Is periodic research carried out into the level of social safety experienced by LGBTI+ employees?
- ☐ Is specific attention paid to microaggressions and exclusion based on gender identity, sex and sexual orientation?



11. EXPATS

Many Dutch organisations have offices abroad. The government also has an extensive network of embassies and consulates worldwide. Employees may be posted to such locations as part of their role. However, this can create specific barriers, particularly when an office is located in a country where sexual orientation, gender identity or gender expression are not recognised, are criminalised or are strongly socially disapproved of.

For LGBTI+ employees – including transgender and non-binary people – a posting to such countries may result in real risks of discrimination, exclusion or even criminal prosecution. In this context, it is very important that employers recognise these risks and actively develop policy to address them. This begins with employees having the right to refuse such a posting without this leading to adverse employment-related consequences, such as missed promotion opportunities or a negative appraisal.

Where employees are willing to be posted abroad, the employer should take appropriate measures to safeguard the safety and well-being of the employee and their partner(s). This includes facilitating safe accommodation, providing support with visa applications and the residence of partner(s) and family, and preventing employees from being exposed to unacceptable risks because of their identity or relationship form.

The right to respect for private and family life, as protected by Article 8 of the European Convention on Human Rights (ECHR), is an important guiding principle in this regard. This right includes the ability to maintain relationships and live in accordance with one's own identity without unjustified interference. Employers should respect and facilitate this right as far as possible, including in international contexts.



Employers may also be expected to make efforts to combat discrimination against LGBTI+ employees in international contexts, for example through policy, training and, where possible, diplomatic or organisational measures. This requires an active rather than a passive approach.

CHECK:

-
- ☐ Does the Collective Labour Agreement allow employees of international companies to refuse a posting in a country where 'homosexuality' is prohibited or criminalised?
-
- ☐ Does the Collective Labour Agreement allow the employee and employer to make flexible arrangements for visits by the partner(s), with the safety of the employee and partner(s) taking priority?
-
- ☐ Is a risk assessment carried out in advance for LGBTI+ employees travelling abroad?
-
- ☐ Are emergency assistance and support provided in the event of incidents abroad?
-

12. QUALITY ASSURANCE, MONITORING AND EVALUATION

Policy is only effective when it is implemented, monitored and adjusted on a structural basis. Without active follow-up, there is a risk that agreements will have insufficient effect in practice.

Monitoring includes both quantitative and qualitative data, including research into employees' experiences. Evaluation means that these data are used to improve policy. Training is essential to ensure that those involved have the necessary knowledge and skills.

It is also important that inclusion is not regarded as a one-off effort, but as a continuous process of learning and improvement.

CHECK:

-
- ☐ Are the resources allocated for combating discrimination and promoting diversity policy both allocated **and** used?
-
- ☐ Are the agreements that have been made actually honoured? Is it verified that they have been implemented?
-
- ☐ Is periodic training provided to managers, the works council, HR professionals and confidential advisers, based on current insights and with explicit attention to the diverse experiences, positions and needs of the different groups within the LGBTI+ community?
-
- ☐ Are LGBTI+ employees (insofar as they are known) involved in surveys or other research into well-being within the organisation?
-
- ☐ Does the organisation take timely action in response to concerns that are raised?
-
- ☐ For example, are efforts and results relating to the organisation's policy on sexual diversity and combating discrimination reported to the works council or employee participation council? Are they included in the organisation's annual social report?
-
- ☐ Is there a budget and training for continuous professional development?
-
- ☐ Has the policy been submitted to the works council for consent?
-
- ☐ Are managers trained in, and assessed on, inclusive leadership?
-



13. AS AN EMPLOYEE

13.1 Beyond the Checklist: What Can I Do as an Employee?

An inclusive workplace is created not only through formal policies and Collective Labour Agreement provisions, but also through the everyday actions of employees. Individual employees, regardless of their position within the organisation, play an important role in promoting a safe, open and respectful working environment for LGBTI+ colleagues. This means that inclusion is not solely the responsibility of managers or HR professionals, but a shared responsibility throughout the organisation.

Contributing to inclusion often begins with small, practical steps. By using inclusive language, discussing barriers and showing support, employees can make a difference to how safe colleagues feel. At the same time, it is important to recognise that employees differ: not everyone wants to be visible or share personal experiences. Acting inclusively therefore requires respect for personal boundaries, voluntary participation and different ways of being involved.

