

Final narrative report - Grant Nr.: C-XIV-06

I. Organizational details

Project title:	“Documenting workplace discrimination against LGBTI persons and promoting effective protection measures among employers”.
Reporting period:	Project Period: July 2015 to June 2016
Implementing organization:	ACCEPT Association
Contact information (post, e-mail, phone):	Bucharest, 10 th Lirei street, s2, Romania +40 745 666 788 +40 21 252 5620
Contact person:	Carolina Marin
Date of report submission to ILGA-Europe:	31 July 2016

Number of people working on the project (staff and volunteers):

- Three staff members effectively contributed to the project: Carolina Marin, Teodora Ion Rotaru and Andreea Nastasa

Changes in the project leadership (if different from the application):

- N/A

II. Narrative Report

1. What kind of information did you collect?

In the course of the project we mainly collected the following types of information:

- Information from existing reports regarding employment discrimination – focused on LGBTI employees. (desk research)
- Legal information – through a legal analysis focusing on identifying the legal provisions in place, their interpretation, the extent to which they effectively prevent and sanction discrimination of LGBTI persons in the workplace or in seeking employment. This included information collected about stakeholders as well as an assessment of national law, policies and practice in the field of employment in Romania.
- Primary information on discrimination cases (employing both qualitative and quantitative research methods, aiming to cover LGBTI discrimination) but also on existing equality policies protecting employees (if and when such policies are put in place by employers).

In this regard, we organized focus-groups and individual discussions with LGBT+ people in 7 cities – Bucharest (throughout the Project), Timisoara (10 December 2015, 8-9 June 2016 and 20-22 July 2016), Cluj (25 July 2015), Suceava (25 September 2015), Galati (6-8 July 2016), Constanta (8-9 July 2016) and Ploiesti (28-29 July 2016).

Furthermore, we organized individual meetings with employers whenever possible, mostly in Bucharest, including pilot session to present the Toolkit for employers on 26 July 2016.

2. *What methodology did you use to collect the information? If it differs from the methodology initially planned, please provide explanations.*

The methodology used was the one described in the project proposal. The project methodology was different for background (secondary research) and for primary documentation.

- a. The secondary research conducted during the project focused primarily on mapping the stakeholders; and conducting an extensive gaps analysis, in terms of law, policy and practice in the field of employment in Romania, focusing on how current provisions fail to prevent and sanction the discrimination of LGBTI persons seeking for work or currently employed. Furthermore, we looked at Romanian legislative provisions as a part of the *acquis communautaire* as well as at official employment statistics from a variety of sources.
- b. The primary documentation consisted of collecting and analysing data about employers' policies and practices vs. situations of discriminations experienced by LGBTI jobseekers and employees.

The primary documentation of discrimination cases employed both qualitative and quantitative research methods, aiming to cover LGBTI discrimination from a variety of angles.

The primary documentation was structured as follows:

- **Quantitative research** - questioners applied online for employers and employees, aiming for a random sample. Further details are included in the Report on "Documentation of workplace discrimination against LGBTI persons in Romania".
- **Qualitative research** (semi structured interviews applied according to an interview guide). Sample size – 9 employers, 46 LGBTI employees and job seekers. The results are reflected in the Report on "Documentation of workplace discrimination against LGBTI persons in Romania".

3. *Please describe main success / challenges / difficulties of the project. How did you deal with them?*

The main challenges we were confronted with included:

- Limited documentation of discrimination cases against LGBTI community in the area of employment (only a few sanctions every years, under-reporting,

- sanctioning not made public, unclear standards in terms of sanctioning). This is something that we have not fully managed to overcome, however the Report prepared is a useful source of information documenting instances of discrimination as well as major gaps related to ensuring equality in the workplace.
- No awareness by employers, at times, with regard to legal standards of protection from discrimination for the LGBTI community; no interest of employers to participate in the research. We dealt with this by creating informative materials encouraging active involvement of employers in developing anti-discrimination policies;
- Limited information available to victims of discrimination in the workplace (on protection available and redress mechanisms) – we created informative materials during the project to help bridge this gap.

4. *Did you have any partners in this project? If yes, please briefly describe the role of each partner.*

N/A

III. Project impact

1. *What product has come out of the project if any (e.g. report, CD ROM, survey)? Please, give a short description.*

There were several products that came out of the Project:

- **A report** (electronic format) detailing the primary and secondary research. The report provides an overview of LGBTI barriers and discrimination in the field of employment, while presenting the perspective of authorities and employers in this regard.
- **A training tool-kit for employers** (electronic format)
- **Awareness raising tools and materials: flyers for employees; fact sheet for employers; a subdomain on the website www.acceptromania.ro dedicated to addressing workplace discrimination.**

2. *What are the main outcomes of the project? Give details here on:*

- a) *How you plan to use this information - for advocacy or other purposes (at local, national and/or European level)?*

Most of the information we collected from the documentation activities was included in the Report, which will be used for advocacy purposes at national level.

At the same time, some of the information collected by ACCEPT, together with the results of desk research, have been feeding into the Toolkit for employers.

