

RESEARCH REPORT

TRADE UNIONS AND LGBT+ WORKERS IN THE TRANSPORTATION SECTOR



ITF

THE INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF) IS A DEMOCRATIC, AFFILIATE-LED GLOBAL FEDERATION OF 670 TRADE UNIONS IN 147 COUNTRIES, REPRESENTING OVER 18 MILLION WORKING MEN AND WOMEN IN ALL TRANSPORT SECTORS. THE ITF PASSIONATELY CAMPAIGNS FOR TRANSPORT WORKERS' RIGHTS, EQUALITY AND JUSTICE.

THIS RESEARCH REPORT WAS COMMISSIONED BY THE ITF FROM DR MEGAN BROWN, METROPOLITAN STATE UNIVERSITY, USA

JUNE 2024

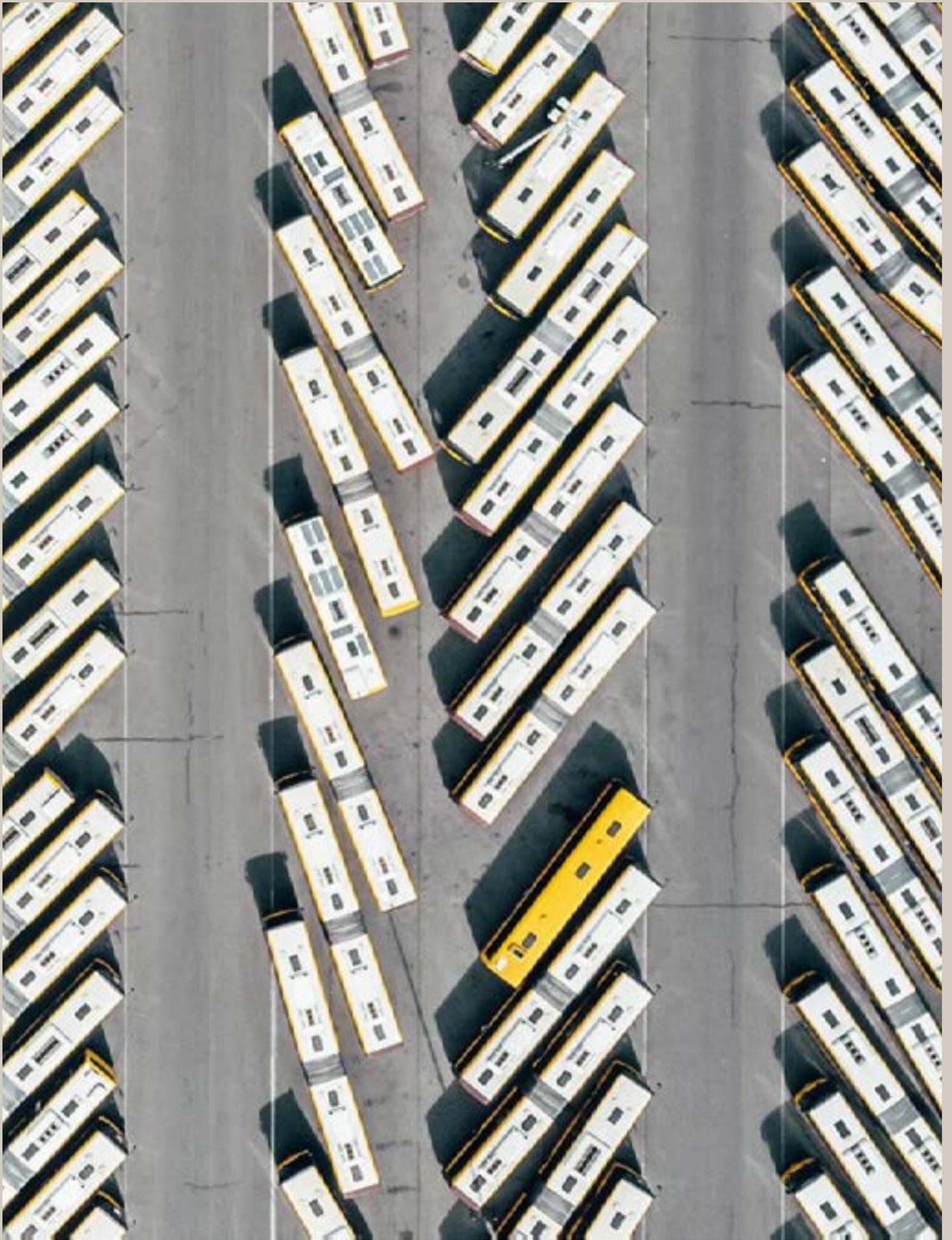
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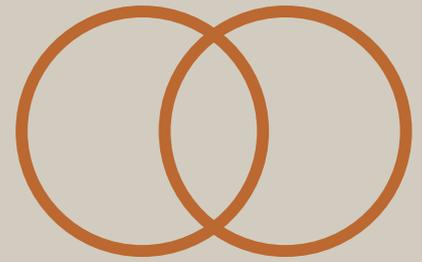
EXECUTIVE SUMMARY