Collective action can also contribute to structural change. By bringing together concerns, sharing experiences and working together with, for example, the works council, HR, confidential advisers or allies, barriers can be addressed more effectively. Strengthening inclusion is therefore both an individual and a collective process.

13.2 Setting Up a Working Group or Network

Establishing an LGBTI+ network or diversity working group can help ensure sustained attention to inclusion within the organisation. Such a group can serve as a platform for sharing experiences, identifying barriers and developing initiatives. In addition, the group can act as a discussion partner for HR, management and employee participation bodies.

It is important that participation in such groups is voluntary and that privacy and safety are respected. Not all employees wish, or are able, to identify themselves publicly as part of a network. At the same time, actively involving allies can help build support, normalise inclusion and embed it more broadly within the organisation.

Do

- Start with a small, motivated group.
- Connect with the works council, HR or other relevant bodies.
- Involve both LGBTI+ people and allies.
- Ensure participation is voluntary and takes place in a safe environment.

Don't

- Expect one person to take the lead.
- Start too ambitiously without sufficient support.
- Assume that everyone wants to participate openly.

13.3 Informal Gatherings and Visibility

Informal gatherings, such as lunches or themed sessions, can help foster recognition, trust and openness. These occasions provide opportunities to share experiences and to discuss inclusion in an accessible way. Employees who do not identify as LGBTI+ can also play an important role as allies.

Visibility can contribute to social safety, but it should always remain a personal choice. It is important that organisations and colleagues do not put pressure on individuals to share their experiences or to be visible. Inclusion also means respecting anonymity and personal boundaries.

Do

- Explicitly invite allies as well.
- Ensure a safe and respectful environment.
- Keep participation voluntary.

Don't

- Present participation as mandatory.
- Expect everyone to share personal experiences.
- Limit inclusion to symbolic moments.



13.4 Making Inclusion Part of Everyday Work

Inclusion is strengthened when it becomes part of everyday work and regular conversations. This may involve language use, ways of interacting with one another or policy decisions. By asking questions and sharing observations, employees can contribute to awareness and change.

It is effective to build on shared values, such as respect and equality, and to keep conversations open and constructive. Allies can play an important role by actively supporting and demonstrating inclusive norms.

Do

- Ask open questions and start the conversation.
- Refer to shared values and agreed standards.
- Seek support from colleagues or allies.

Don't

- Correct or embarrass colleagues in public.
- Make discussions personal.
- Remain silent out of fear of causing discomfort.

13.5 Visibility and Showing Support

Employees can show their support for LGBTI+ colleagues in various ways. This does not always have to be highly visible; subtle expressions of solidarity also contribute to an inclusive working environment. Examples include using inclusive language, respecting a person's name and pronouns, and responding to exclusion.

Allies play an important role in this. By expressing their support and reinforcing inclusive norms, they contribute to a working environment in which everyone can feel recognised and safe.

Do

- Show your support as an ally.
- Respect different forms of visibility.
- Make space for others.

Don't

- Encourage others to express themselves or to "come out".
- Present visibility as the norm.
- Make assumptions about someone's identity.

13.6 Raising Concerns and Identifying Barriers

Employees are often the first to recognise where barriers arise. These may include discriminatory remarks, exclusion or unsafe situations. Raising these concerns is important, but requires care and sensitivity.

Bringing together concerns (for example with colleagues, works council members or allies) can increase their impact and contribute to effective follow-up. Existing structures, such as confidential advisers, can also provide support and help ensure a safe approach.

Do

- Bring concerns together with colleagues and allies.
- Make use of existing channels.
- Contribute to finding solutions.

Don't

- Carry problems on your own.
- Address unsafe situations without support.
- Expect change to happen immediately.

13.7 Continuing to Learn and Share Knowledge

Inclusion is an ongoing process. By continuing to develop and share knowledge, employees and organisations remain able to adapt to new insights and developments. This can be achieved through training, publications, conversations or participation in networks.

It is important to remain open to feedback and to recognise that experiences within the LGBTI+ community are diverse. Both LGBTI+ employees and allies play a role in keeping this process alive.



Do

- Keep learning and ask questions.
- Share knowledge, including with allies.
- Recognise diversity within groups.

Don't

- Assume that inclusion is "finished".
- Speak on behalf of others without consultation.
- Limit inclusion to a single moment or theme.

