

Bullying, harassment and discrimination of LGBT people in the workplace

A TUC report

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EXECUTIVE SUMMARY

This research from the TUC provides a powerful and important insight into the experiences of lesbian, gay, bisexual and trans plus (LGBT+) workers of bullying, harassment and discrimination at work. The polling we have undertaken for this research complements our qualitative report *Being LGBT+ at Work* and helps to underline the lack of progress in eradicating the unfair and discriminatory treatment that the LGBT+ community face in workplaces.

We captured data on experiences of being bullied due to sexual orientation or gender identity, the prevalence of verbal abuse and physical violence, as well as behavioural unfair treatment, like being excluded from meetings or made uncomfortable at work.

The findings are stark. Over half of respondents told us that they had experienced at least one form of bullying or harassment at work in the last five years. Around one in five respondents (19%) had been exposed to verbal abuse about LGBT+ people in the workplace. And one in 20 respondents (5%) told us that they had experienced physical violence, threats and intimidation because they are lesbian, gay, bi or trans. These findings mean that it is unsurprising to see that more than a quarter of LGBT¹ people (29%) aren't open with anyone at work.

This research has also given us the opportunity to examine trends and patterns for different strands of the LGBT community. We've found that bisexual workers are less likely to be open with anyone at work about their sexual orientation with 39% saying this compared to 14% for lesbian and gay workers. We've seen that eight in 10 (79%) trans respondents had experienced bullying at work, compared with just under half (48%) of the full sample. We also gathered important information on the impact of bullying, harassment and discrimination. Four-in-ten respondents who had experienced bullying told us that their treatment at work had negatively impacted their mental health.

¹ Throughout this report we will use LGBT when referring to the research findings which utilises the census data combined with demographic modelling to ensure the lesbian, gay, bisexual and trans (LGBT) sample has been accurately weighted to reflect the experiences of LGBT workers. We will use LGBT+ when referring to the full LGBT+ community including, for example non-binary workers.

Feedback about the role unions play in supporting LGBT+ workers was positive, with just under half (45%), of the respondents saying their union supported them as a lesbian, gay, bi or trans person and only one in 50 (2%) saying their union was not supportive of them as a lesbian, gay, bi or trans person.

Union members are also more likely to feel confident that any complaints or grievances would be taken seriously, but there is work to do. This adds further proof to existing evidence that every LGBT+ worker should be in a union. We found that young LGBT workers, in keeping with wider trends, are less likely to be in a union, and therefore less likely to have the option of union support in challenging or reporting bullying, harassment and discrimination.

This snapshot of the experiences of LGBT people at work provides us with the data needed to continue our important work. As we head towards a general election, it's crucial that all forms of bullying, harassment and discrimination are challenged, and that wider community hate is tackled. You'll find included in the report a number of recommendations, aimed at government, regulatory bodies, employers and unions. It's crucial that our reps and activists take these findings and actions to workplaces and organise. There is a role for all of us to play in ensuring that LGBT+ people are treated with respect and dignity and protected from violence and prejudice.

SECTION 1: OUR RECOMMENDATIONS

Government

- › **Third-party harassment:** Strengthen legislation to tackle third-party harassment. Employers currently have a duty of care for all workers; however, in relation to third party harassment is not always clear to employers or workers what this means and what proactive measures need to be put in place to ensure workers are protected. The government must reintroduce Section 40 of the Equality Act 2010 which places a duty on employers to protect workers from third-party harassment. Government should also strengthen protections from third party harassment by removing the requirement that an employer needs to know that an employee has been subjected to two or more instances of harassment before they become liable and ensure that preventative measures in the new Worker Protection Act extend to third-party harassment. This would ensure clear and comprehensive legal protection on the grounds of harassment and sexual harassment.
- › **Act to stamp out the insecure work** that disproportionately hits LGBT+ workers, by banning zero-hours contracts, raising the national minimum wage to £15 per hour as soon as possible, and acting on fire and rehire and bogus self-employment.
- › **Reinstate employment tribunals' power to make wider recommendations.** The Equality Act 2010 gave employment tribunals the power to make wider recommendations for the benefit of the wider workforce, not just the individual

claimant, in relation to discrimination claims. This power was removed by the Deregulation Act 2015. In workplaces where a culture of bullying, harassment and discrimination has been allowed to flourish or where there are systemic failures of the organisation to respond adequately to complaints of harassment, the power to make wider recommendations would be of great benefit.

- › **Outline regulations that ensure LGBT+ workforce data** is collected both through the Labour Force Survey and other data monitoring exercises.
- › **Reform the Gender Recognition Act,** giving trans and non-binary people the right to self-determination. Maintain protections for trans and non-binary people in the Equality Act.
- › **Consult with unions** on a strategy to make sure workplaces are safe for all LGBT+ people.
- › **Allocate EHRC additional, ringfenced resources** so that they can effectively use their unique powers as equality regulator to identify and tackle breaches of the Equality Act in LGBT bullying, harassment and discrimination cases in order to take employment cases which are both strategically important and everyday discrimination cases that, while not strategically important, are meritorious.

Regulatory bodies

- › **Strengthen the role of regulatory bodies.** Given the worryingly high levels of workplace bullying, harassment and discrimination the research found, there is a clear need for greater activity, including enforcement activity, by regulatory bodies such as the EHRC (Equality and Human Rights Commission), which has responsibility for equality legislation, and the HSE (Health and Safety Executive), which has responsibility to ensure the risks of encountering harassment and violence at work are assessed and prevented or controlled. These bodies should be given, and maintain, the political independence needed to perform their functions. The government should work with them to coordinate an appropriate response to the findings of this research and provide them with the necessary resources to do this.

Employers

- › **Make all workplace policies inclusive.** Ensure all their policies, including those on harassment and sexual harassment, are LGBT inclusive, using appropriate language, examples and case studies. Policies should be negotiated with unions. All staff should receive training on these policies, including new staff in their induction and line managers, so that the whole workforce understands the policy and their role in ensuring the workplace is free from harassment and victimisation
- › **Adopt a zero-tolerance approach.** Employers should take a zero-tolerance approach to all forms of discrimination and harassment (and sexual harassment). This should include workplace policies and training, including what bystanders should

do to challenge harassment. Where such incidents do occur, there should be clear disciplinary procedures in place for the perpetrator and support for the victim.

- › **Translate workplace policies into an inclusive culture.** Take action to make sure that appropriate workplace policies translate into an inclusive culture. Provide training and information about LGBT+ issues and identities. Ensure that staff and managers can identify homophobia, biphobia and transphobia when it occurs, and work with unions to design safe reporting systems.
- › **Clear culture of inclusivity from the top.** Make sure that senior staff are equipped to set a clear culture of inclusivity from the top, and quickly and effectively stamp out bullying, harassment and discrimination.
- › **Review recruitment processes and data.** Employers should analyse trends and introduce steps to support LGBT+ staff to thrive, such as training for hiring managers, and providing information to candidates about the employer's commitment to inclusion, as well as monitoring internal LGBT data on who accesses training and promotion opportunities.
- › **Training.** HR and all levels of management should receive training on sexual harassment, what constitutes sexual harassment, stalking and online harassment, relevant law and workplace policies, and how to respond to complaints of sexual harassment. In some workplaces, training for all staff may be appropriate.

Trade unions

- › **Review guidance and training.** Unions should review their guidance and training for reps on how to support members who have been harassed or bullied to ensure they are LGBT+ inclusive.
- › **Review employer policies on bullying, harassment and discrimination.** Unions should work with employers to review their policies on bullying, harassment and discrimination, to ensure they are LGBT+-inclusive by using appropriate language, examples and case studies throughout.
- › **Actively get involved in workplace LGBT+ networks,** to ensure that LGBT+ workers understand the union is there to help and support them, and build the confidence of reps and activists on LGBT+ issues. Unions should beware of leaving LGBT+ networks to be wholly management-led. Networks do not have protected rights in law like unions do, and often cannot speak independently of management.
- › **Negotiate robust workplace policies.** Any policy that aims to tackle harassment, abuse or violence should clearly define the behaviours, and recognise the employer's duty to prevent and/or deal with any harassment from third parties. Unions may want to collect anonymised information about members' experiences of third-party harassment, abuse or violence to help strengthen negotiations with an employer.
- › **Workplace campaigns.** Run workplace campaigns and organising. Trade unions should publicise the support they can offer in all cases of harassment, abuse and violence and proactively target recruitment and organising activities at LGBT+ workers. Unions should proactively organise LGBT representatives and provide opportunities for leadership development.
- › **Consult with LGBT+ members regularly to identify gaps in policy and practice,** particularly around issues such as bullying, harassment and discrimination, recruitment, family leave policies, transitioning in the workplace and transition-related leave, access to facilities, uniforms and dress policies, gender options and titles on forms and workplace systems.
- › **Ensure that trade union reps have a strong knowledge of LGBT+ identities, issues and terminology,** and of the law as it protects LGBT+ workers.
- › **Be visible on LGBT+ workers' issues.** For example, by attending local and national Pride parades, explicitly communicating that trade unions stand ready to represent LGBT+ workers with issues and grievances, communicating wins and successes, and using visual signals to demonstrate inclusion. And consider the use of flags and pronoun badges/stickers, for example.
- › **Get involved in the trade unions for trans rights network.** The network will be a space for trade unions to work closely with LGBT+ charities and community organisations, to create and share resources and research, and coordinate campaigns.

SECTION 2: WHAT WE KNOW ABOUT LGBT WORKERS BULLYING, HARASSMENT AND DISCRIMINATION

This report focuses on the bullying harassment and discrimination of lesbian, gay, bisexual and trans (LGBT) people at work.