Our primary audience for advocacy consists of employers, in particular human resource personnel, who will benefit from the online tool-kit and informative brochure focusing on preventing LGBTI discrimination in the field of employment. The information will be delivered through above the line promotional activities, such as Facebook campaigns, as well as a newsletter edition sent out specifically to employers.

Also part of primary audience are local and national level authorities; advocacy with these authorities will focus on disseminating the recommendations of the Report; distributing hand-outs; organizing follow-up meetings, and presenting the results of the documentation project.

Actions with the LGBT+ community will be focused on promoting self-advocacy, mainly through online ads (both paid and unpaid), advertising the content of the website and specific aspects of the report.

b) Who is your key target audience who needs to understand the collected information?

Our target audience for the results of the Employment Discrimination Documentation Project is made out of:

- National and local level authorities, such as Labour Inspectorates and the National Council for Combatting Discrimination
- Trade-union leaders and organizations of different professions (e.g.: College of psychologists, College of legal advisors, College of Physicians, College of social workers)
- Employers
- LGBT+ community (either employees or job seekers)
- The general public.

c) Provide a short description and concrete steps on how you plan to approach your target audience.

- The general public needs increased awareness on labour rights and mechanisms for redress, but also about the obligation to non-discrimination. In this sense, we have developed and will continue to promote resources on ACCEPT's website and social media.
- LGBTI persons need increased information on their rights, redress mechanisms, protections granted under the law etc. In this sense, we have developed and will continue to promote resources on ACCEPT's website and social media. Furthermore, we are providing legal information / counselling online, through a

- specific tool, and have created a flyer with additional info that is being distributed in public events and promoted online.
- Institutions responsible for enforcing labour law need to be made aware of the scale of the problem, in order to develop their own specific strategies and practices to encourage victims of discrimination to make a complaint without fear of a backlash from those specifically appointed to protect their rights. In this sense, the recommendations of the Report will be distributed to all, in print and electronically.
 - Collective bargainers such as trade union leaders need to be made aware that general non-discrimination provisions are a must for framework agreements, but also understand that they should support LGBTI members, create an environment so that LGBTI persons feel secure in seeking their help. For this, the recommendations of the Report will be distributed to all, in print and electronically. A Factsheet for employers will also be distributed, in print and electronically.
 - Private employers have a significant amount of power to set the standard in their particular industry, and, therefore, are a valid target as part of this strategy. While acting within the limits of Romanian labour law, private employers have the possibility enact pro-active diversity measures that go beyond the minimum requirements (such as diversity weeks, team building that have an inclusion component, trainings for employees, as well as standards for behaving with clients, etc.). For this, both the recommendation of the Report, the flyer for employers, but also the Toolkit for employers will be made available upon request and disseminated in all public events of ACCEPT.

d) What impact will this have on legislative / decision-making level (e.g. change in laws/policies, new relations with policy makers etc.), if any.

First and foremost, we will use our resources to further develop advocacy actions related to the amendment of the Anti-discrimination law [Governmental Ordinance 137/2000] in order to eliminate existing issues with regard to the Directive 2004/113/EC and Directive 2006/54/EC, when it comes to the restrictive understanding of gender identity and limited to no protection against discrimination on the ground of gender identity.)

3. What impact (positive/negative) had the project on your organization?

The research undertaken under this project will feed with data further advocacy actions of ACCEPT- regarding aspects to be followed-up under the Anti-discrimination Strategy, potential legal amendments to be supported with the Anti-discrimination coalition, etc.

The Diversity Toolkit for employers can be developed and disseminated in ACCEPT's training sessions for employers. The project has actually enabled us to start reaching to

employers (currently with a focus towards large corporations which are in fact branches of multi-national companies based abroad) in order to develop Diversity Programs. A Pilot 'Diversity in the Workplace Program' is currently being put in place with Vodafone Romania and is an excellent opportunity to ACCEPT to gain visibility and to disseminate its anti-discrimination work.

4. *What are the lessons you have learned internally? What learning would you share with others undertaking similar projects?*

One important challenge and lesson learned was related to working with the business / corporate environment.

We have had an opportunity to start engaging with employers and this helped us develop internally both methods for engagement, as well as discourse points focused on common opportunities. We had to brainstorm about how businesses could contribute not only funding but also technical expertise, products, and staff time to help us achieve our goals. In turn, we had to map, internally, how we could lend businesses our expert knowledge of particular issues, our ability to reach beneficiary groups etc.

IV. ILGA-Europe

How satisfied you are with the quality of cooperation with ILGA-Europe? Please, give a maximum of three positive and three negative points / examples, preferably with suggestions on how the latter can be improved.

We are very satisfied with the quality of cooperation with ILGA-Europe, mainly due to the flexibility and openness of the ILGA Europe staff in relation to difficulties encountered at the national level in different contexts. From our perspective, there is nothing that would require improvement.

PLEASE, INCLUDE A COPY OF THE PRODUCT THAT HAS COME OUT OF THE PROJECT (DOCUMENT, CD ROM etc) WITH THE ACTIVITY REPORT.

V. Financial report

Please, provide the financial report using the attached excel sheet. In case if deviations from the original budget occurred, please provide explanations. All expenditures need to be accompanied by certified copies of supporting financial documents (bills, invoices, pay slips, bank statements etc.)