This report investigates the experiences of LGBT+¹ workers in the transport industry, and the work of unions in finding creative responses to challenges facing these workers. Using a case study approach, the project interviewed eight unions representing transport workers across North America, South America, Asia, Europe, and Africa. Despite the geographic diversity, several common themes emerged concerning the role of unions in the transport sector in supporting LGBT+ workers. Here are the findings in brief.



CHALLENGES FACING LGBT+ WORKERS IN TRANSPORT:

- If travel takes workers across political jurisdictions, their rights and safety may be compromised, especially for heavily politicised identities. The diverse geographic locations of the studied unions underscore the complexities of navigating political jurisdictions, but certain forms of travel required by employment in the transport sector were identified as particularly dangerous for LGBT+ workers. Workers whose duties cross borders often find their rights and safety compromised, particularly when their identities become politicised, highlighting the need for creativity in union responses.
- Public-facing workers face several overlapping challenges in their role as 'go-between'. Some of this work creates special burdens for LGBT+ workers when employers are not supportive. Transportation workers are frequently asked to engage with a wide variety of the travelling public. Workers and union representatives acknowledged that these interactions could not be fully controlled by employers, but they agreed that homophobic interactions were more burdensome when workers were unsure whether their employers would provide adequate support for LGBT+ workers facing harassment from the public.
- LGBT+ challenges are deeply intersectional, intersecting especially with issues related to gendered oppression and to race/ethnicity. The challenges faced by LGBT+ workers extend beyond sexual orientation and gender identity, and union activity to promote the rights of LGBT+ individuals must reckon with the complexity of these intersecting identities. These multifaceted intersections underscore the importance of a comprehensive approach to LGBT+ advocacy, and also suggest some potential areas of tension among activists within union groups.



UNION RESPONSES TO LGBT+ WORKER ORGANIZING:

- Visibility, affinity spaces, and LGBT+ specific organising remains important. Despite deep variations in the level of visibility or ‘outness’ of workers in unions interviewed, the importance of campaigns to create affinity spaces and foster visibility among LGBT+ workers was highlighted repeatedly as an important aspect of the work.
- Criticisms of union work. Worker activists and union leaders alike – in nearly every interview – frequently criticized both employers and unions in dealing with LGBT+ workers. There was a complaint that unions and employers would “talk the talk” on broad-based human rights organizing – or even offer needed funding – without backing up the talk with the political will necessary to win political battles with membership. These internal dynamics reflect the complex terrain of balancing labor advocacy with LGBT+ inclusion.
- New horizons for LGBT+ friendly unions: building a gender-neutral workplace and creating lasting union structures. This project found a notable shift toward organising around gender-neutral workplaces, including formal and informal bargaining, and organising about uniform policies, changing areas, and the use of ‘pronoun pins’. This signals a growing recognition of the importance of accommodating diverse gender identities and expressions within the transportation sector and labor movement. In addition, more unions were experimenting with changes in union structures to more fully incorporate LGBT+ worker voices into union work.

To sum up, this work shows both the continued importance of combating the specific issues faced by LGBT+ workers in the transport industry, and a variety of strategies used by labour unions to combat those issues. Despite substantial differences in country-specific LGBT+ rights and social acceptance, there was much agreement about what type of organising work was seen as important and impactful for LGBT+ workers, with new horizons being uncovered frequently.