Current legal provisions

The Equality Act 2010 is clear, a worker must not be discriminated against because of their sexual orientation (eg being gay, lesbian, heterosexual etc) or because of gender reassignment² (eg being trans or non-binary). For the purposes of the law, the gender reassignment protections cover anyone proposing to undergo, undergoing or having undergone a process to reassign their sex.

Discrimination in the workplace for being LGBT, is when a worker is treated differently because of their sexual orientation³ or trans status.⁴ The treatment could be a one-off action or as a result of a rule or policy based on sexual orientation/trans status, and it doesn't have to be intentional to be unlawful.

The Equality Act 2010 defines harassment as unwanted conduct, because of a protected characteristic, that violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It can never be justified.⁵

While there is no one specific law that outlaws workplace bullying, that does not mean that employers do not have a legal duty to prevent it.⁶ All employers have a legal duty under the Health and Safety at Work Act to ensure the health, safety and welfare of their employees. That includes protection from bullying and harassment at work. The management of health and safety at work regulations also require employers to assess the nature and the scale of workplace risks to health and safety, ensure there are proper control measures in place, and take action to remove or avoid these risks wherever possible as far as is reasonably practical.

The HSE also states that "there should be systems in place to deal with interpersonal conflicts such as bullying and harassment".

The Employment Rights Act 1996 allows employees who have been in their job for more than two years to claim constructive unfair dismissal if they are forced to leave their job because of severe bullying that their employer did nothing about.

If someone has been unfairly dismissed because of a 'protected characteristic' such as sexual orientation or trans status, this could be discrimination. They could make a claim to an employment tribunal for both discrimination and unfair dismissal.

2 <https://www.equalityhumanrights.com/equality/equality-act-2010/protected-characteristics#sexual-orientation>

3 <https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/sexual-orientation-discrimination>

4 <https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/gender-reassignment-discrimination>

5 <https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/harassment-and-victimisation>

6 <https://www.tuc.org.uk/resource/bullying-work>

For the discrimination claim, they do not need to have worked for their employer for two years.

Resigning is a big step to take. A constructive dismissal claim can be difficult to win at an employment tribunal. An employee should talk to their trade union before taking such a significant step.

Examples of bullying, harassment and discrimination of LGBT workers

As set out above the law protects LGBT workers from bullying, harassment and discrimination. Some examples that would constitute either bullying, harassment (or both) or discrimination of and LGBT worker include:

- › spoken or written abuse
- › offensive emails
- › tweets or comments on websites and social media
- › physical gestures
- › 'banter' that is offensive to the LGBT worker
- › ignoring or excluding LGBT workers
- › offensive, intimidating, malicious or insulting
- › an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to LGBT workers
- › regularly and deliberately ignoring or excluding individuals from discussions or activities.

Where does bullying, harassment and discrimination occur

Workplace bullying, harassment and discrimination can take place in a range of different locations. For example, in the office or online while working remotely, a client or patient's home, on a work trip, a team away day or at a work social event such as a Christmas party. Social media and emails are increasingly involved in workplace bullying, harassment and discrimination.

As well as taking different forms and occurring in diverse settings, bullying, harassment and discrimination at work may be perpetrated by people in a range of roles, including managers, potential employers, colleagues, clients, patients, or customers. For example, a care worker might be harassed by a client when on a home visit or a prospective employer might say something demeaning about LGBT people in front of an LGBT actor at a casting session. Harassment perpetrated by a client, contractor or customer is referred to as third-party harassment.

What do we know about bullying, harassment and discrimination of LGBT workers

Over the years the TUC, and other organisations, have looked at and conducted polling, surveys and other forms of research on bullying, harassment and discrimination of LGBT workers within the United Kingdom.

We know from other research including the TUC's *Cost of Being out at work* (2017),⁷ the Government Equality Offices *National LGBT Survey: research report* (2018),⁸ Stonewalls *LGBT in Britain - work report* (2018)⁹ and the TUC's *Being LGBT+ at Work: LGBT+ workplace experiences* (2023)¹⁰ that bullying, harassment and discrimination continue to be an issue for LGBT workers.

However, due to an information gap on the size and distribution of the LGBT population there has been little statistically robust quantitative data on LGBT workers' experiences. This information gap was closed with the release of the 2021 Census data which, for the first time, captured details on sexual orientation and gender identity.

Our research report utilises the census data combined with demographic modelling to ensure the LGBT sample has been accurately weighted, so it reflects the profile of the UK's LGBT population; making this report the most robust statistical analysis of LGBT people experiences at work in the UK conducted to date.

This report does not focus on sexual harassment of LGBT people at work. However, sexual harassment of LGBT workers is an important consideration for policy makers, campaigners and employers to prioritise. Research on this can be found in the TUC's 2019 report, *Sexual Harassment of LGBT People in the Workplace*.¹¹

7 <https://www.tuc.org.uk/research-analysis/reports/cost-being-out-work>

8 <https://www.gov.uk/government/publications/national-lgbt-survey-summary-report>

9 <https://www.stonewall.org.uk/resources/lgbt-britain-work-report-2018>

10 <https://www.tuc.org.uk/research-analysis/reports/being-lgbt-work>

11 <https://www.tuc.org.uk/research-analysis/reports/sexual-harassment-lgbt-people-workplace>

SECTION 3: TUC RESEARCH FINDINGS¹²

Open at work about sexual orientation and/or trans status

Open about sexual orientation

Everyone should be able to bring their whole selves to work. A part of that is being open about who you are, for example who you love, what you did on the weekend or that funny thing your partner said.

Being open about who you are and your interests allows you to share your life with others in a way that creates meaningful connections. Being open about your sexual orientation is part of bringing your whole self to work. It is something all employers should promote and ensure. All LGB workers should feel, and be, comfortable and safe to be open.

However, our research found this was not the case with six in 10 (59%) respondents being out with no one or only some, either including or excluding their manager.

Three in 10 (29%) respondents told us they were open with no one at work about their sexual orientation. With just under two in five workers (38%) saying they were open with everyone.

A further 30% (three in 10) told us they were open with some people at work either excluding or including their manager:

- › 14% (seven in 50) open with some people at work, excluding their manager
- › 16% (four in 25) open with some people at work, including their manager

These findings highlight the stark reality that in 2024 LGBT workers are still unable to be open about their sexual orientation at work and are forced to keep a part of their lives secret in order to protect themselves from harassment, bullying and discrimination.

The findings in this research on being open about being lesbian, gay or bisexual are similar to TUC findings in our 2017 report, *The Cost of Being Out at Work*. While we cannot make direct comparisons between the report, it is important to note that both reports disprove the narrative that there are no issues being LGB at work or in society, within the UK.

¹² Throughout this report we will indicate where the number of respondents within a sub-group is around the minimum number for analyses to be statistically reliable. Any subsample will be subject to a greater margin of error than the sample as a whole.

Table 1: Shows positive responses to the question, “To what extent are you open about your sexual orientation at work?”

I am open with no one at work	29%
I am open with some people at work, excluding my manager	14%
I am open with some people at work, including my manager	16%
I am open with everyone at work	38%
Prefer not to say	3%

Open about trans status¹³

Being open about your trans status and identity is different from being open about your sexual orientation at work. While workplaces should ensure their workers are able to bring their whole selves to work there are additional reasons why trans workers might choose to be open with no one.

For trans people, being open about their trans status/identity can lead to stigmatisation and exclusions that undermine their ability to have/continue to have their sex/gender acknowledged.

For this reason, it’s important to look not only at who is open to no one and who is open to everyone, but also at those who are carefully selecting which groups to be open with based on how safe it is to do so.

We asked trans respondents to what extent they were open about being trans at work. Only one in 4 (26%) told us they were out with everyone at work with just under one in 10 (28%) telling us they were open with no one at work.

45% of trans respondents told us they were open with some people at work; either excluding or including their manager:

- › Three in 20 (15%) told us they were open with some people at work, excluding their manager.
- › Three in 10 (30%) told us they were open with some people at work, including their manager.

Just under half (45%) of trans people are carefully selecting who they tell that they are trans. The decision to tell some people but not others may indicate it would not be safe for them to be open to everyone in their workplace.

¹³ The sample includes 91 trans workers. This is around the minimum number for analyses to be statistically reliable.

Table 2: Shows positive responses to the question, “To what extent are you open about being trans at work?”

I am open with no one at work	28%
I am open with some people at work, excluding my manager	15%
I am open with some people at work, including my manager	30%
I am open with everyone at work	26%
Prefer not to say	1%

Experiences of bullying, harassment and discrimination in the last five years

Our research revealed that just over half (52%) of all respondents had experienced at least one form of bullying, harassment or discrimination linked to their sexual and/or gender identity at work in the last five years.

Respondents were asked about each different type of behaviour and were invited to select as many of the behaviours they had experienced.

Our research found shockingly high levels of all different types of bullying and harassing behaviours for respondents at work.

LGBT experiences of bullying, harassment and discrimination

The research found unacceptably high levels of bullying and/or harassment across all the behaviours constituting harassment we asked the full sample of LGBT workers about.