14. ENDNOTES

¹Brief van de Minister van Onderwijs, Cultuur en Wetenschappen inzake het emancipatiebeleid. Tweede Kamer 30 420 nr. 180, 10 mei 2013.

²Arrest van 30 april 1996 in de zaak van P tegen S en de Cornwall City Council.

³Tweede voortgangsrapportage emancipatiebeleid, Tweede Kamer 30 420, nr. 177, 26 november 2012

⁴Bij de parlementaire behandeling van het wetsontwerp AWGB lichtte minister Dales toe dat onder de discriminatiegrond "homo- of heteroseksuele gerichtheid" ook biseksuele gerichtheid moet worden begrepen (Handelingen Tweede Kamer 10 februari 1993).

⁵SER-advies 2014/03: 17 april 2014 (Commissie Arbeidsmarkt- en onderwijsvraagstukken) Discriminatie werkt niet! Advies over het tegengaan van discriminatie bij de arbeid.

⁶Een aanvankelijk Nijmeegs initiatief (na 2008 landelijk uitgerold) om de LHBTI+-vriendelijkheid in instellingen in de ouderenzorg en welzijnssector te beoordelen. ANBO, COC Nederland, Movisie en Viland hebben de tolerantiescan ontwikkeld in samenwerking met de certificerende instelling KIWA en met steun van het Ministerie van VWS.

⁷Bi+ Nederland, Inclusieve taalwijzer, geraadpleegd op 10 juli 2026, <https://biplus.nl/biplus-inclusieve-taalwijzer/>

⁸Bi+ Nederland, Handreiking Bi+ inclusief onderzoek, geraadpleegd op 10 juli 2026, <https://biplus.nl/handreiking-biplus-inclusief-onderzoek/>

⁹Transgender Netwerk, Voorbeeldbeleid transitieverlof, geraadpleegd op 10 juli 2026, <https://www.transgender-netwerk.nl/kennis/toolkit/voorbeeldbeleid-transitieverlof/>

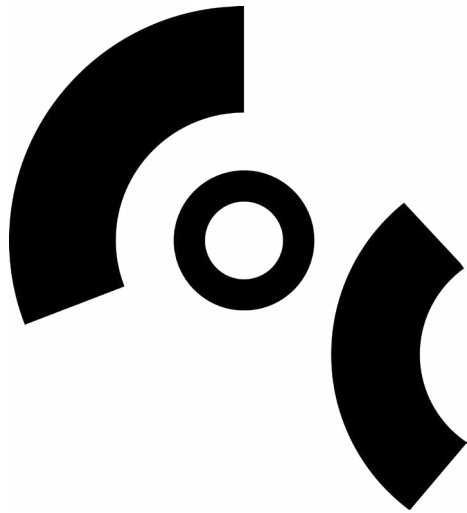
¹⁰Na instemming van de Eerste Kamer met wetsvoorstel 33 351 (Wijziging van Boek 1 van het Burgerlijk Wetboek en de Wet gemeentelijke basisadministratie persoonsgegevens in verband met het wijzigen van de voorwaarden voor en de bevoegdheid ter zake van wijziging van de vermelding van het geslacht in de akte van geboorte) is sinds juli 2014 is het voorschrift vervallen dat transgenders, voordat zij een transitie ondergaan, zich moeten laten steriliseren.

¹¹Bi+ Nederland, Onderzoek: SGSGG - Alsof je geen grenzen hebt, geraadpleegd op 10 juli 2026, <https://biplus.nl/onderzoek-sgsgg-alsof-je-geen-grenzen-hebt/>

¹²Bi+ Nederland, Verkenning seksueel grensoverschrijdend gedrag en seksueel geweld bij bi+ mensen, geraadpleegd op 10 juli 2026, <https://biplus.nl/verkenning-seksueel-grensoverschrijdend-gedrag-en-seksueel-geweld-bij-biplus-mensen/>

¹³Stichting Seksediversiteit, Mirjam Abe, Marinus Britt Myren, Welke fucking grenzen had ik nog moeten hebben?*, geraadpleegd op 10 juli 2026, <https://www.seksediversiteit.nl/wp-content/uploads/2025/08/20250725-Mir-Abe-Marinus-Britt-Myren-Welke-fucking-grenzen-had-ik-nog-moeten-hebben.pdf>

15. WITH THANKS TO



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