INTRODUCTION

This project investigates ways that global, national, and local trade unions within the aviation and public transport sectors have (and have not) taken up organising work on LGBT+ worker rights. Despite the importance of the transportation sector in the contemporary economy, and its historic image as a workplace haven for workers with various LGBT+ identities, little work has investigated the intersection between transport unions and LGBT+ activism. This makes the area a compelling and critical arena of study and advocacy. This case study research will explore the interplay between trade unions and the experiences of LGBT+ workers as they navigate the complex legal and political landscapes of their industries.

This study uses a case study approach to show how transport sector unions in North America, South America, Europe, Africa, and Asia Pacific:

- 01. Describe the issues facing LGBT+ workers,**
 - 02. Have worked to advance LGBT+ rights with employers and within their union structures, and**
 - 03. Approach the challenges they face in that work.**
-

As the LGBT+ rights movement continues to make strides worldwide, the role of trade unions in advocating for the rights and well-being of their LGBT+ members has taken on more weight.

We find that trade unions have found creative ways to use the strategies and tactics of union organising – collective bargaining, political/coalitional organising, and concerted efforts to develop the political potential of membership – to act as powerful agents of social change, working at the nexus of economic justice and societal progress for LGBT+ workers.

This is, however, unevenly expressed, and LGBT+ worker activists within unions face continued overt and covert expressions of hostility that limit the reach of potential reforms and activism. By examining their strategies, successes, and ongoing challenges, we aim to contribute to a deeper understanding of the evolving relationship between labour advocacy and LGBT+ inclusion.

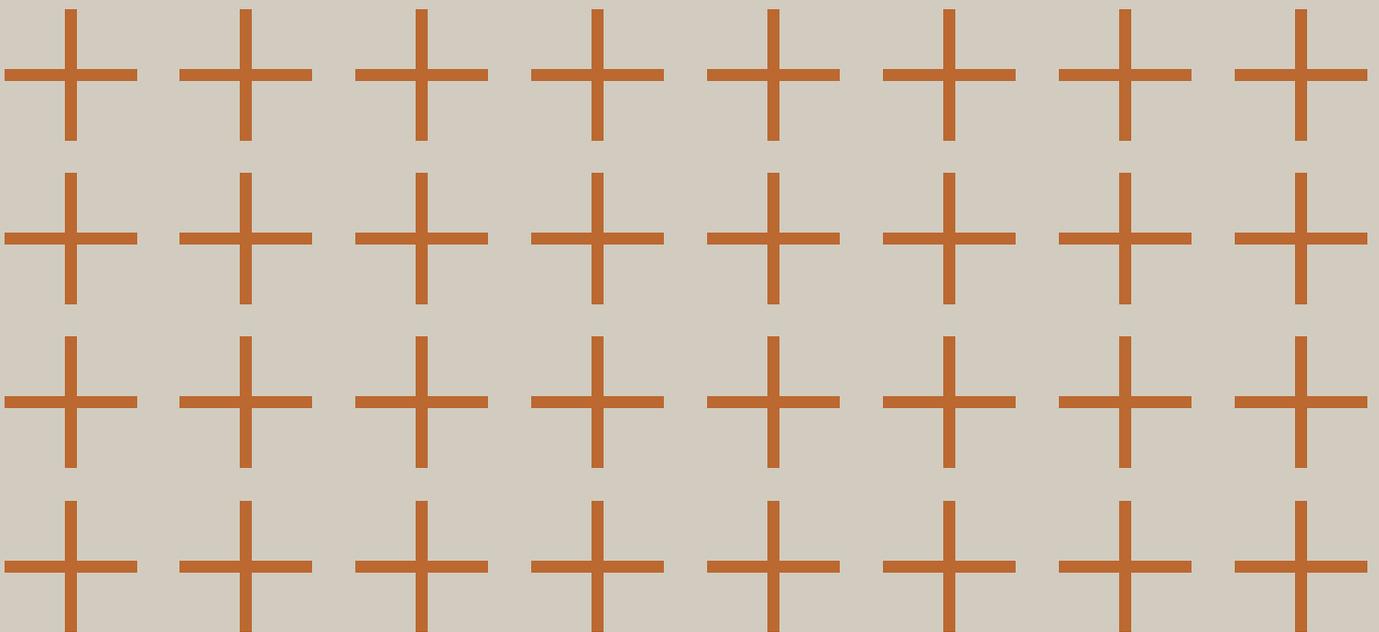
METHODOLOGY

For this case study research, we identified a total of eight trade unions that were involved in either the public transport sector or the aviation sector, and had a track record of supporting LGBT+ rights in their industries.