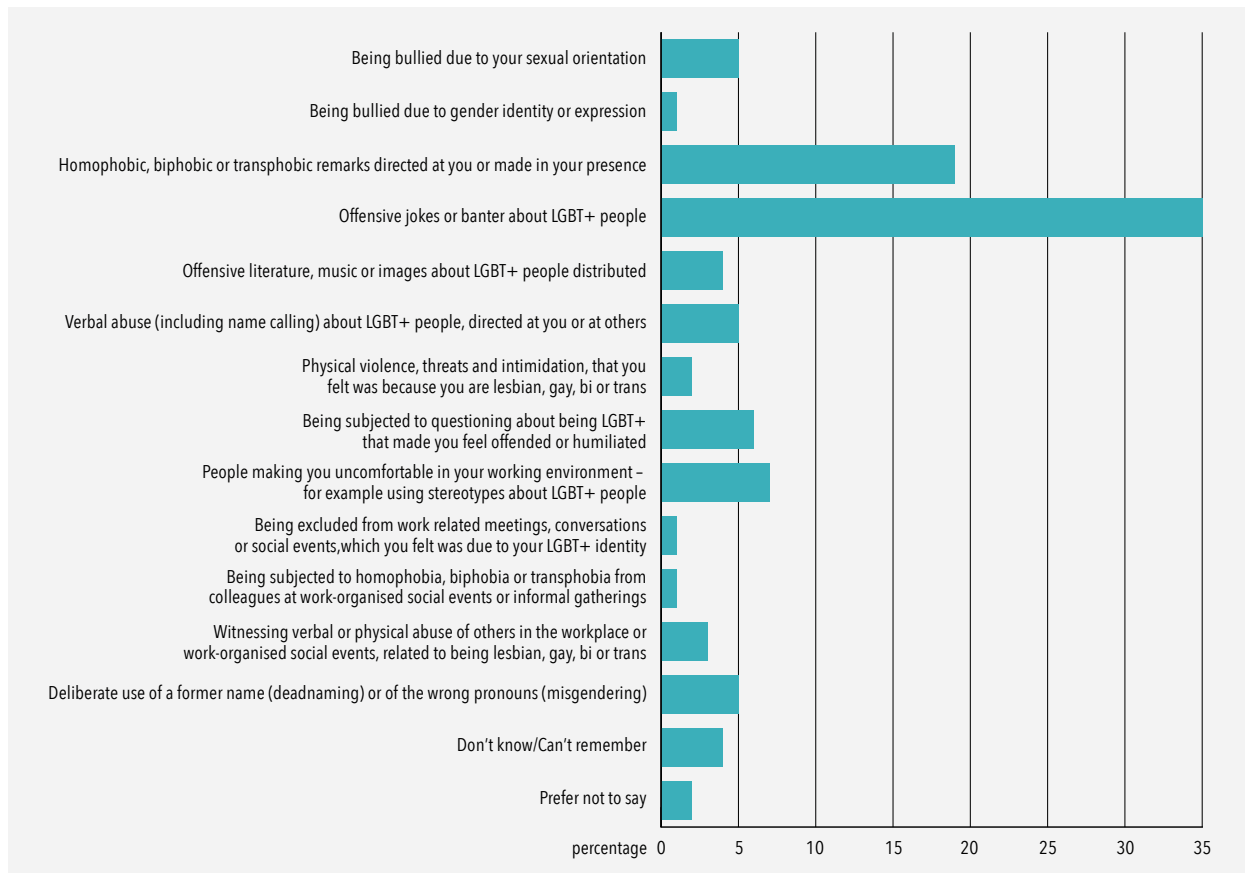
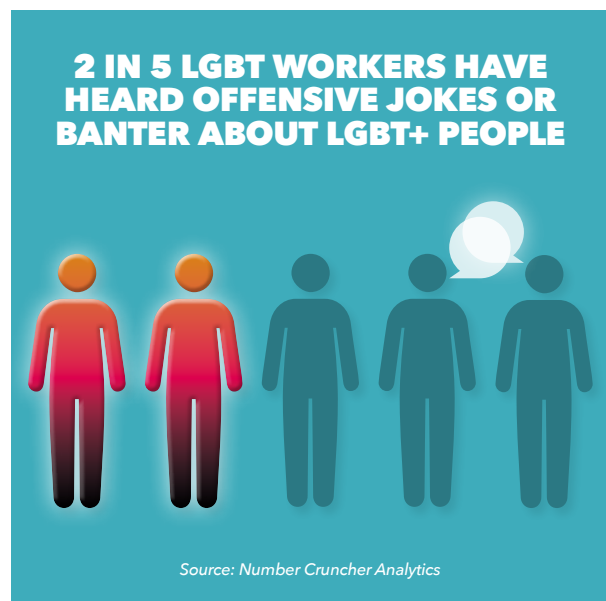


Figure 1: Shows responses to the question, “Which, if any, of the following have you experienced in the last five years?”

Jokes, banter, remarks

The most highly reported bullying and/or harassing experiences was hearing, or being exposed to, ‘offensive jokes or banter about LGBT+ people’ with just under two in five (37%) respondents telling us they had experienced this behaviour within the last five years.

While just under three in 10 (28%) respondents told us they had homophobic, biphobic or transphobic remarks directed at them or made in their presence.



Verbal abuse

Exposure to verbal abuse about LGBT+ people (including name calling), that was directed at respondents or at others, was the third highest behaviour reported with around one in five (19%) having experienced the behaviour within the last five years.

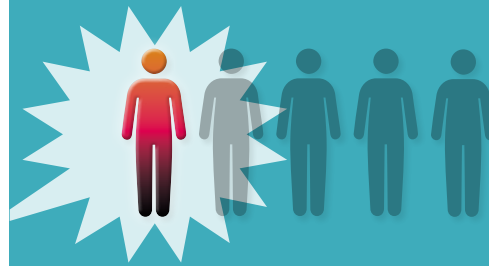
Questioning and being made to feel uncomfortable

The two next most common behaviours experienced by respondents, with 16% of workers reporting experiencing them were:

- › being subjected to questioning about being LGBT+ that made them feel offended or humiliated, and
- › people making respondents uncomfortable in their working environment - for example using stereotypes about LGBT+ people.

While 14% of respondents reported offensive literature, music or images about LGBT+ people had been distributed at work.

1 IN 5 LGBT WORKERS WERE EXPOSED TO VERBAL ABUSE ABOUT LGBT+ PEOPLE, INCLUDING NAME CALLING



Source: Number Cruncher Analytics

Bullying

Just over one in 10 (11%) of respondents told us they had experienced being bullied due to their sexual orientation at work; and 6% told us they had experienced being bullied due to gender identity or expression. The number of respondents who experienced being bullied because of their gender identity or expression jumped to 35% for those who identified as trans.

1 IN 10 LGBT WORKERS EXPERIENCED BULLYING BECAUSE OF THEIR SEXUAL ORIENTATION



Source: Number Cruncher Analytics

1 IN 16 LGBT WORKERS EXPERIENCED BULLYING BECAUSE OF THEIR GENDER IDENTITY OR EXPRESSION



Source: Number Cruncher Analytics

Witnessing

Eight% of respondents reported witnessing verbal or physical abuse of others either in the workplace or at work-organised social events that related to being lesbian, gay, bi or trans.

Physical violence

One in 20 (5%) respondents told us they had experienced physical violence, threats and intimidation, they felt was because they are lesbian, gay, bi or trans.

Deadnaming

Thirty-five% of trans respondents reported deliberate use of a former name (deadnaming) or of the wrong pronouns (misgendering).

Work events and being excluded

One in 20 (5%) reported being subjected to homophobia, biphobia or transphobia from colleagues outside the workplace at work-organised social events or informal gatherings.

Three% of respondents reported being excluded from work related meetings, conversations or social events, and that they felt the exclusion was due to their LGBT+ identity.

Most recent incident

We asked respondents who had experienced bully, harassment and discrimination in the past five years about their most recent experience.

The most common was exposure to offensive jokes or banter about LGBT+ people with just over a third (35%) of LGBT respondents reporting it.



One in five (19%) LGBT respondents said their most recent experience was exposure to homophobic, biphobic or transphobic remarks directed at them or made in their presence.

Seven percent of respondents reported the most recent incident was people making them uncomfortable in their working environment - for example using stereotypes about LGBT+ people. Six% said it was being subjected to questioning about being LGBT+ that made them feel offended or humiliated.

An alarmingly high number of LGBT workers, just over one in five (21%), reported the most recent experience was linked to some form of bullying due to sexual orientation (5%) or gender identity or expression (1%), verbal abuse (5%), dead naming (5%), physical violence (2%) or witnessing verbal or physical abuse of others in the workplace or work-organised social events related to being LGBT (3%).

This prevalence of violence directed towards LGBT workers is one of the reasons so few are open to everyone about their sexual orientation or trans status.

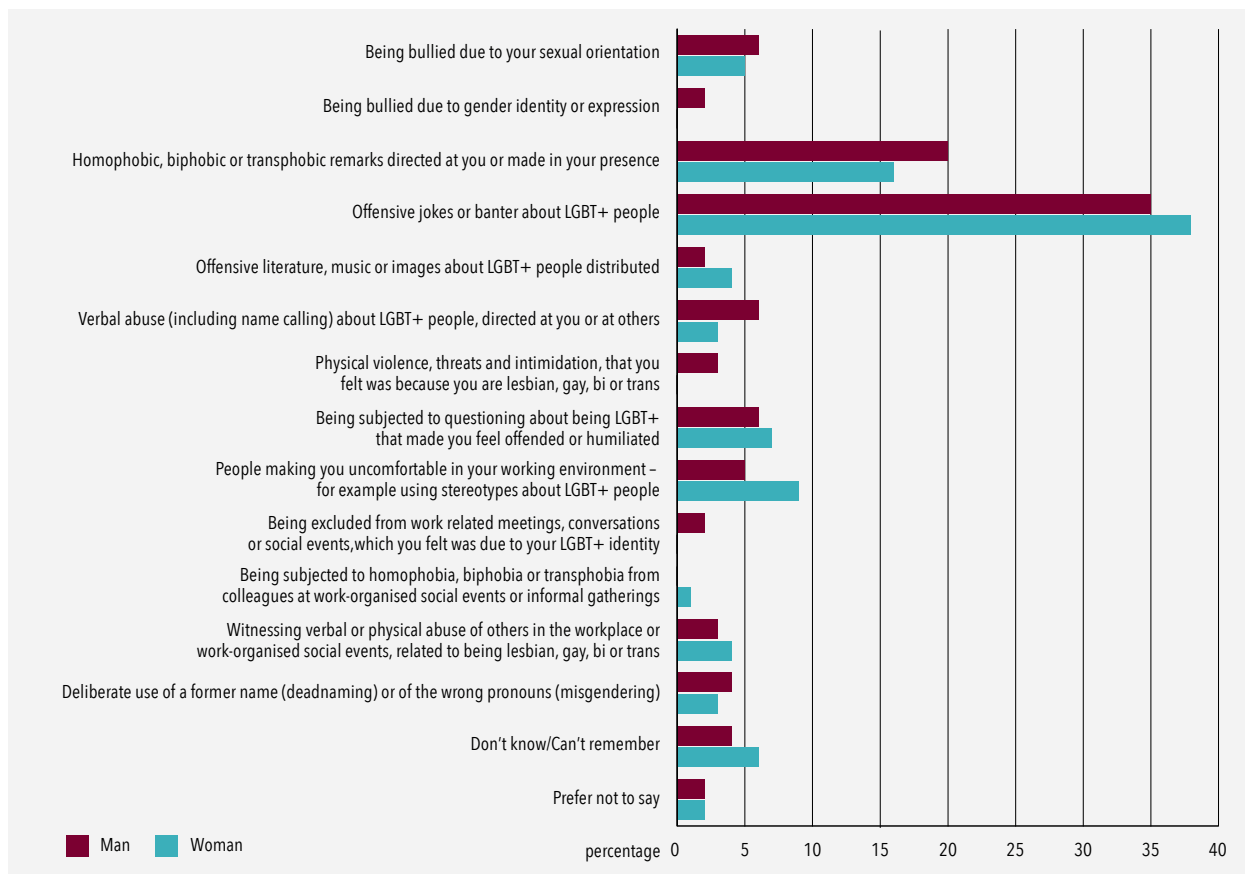


Figure 2: LGBT men’s and women’s experiences

LGBT men’s and women’s experiences

- › When asked about their most recent experiences of bullying, harassment and discrimination, LGBT men and women have, for the most part, similar unacceptable levels of experiences bullying, harassment and discrimination.
- › LGBT men were more likely to report homophobic, biphobic or transphobic remarks directed at them or made in their presence as their most recent experience compared to LGBT women, with one in five (20%) LGBT men reporting it compared to four in 25 (16%) LGBT women.
- › LGBT men were twice as likely to report verbal abuse, including name calling, about

LGBT+ people directed at them or others as their most recent experience of bullying, harassment and discrimination compared to LGBT women. Specifically, 6% of LGBT men reported this compared to 3% of LGBT women. When it comes to most recent experience, LGBT women were more likely to report people making them uncomfortable in their working environment - for example using stereotypes about LGBT+ people than LGBT men with 9% of LGBT women reporting it compared to 5% of LGBT men.

- › LGBT women were twice as likely to report exposure to offensive literature, music or images about LGBT+ people being distributed as their most recent experience than LGBT men. 4% of LGBT women reported it, compared to 2% of LGBT men.

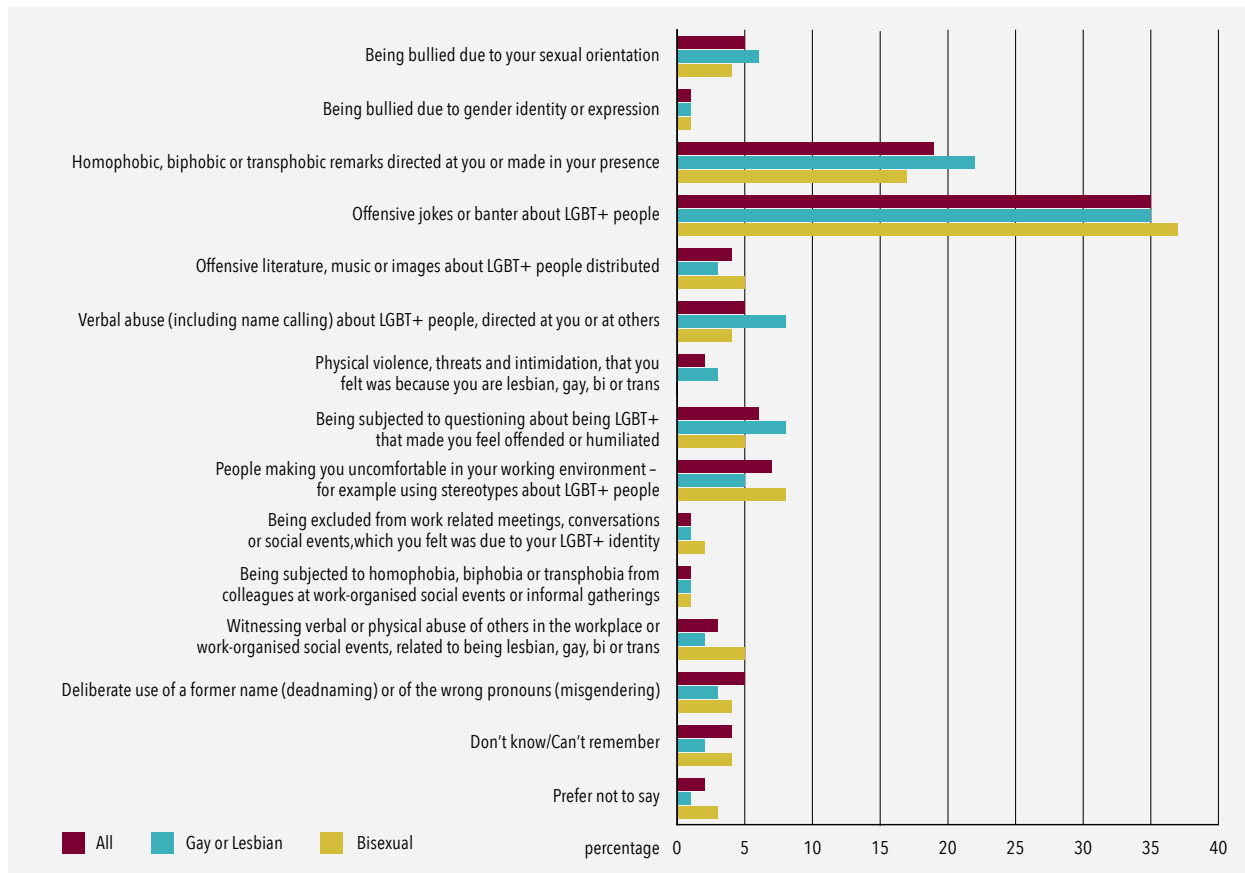


Figure 3: Bisexual workers’ experiences

Bisexual workers’ experiences

Bisexual workers have, for the most part, similar unacceptable levels of experiences of bullying, harassment and discrimination compared to lesbian or gay workers. There were however some notable differences where the bullying, harassment and discrimination was different for bisexual workers.

These differences can, in part, be explained by the fact that bisexual workers are far more likely to say they were open with no-one at work about their sexual orientation compared with lesbian and gay workers (39% vs 14%). While the research also found lesbian and gay workers were more than twice as likely to say they were open with everyone at work when compared with bisexual workers (58% vs 24%).

When it comes to their most recent experience of bullying, harassment and discrimination, bisexual workers were less likely to report homophobic, biphobic or transphobic remarks directed at them or made in their presence compared to lesbian or gay workers (17% vs 22%). They were also less likely to report verbal abuse (including name calling) about LGBT+ people, directed at them or at others compared to lesbian or gay workers (4% vs 8%).