These unions were located in North America, South America, Africa, Europe, and Asia. For the purpose of these case studies, we sought geographic diversity, sector specificity, and demonstrated work in LGBT+ organising.

Data collection included interviews, review of governing documents and other internal messages, and published writing relating to the unions involved. The interviews included both union staff and member activists involved in these trade unions, and were conducted in English and Spanish, with simultaneous translation to English from other languages as required (provided by the union).

Importantly, a small minority of interviewees were not willing to have their name associated with their comments. Because of this, to protect their anonymity, quotations are not attributed. In addition, because the universe of unions included is so small, this project has redacted information pertaining to both the country in which workers were based and to the union involved, while reporting results to ensure that no respondents can be identified.



LITERATURE REVIEW

When Ng & Rumens (2017) analysed the global social science literature using the *Web of Science Social Sciences Citation Index* between 1956 and 2016, they found that literature on LGBT+ individuals was disproportionately small – less than 2,000 citations, compared to research on women (more than 330,000), disabilities (more than 100,000), or race (nearly 75,000). And while literature on LGBT+ workers in general is relatively sparse, literature investigating LGBT+ workers in the transportation industry – specifically public transportation and aviation – is sparser still.

This creates difficulty in finding good examples of research on LGBT+ experience in diverse locations, including at work in different industries, and suggests that there is more work to be done on the varied experiences of LGBT+ workers across industries.

A high percentage of the literature reviewed in this report originated in North America and/or Europe, but there is a small and growing segment of literature investigating LGBT+ experiences in the Middle East, Asia Pacific, and African contexts, which is also discussed.

A majority of academic research in this area discusses how LGBT+ workers experience life at work, and industry sources offer some insight into the strategies and tactics that LGBT+ workers use to improve their experiences at work, including how unions can intercede.

In the first section of this review, we discuss the general literature on LGBT+ worker experiences. Here, we find substantial evidence for the ways that LGBT+ workers experience discrimination and harassment on the job. In the second section, we discuss the trends in using collective bargaining as a tool to promote LGBT+ equality at work. The history of bargaining for LGBT+ equality using contracts began in the 1990s and offers several specific mechanisms to protect LGBT+ workers, using inclusive family definitions, strong language opposing discrimination and harassment, and equal access to health care. In recent years, more work has been done to identify ways to support transgender and gender nonconforming workers at work through collective bargaining. Finally, we conclude with two sections discussing specific issues relating to public transportation workers and aviation industry workers. Both industries have a history of employing more LGBT+ workers than average and have cultivated an image of being LGBT-friendly, but they struggle with the perception that passengers experience harassment related to their gender and/or sexuality.



LGBT+ PEOPLE AT WORK

Academic literature on LGBT+ experiences at work can be divided into two important recent eras: one, from the 1970s–90s, which focused on fighting homophobia, and a second, after the 1990s, which focused on changing institutions (Maher et al., 2009).

Recently, the institutional focus has shifted from discrimination and career counselling (Chung et al., 2009) to a focus on countering hetero- and cisnormativity in the workplace, as well as adopting LGBT-friendly practices to create more inclusive workplaces (Everly & Schwarz, 2015; Köllen, 2016). We will outline the research on how discrimination occurs at work for LGBT+ workers, before highlighting work that emphasises the specific importance of public sector employers, which disproportionately employ LGBT+ workers. We then discuss how unions appear in the literature. Finally, we identify a handful of studies that examine the experience of LGBT+ workers outside of North American and Europe.