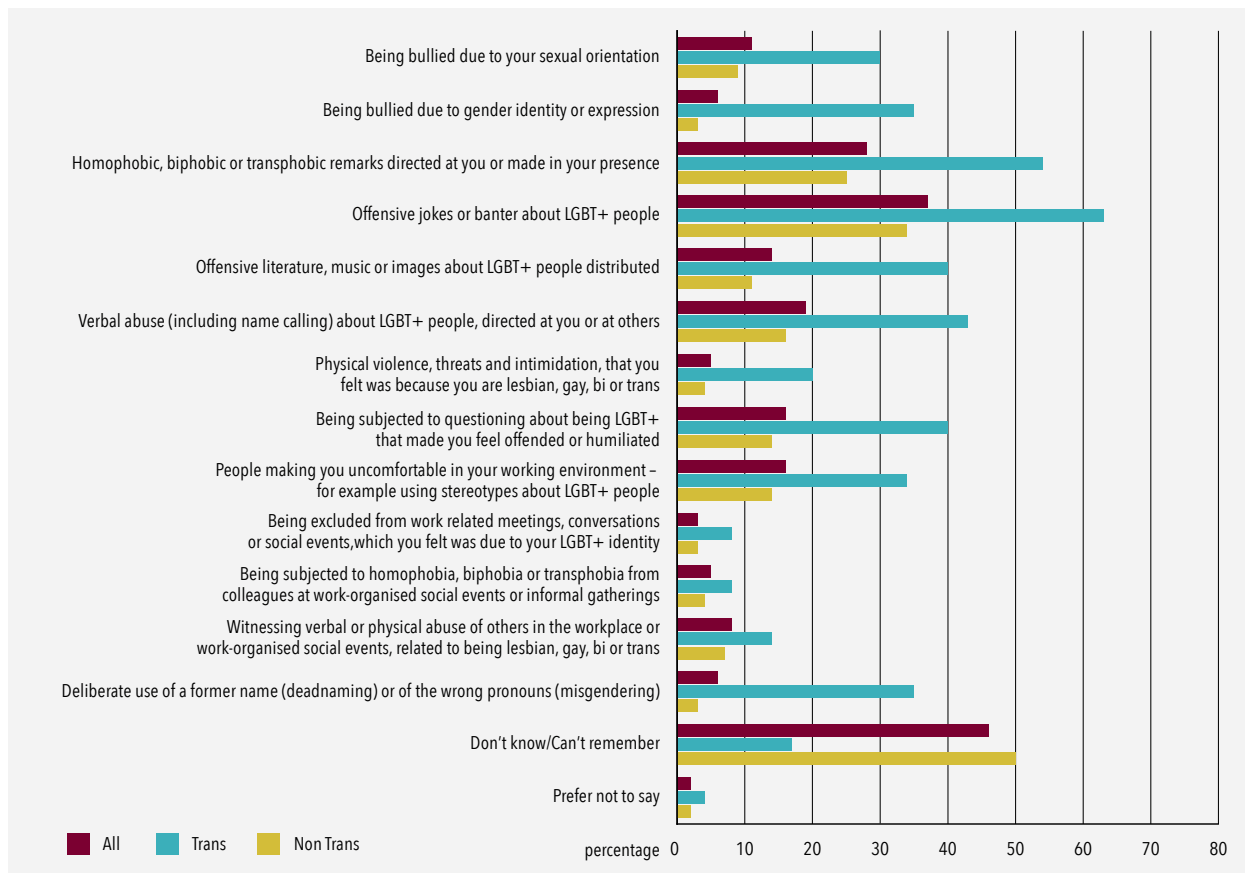


Figure 4: Trans workers' experiences

Trans workers' experiences¹⁴

Bisexual workers were more likely to report people making them uncomfortable in their working environment - for example using stereotypes about LGBT+ people compared to lesbian and gay workers (8% vs 5%) and to report witnessing verbal or physical abuse of others in the workplace or work-organised social events, related to being lesbian, gay, bi or trans compared to lesbian and gay workers (5% vs 2%).

Our research found, on every measure, that trans respondents experienced higher levels of bullying, harassment and discrimination at work.

It revealed that around eight in 10 (79%) trans respondents had experienced at least one form of bullying, harassment or discrimination at work in the last five years this compares to just under half (48%) of the full sample.

¹⁴ The sample includes 91 trans workers. This is around the minimum number for analyses to be statistically reliable.

Trans respondents were substantially more likely to report:

- › being bullied due to gender identity with 63% reporting it compared with 34% as those who were not trans
- › homophobic, biphobic or transphobic remarks directed at them or made in their presence with 54% reporting it compared with 25% as those who were not trans
- › witnessing verbal or physical abuse of others in the workplace or work-organised social events, related to being lesbian, gay, bi or trans 14% compared with 7% who were not trans.

Trans respondents were more than five times as likely as those who were not trans to report experiencing:

- › physical violence, threats and intimidation, that they felt was because they are lesbian, gay, bi or trans (20% vs 4%)
- › being subjected to questioning about being LGBT+ that made them feel offended or humiliated (40% vs 14%).

Trans respondents were almost three times as likely as those who were not trans to report being excluded from work related meetings, conversations or social events, which they felt was due to their LGBT+ identity (8% vs 3%).

Trans respondents were almost three times as likely as those who were not trans to report being bullied due to your sexual orientation (30% vs 9%).

Trans respondents were around twice as likely as those who were not trans to report experiencing:

- › offensive jokes or banter about LGBT+ people (63% vs 34%)
- › offensive literature, music or images about LGBT+ people distributed (40% vs 11%)
- › verbal abuse (including name calling) about LGBT+ people, directed at them or at others (43% vs 16%)
- › people making them uncomfortable in their working environment – for example using stereotypes about LGBT+ people (34% vs 14%)
- › deliberate use of a former name (deadnaming) or of the wrong pronouns (misgendering) (35% vs 3%).

This affirms the findings in the TUC’s report, *Being LGBT+ at Work: LGBT+ workplace experiences (2023)* in which 16 in-depth interviews highlighted the biggest issue facing the LGBT+ community in the workplace is the transphobia experienced by trans and non-binary people.¹⁵

¹⁵ <https://www.tuc.org.uk/research-analysis/reports/being-lgbt-work>

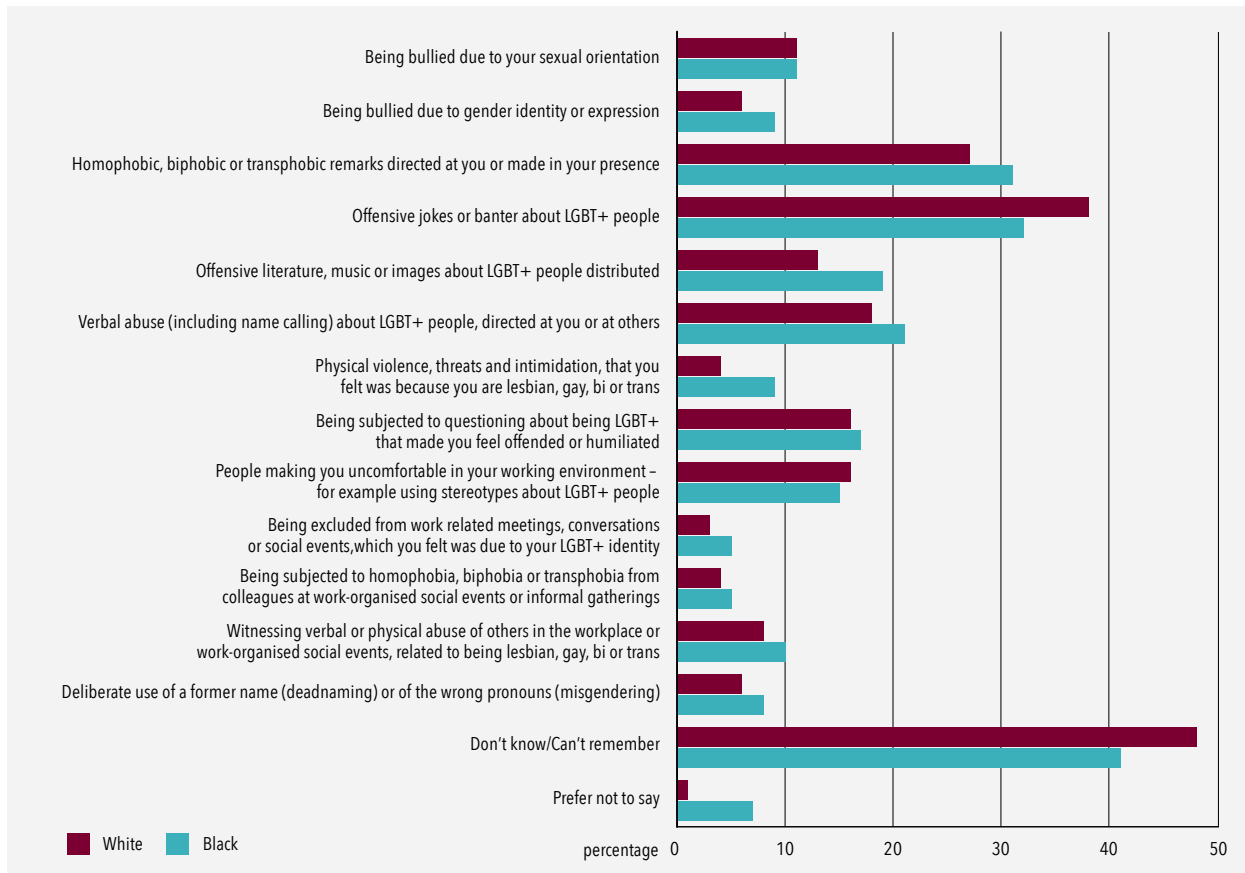


Figure 5: Black LGBT workers experience¹⁶

Black LGBT workers experience¹⁷

Black LGBT workers¹⁶ experience, for the most part, similar unacceptable levels of bullying, harassment and discrimination compared to white LGBT workers. There were however some notable differences.

One difference was that Black LGBT workers were far less likely to say they were open with everyone at work about their sexual orientation compared to their white counterparts (28% vs 39%).

Black LGBT workers are more likely than their white counter parts to report being bullied due to gender identity or expression (9% vs 6%).

Black LGBT workers were:

- › more likely to report hearing offensive jokes or banter about LGBT+ people (31% vs 27%)
- › more likely to report offensive literature, music or images about LGBT+ people being distributed (19% vs 13%)
- › more likely to report being excluded from work related meetings, conversations or social events, which they felt was due to their LGBT+ identity (5% vs 3%).

¹⁶ The sample includes 126 BME LGBT+ workers. This is around the minimum number for analyses to be statistically reliable.

¹⁷ The TUC uses 'Black' - with a capital B - to indicate people with a shared history. 'Black' is used in this report in line with this policy and is used in a broad political and inclusive sense to describe people in the UK who have suffered from colonialism and enslavement in the past and continue to experience racism and diminished opportunities in today's society including all Black, ethnic and minority workers.

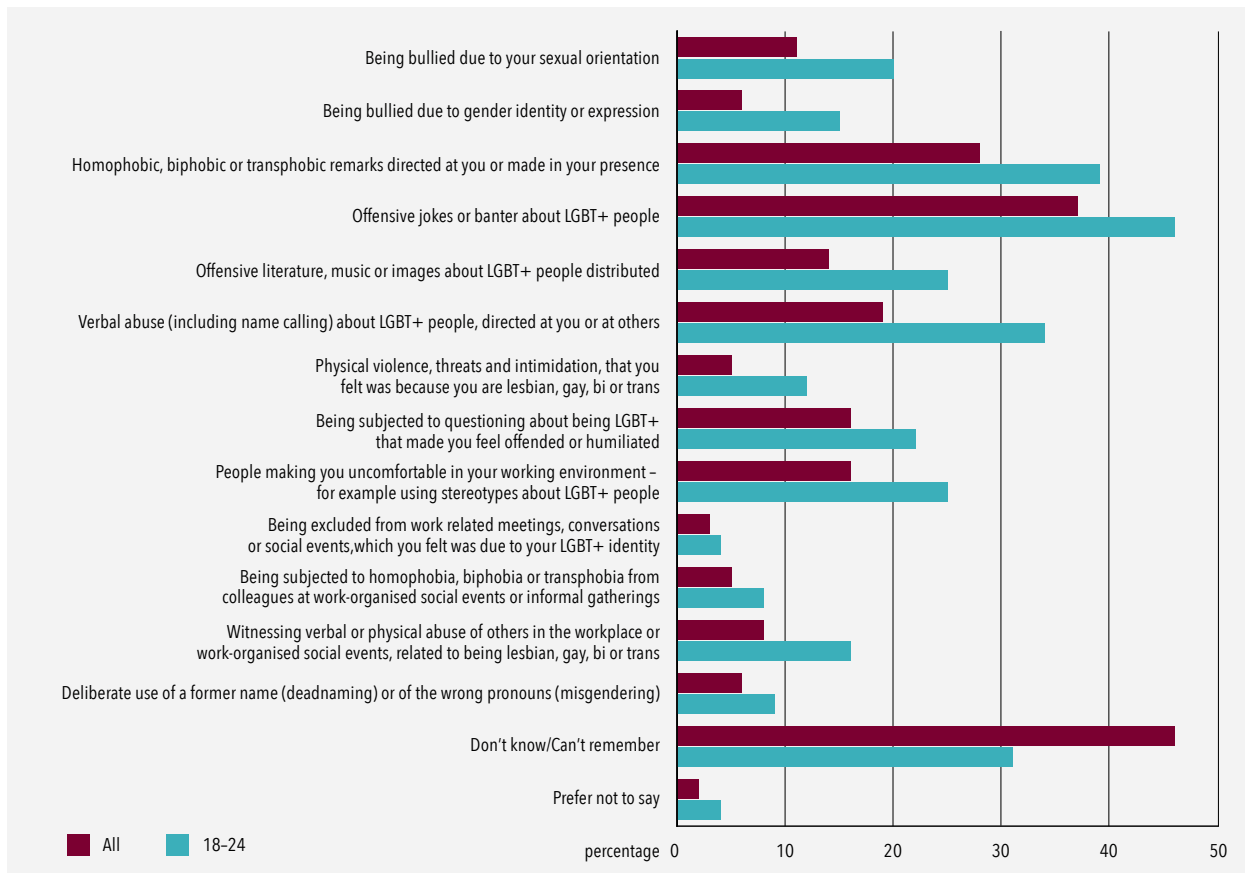


Figure 6: Young LGBT workers experiences

Young LGBT workers experiences¹⁸

Our research found on every measure, young LGBT workers between the ages of 18 to 24 are experiencing higher levels of bullying, harassment and discrimination at work.

Two-thirds (65%) said they had experienced some form of bullying, harassment and discrimination in the last five years.

LGBT workers between the ages of 25 to 34 also reported being more likely to face one or more of the forms of bullying, harassment

and discrimination we polled on, although the difference was not as pronounced (57%).

Young workers are often the first to lose their jobs when there’s an economic downturn, as seen in the pandemic, are less likely to have access to certain employment rights such as protections from unfair dismissal and are more likely to be on zero-hour contracts and therefore living with job insecurity.¹⁹ This means they face double discrimination. Young workers have less power, job security and lower wages making it harder to challenge bullying, harassment and discrimination.

¹⁸ The sample includes 118 young (ages 18-24) LGBT+ workers. This is around the minimum number for analyses to be statistically reliable.

¹⁹ <https://www.tuc.org.uk/blogs/young-workers-are-bearing-brunt-jobs-crisis>

Young workers (18 to 24 years' old) are also less likely to be in a union (one in ten (11%) vs one in five (19%) of the full sample) so are less likely to have the option of union support with issues in the workplace again making challenging or reporting bullying, harassment and discrimination harder.

Young workers between 18 and 24 are more likely to say they are open with no one at work about their sexual orientation (32% vs 29%) and less likely to say they are open with everyone at work about their sexual orientation (30% vs 38%).

Young LGBT workers (between 18 and 24):

- › One in five (20%) said they experienced being bullied due to sexual orientation compared with just over 1 in 10 (11%) of the full sample.
- › Almost three times as likely to say they were being bullied due to gender identity compared to the full sample (15% vs 6%).
- › Four in 10 (39%) said they experienced homophobic, biphobic or transphobic remarks directed at them or made in their presence compared with three in 10 (28%) of the full sample.
- › Almost half (46%) experienced hearing offensive jokes or banter about LGBT+ people compared to around four in ten (37%) of the full sample
- › A quarter (25%) told us they had experienced offensive literature, music or images about LGBT+ people distributed compared to 14% of the full sample.
- › A third (34%) had experienced verbal abuse (including name calling) about LGBT+ people, directed at them or at others compared to one in five (19%) of the full sample
- › Were more than twice as likely to experience physical violence, threats and intimidation, that they felt was because they are lesbian, gay, bi or trans (12% vs 5%).
- › A quarter (25%) experienced people making them uncomfortable in their working environment - for example using stereotypes about LGBT+ people compared to 16% of the full sample.
- › Were twice as likely to witness verbal or physical abuse of others in the workplace or work-organised social events, related to being lesbian, gay, bi or trans than the full sample (16% vs 8%).

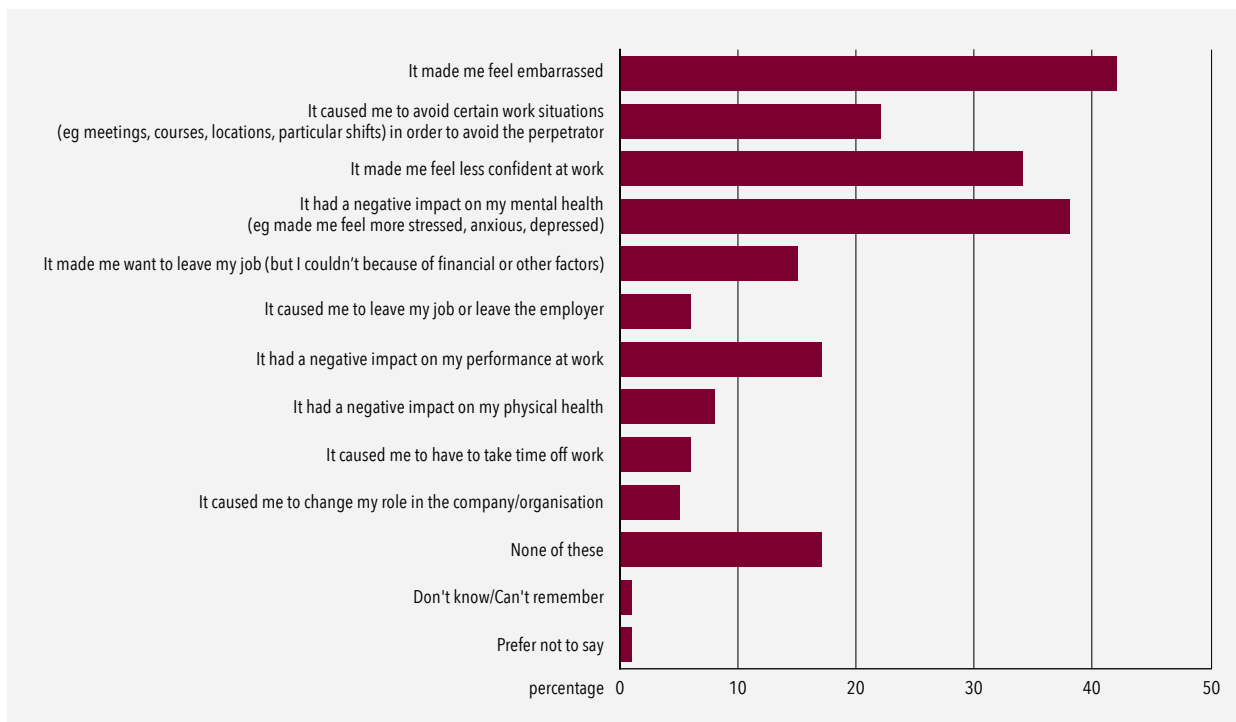


Figure 7: Shows responses to the question “Thinking about the most recent incident that happened to you, which, if any, of the following describe the effects that it had on you?”

Our survey findings revealed the substantial impact that bullying, harassment and discrimination at work has on LGBT people. From feeling embarrassed and having a negative impact on mental health, to causing respondents to take time off work or leave their job or employer all together.

The research found just under four in 10 (38%) LGBT respondents told us the most recent incident of bullying, harassment or discrimination had a negative impact on their mental health (eg made them feel more stressed, anxious, depressed) while 8% told us it had a negative impact on their physical health. It is unsurprising, with these impacts, that 17% told us the most recent experience had a negative impact on their performance at work. While just over one in 20 (6%) told us the impact caused them to take time off work.

For just over four in 10 (42%) LGBT workers the most recent incident of bullying and harassment made them feel embarrassed and a third (34%) said it made them feel less confident at work. Just over a fifth (22%) said the incident caused them to avoid certain work situations in order to avoid the perpetrator.

In addition to the above impacts, some LGBT respondents told us the most recent experience had a real impact on their job security and desire to remain in their current job or with their current employer. 15% told us that, as a result of the experience, they wanted to leave their job, but couldn't because of financial or other factors. While one in 20 (5%) said it caused them to change their role within the company/organisation they worked for. 6% told us that as a result of the treatment they had experienced at work they left their job or left their employer.

The findings make it clear that experiences of bullying, harassment and discrimination, from ‘banter’ to verbal threats, are all having a meaningful and deleterious impact on LGBT workers health (physical and mental), confidence and job stability.

We also asked respondents what actions they took as a result the most recent experience of bullying, harassment and discrimination. Two in five (40%) LGBT respondents told us they did nothing as a result of their experience. One in four (25%) told a colleague, and four in 25 (16%) told us they reported the incident to their employer, and one in 25 (4%) sought help from their trade union, 36% told a family member, partner or friend.

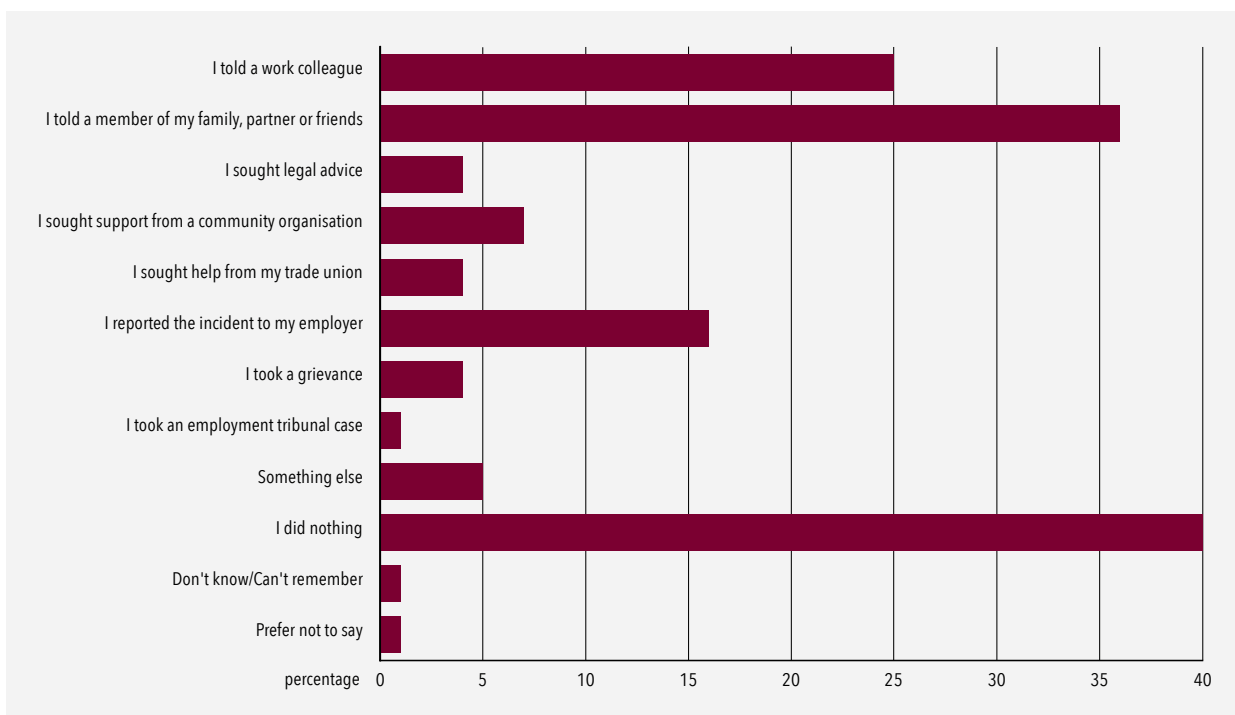


Figure 8: Shows responses to the question “Still thinking about the most recent incident that happened to you, which, if any, of the following actions did you take?”

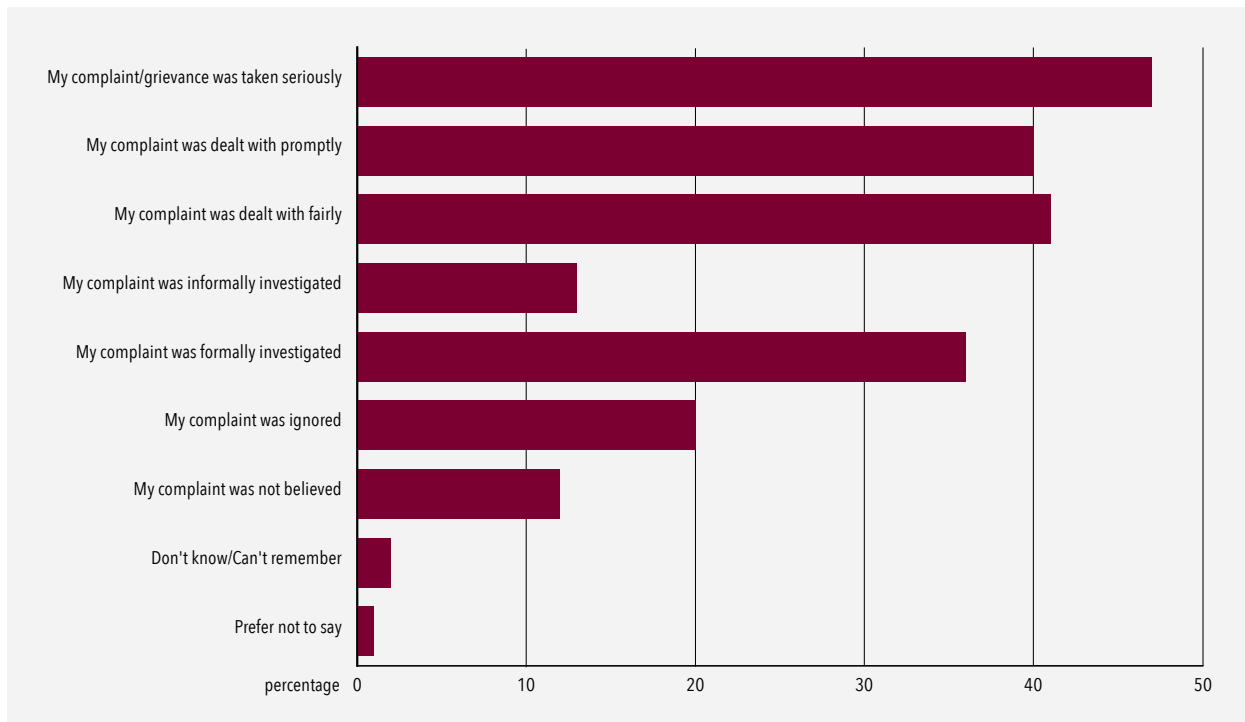


Figure 9: Shows responses to the question “Still thinking about the most recent incident that happened to you, which of these most closely describes your employer’s response?”

To better understand how employers were responding when LGBT workers raised an issue we asked survey respondents which of these several options closely described their employer’s response. Respondents were able to tick all the options that applied.

Almost half (47%) of respondents said their complaint/grievance was taken seriously, two in five (40%) said it was dealt with promptly and over two in five (41%) said it was dealt with fairly.

However, one in five (20%) said their complaint was ignored and 12% said their complaint was not believed highlighting there is still some room for employers to improve their practices when it comes to dealing with LGBT related bullying, harassment and discrimination.

To understand how being a trade union impacted on LGBT members experiences we asked about trade union membership. Around one in five (19%) respondents were current members of a trade union.

Around one in 10 (8%) of current trade union members went to their trade union about their most recent experience of bullying, harassment and discrimination.

We also asked current trade union members about how their experiences of the union has been as an LGBT+ person.

Just under half (45%) of the respondents said their union supported them as a lesbian, gay, bi or trans person. Only one in 50 (2%) said their union was not supportive of them as a lesbian, gay, bi or trans person.

Trade union members were also more likely to report having experienced bullying, harassing and discriminatory experiences in the last five years than former trade union members or those who had never been a member of a trade union. This may not mean that LGBT trade union members are more likely to experience bullying, harassment and/or discrimination but could suggest that they are more likely to identify the experience accurately.

Current trade union members were also more likely than former members, or those who had never been a member, to take action as a result of the latest incident they experienced with just over seven in 10 (71%) saying they took some action a result compared to around six in 10 (62%) former members taking no action and half (50%) of respondents who had never been a member taking action.

Current trade union members were also more likely to say:

- › their complaint/grievance was taken seriously (58%) compared to former members (52%) and those who had never been a member (37%)
- › their complaint was dealt with promptly (46%) compared to former members (30%) and those who had never been a member (38%)
- › their complaint was formally investigated (44%) compared to former members (25%) and those who had never been a member (37%)
- › their complaint was informally investigated (20%) compared to former members (10%) and those who had never been a member (9%).

SECTION 4: LGBT WORKERS EMPLOYMENT CONTEXT

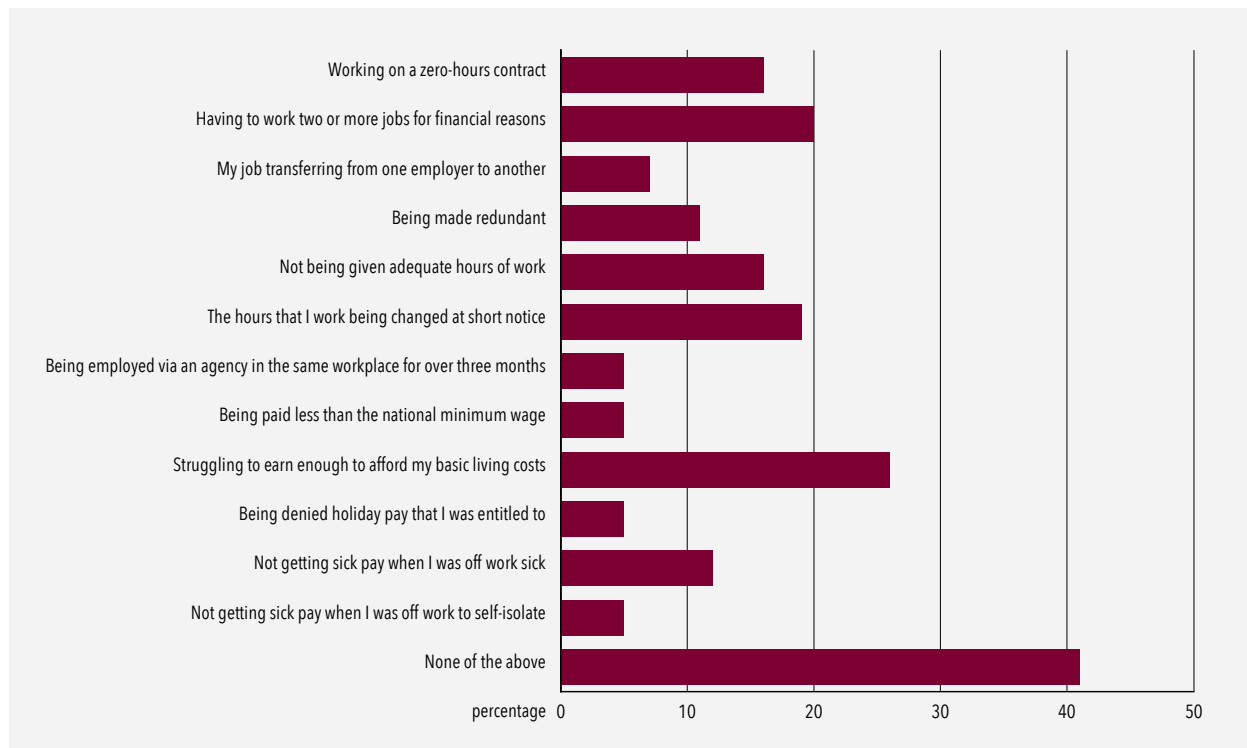


Figure 10: Shows responses to the question “Which of the following, if any, have you experienced at work in the last 5 years?”

While our research is focused on the experiences of LGBT workers who face bullying, harassment and discrimination, we also gathered data on the broader context of work and the current economic climate.

Our research found that LGBT workers are not immune to inequitable employment practices, and are often on precarious and insecure contracts, experiencing low pay and being denied holiday and sick pay. LGBT workers are just as likely to be impacted by the cost-of-living crisis, cutting down on essentials and missing bill payments.

Our research found that in the last five years:

- › *Cost of living:* One in four (26%) had struggled to earn enough to afford their basic living costs with one in five (20%) having to work two or more jobs for financial reasons.
- › *Changes to employment:* seven% of respondents told us their job had been transferred from one employer to another (eg from the NHS to a private company, from one private company to another etc.) and one in 20 (5%) had been employed through an agency in the same workplace for more than three months.

- › *Working hours:* Just under one in five (19%) had experienced the hours that they worked being changed at short notice and over three in 20 (16%) had worked on a contract where their employer didn't guarantee any hours of work (sometimes known as a zero-hours contract) with the same amount (16%) telling us they had not been given adequate hours of work.
- › *Pay:* One in 20 (5%) told us they had been paid less than the national minimum wage. Over one in 10 (12%) told us they experienced not getting sick pay when they were off work sick, one in 20 (5%) has not gotten sick pay when off work to self-isolate and one in 20 (5%) had been denied holiday pay they were entitled to.
- › *Redundancy:* Over one in 10 (11%) respondents had been made redundant.

SECTION 5: ECONOMIC CLIMATE

We also asked respondents if they had to adjust their spending habits over the last six months asking them to tick all the options that applied.

› *Cutting back:* Over half of respondents (56%) had cut back on food spending with half (50%) cutting back on the amount of hot water, heating or electricity they or their household used.

› *Missing out:* One in five (20%) had missed meals or gone without food and just under three in 20 (14%) had missed a payment on a household bill (eg energy, broadband, phone, water).

SECTION 6: CONCLUSION

Right now the cost-of-living crisis is hammering households in every corner of the country.[1] Supplementary questions we asked respondents during this research showed that LGBT workers are just as impacted by the cost of living crisis, with many cutting down on essentials and missing bill payments. We found that one in four (26%) had struggled to earn enough to afford their basic living costs and one in five (20%) were having to work two or more jobs for financial reasons.

This crucial research into the experiences of LGBT workers should be seen in the context of broader economic and political uncertainty. Precarity and insecurity in work, at a time where LGBT workers are facing unprecedented discrimination, creates a perfect storm. We need this government, and the next, to take note of this report.

Our research dispels the myth that everything is now equal, fair and just for LGBT+ workers; over half (52%) of all respondents telling us they experienced at least one form of

bullying, harassment or discrimination linked to their sexual and/or gender identity at work in the last five years.

It shows that not all LGBT workers have the same experiences with bisexual, Black, trans and young workers between 18 and 24 all reporting higher levels of harmful and discriminatory behaviours.

The research reveals the substantial impact that bullying, harassment and discrimination at work has on LGBT people with over four in 10 (42%) telling us it had a negative impact on their mental health and 15% saying the most recent incident made them want to leave their jobs while 6% left their job or their employer as a result. No workers mental health should be impacted by their job, least of all because of who they are. No worker should feel forced to leave their job because of bullying, harassment or discrimination.

This is why we urgently need the government and employers to take action to address these findings.

The government should start by strengthening legislation to tackle third-party harassment. It must also stamp out the insecure work that disproportionately hits LGBT+ workers and can do so banning zero-hours contracts, raising the national minimum wage to £15 per hour as soon as possible, and acting on fire and rehire and bogus self-employment.

While employers need to ensure all their policies, including those on harassment and sexual harassment, are LGBT inclusive, using appropriate language, examples and case studies. We're also reiterating our calls to employers to adopt a zero-tolerance approach to all forms of bullying, harassment and discrimination.

See Section 1 for our full set of recommendations.

SECTION 7: METHODOLOGY

In order to better understand LGBT people's experiences of bullying, harassment and discrimination at work, the TUC commissioned in-depth research.²⁰ Between 1 May 2023 and 20 November 2023, we surveyed 1,001 adult LGBT workers in Great Britain.

This research focuses on the experiences of lesbian, gay, bisexual and trans workers specifically and as such we refer to LGBT workers throughout. We ensured our survey was weighted using the Census 2021 data to provide us with the most accurate information on LGBT workers' experiences of bullying, harassment and discrimination at work. Where we are not talking about LGBT workers as a collective, we've outlined the specific group from the LGBT demographic we are focusing on.

We know from our work that the best way of getting an accurate picture of the prevalence of bullying, harassment and discrimination at work is not to simply ask people whether they have experienced these things. This is because there are low levels of understanding of the full range of behaviours which meet the legal definitions of bullying, harassment and discrimination in the workplace and also because individuals can be reluctant to label their experience as bullying, harassment and discrimination. We therefore asked about a range of experiences that would qualify as bullying, harassment and discrimination and contextualised them for LGBT people.

The research examined the following aspect of bullying, harassment and discrimination of LGBT workers:

- › Being bullied due to your sexual orientation.
- › Being bullied due to gender identity or expression.
- › Homophobic, biphobic or transphobic remarks directed at you or made in your presence.
- › Offensive jokes or banter about LGBT+ people.
- › Offensive literature, music or images about LGBT+ people distributed.
- › Verbal abuse (including name calling) about LGBT+ people, directed at you or at others.
- › Physical violence, threats and intimidation, that you felt was because you are lesbian, gay, bi or trans.
- › Being subjected to questioning about being LGBT+ that made you feel offended or humiliated.
- › People making you uncomfortable in your working environment, in a way that you felt was linked to your sexual orientation, gender identity or expression - for example using stereotypes about LGBT+ people.

²⁰ Carried out by Number Cruncher Politics. Number Cruncher Politics and its abbreviations are trading styles of Number Cruncher Analytics B.V., incorporated in the Netherlands with its statutory seat at Amsterdam. Statutory address Barbara Strozzilaan 101, 1083 HN Amsterdam, Netherlands. Chamber of Commerce registration 72296364. VAT registration NL859063549B01.

- › Being excluded from work related meetings, conversations or social events, which you felt was due to your LGBT+ identity.
- › Being subjected to homophobia, biphobia or transphobia from colleagues outside the workplace at work-organised social events or informal gatherings.
- › Witnessing verbal or physical abuse of others in the workplace or work-organised social events, related to being lesbian, gay, bi or trans.
- › Deliberate use of a former name (deadnaming) or of the wrong pronouns (misgendering).

Throughout this report we will indicate where the number of respondents within a sub-group is around the minimum number for analyses to be statistically reliable. Any subsample will be subject to a greater margin of error than the sample as a whole.

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