DISCRIMINATION AT WORK

Despite increasing acceptance in many areas of life, many LGBT+ workers still report instances of harassment and discrimination. In one survey of LGBT+ adults in the United States, nearly one third reported experiencing discrimination, while nearly 40 percent reported experiencing harassment (Sears et al., 2021).

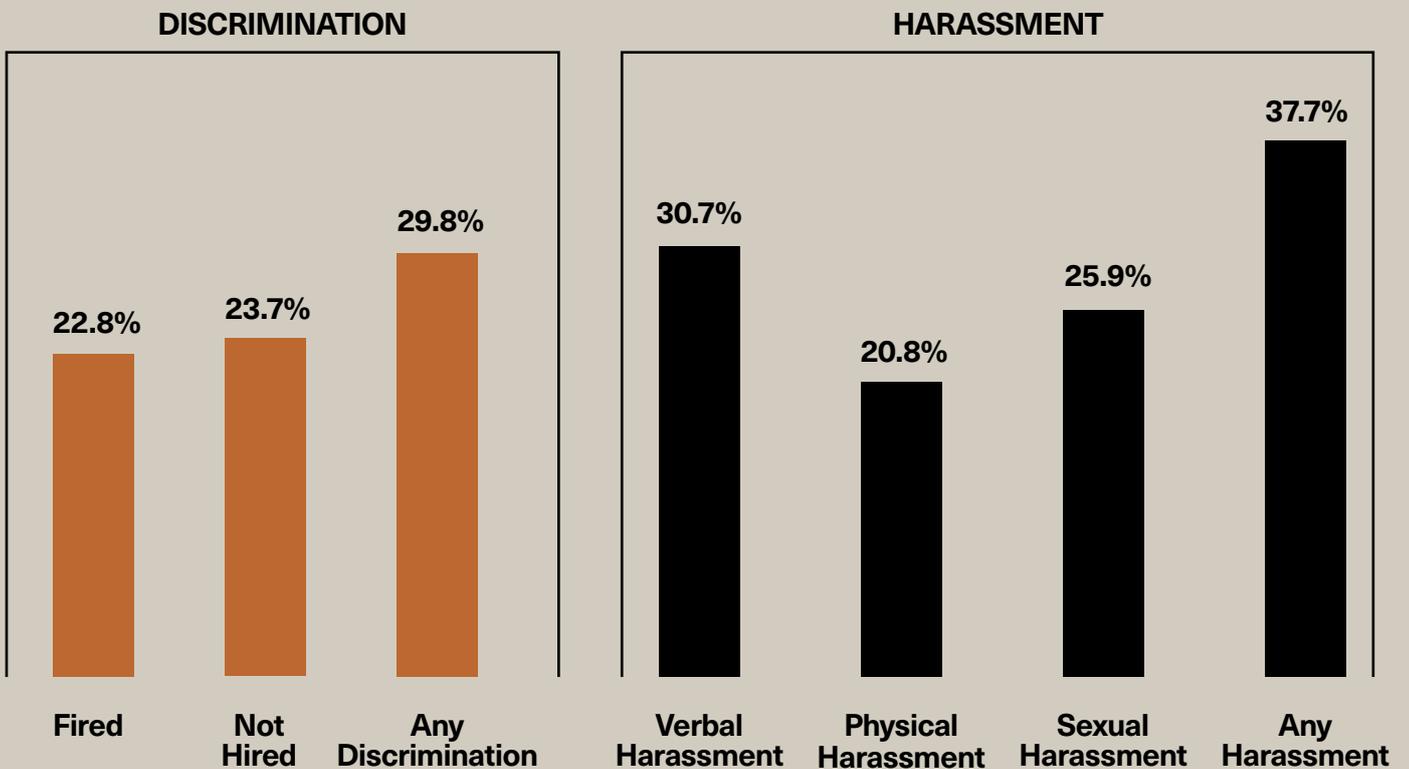
While the above study focused on the United States, Canadian statistics support this as well. Statistical data on LGBT+ workers' working conditions is limited, but the 2014 version of the General Social Survey in Canada stated that 79 percent of lesbian, gay or bisexual respondents reported that they had experienced discrimination based on sexual orientation, and the workplace was the most

frequently reported site of discrimination (Simpson, 2018).

Scholars separate formal mechanisms – specifically the lack of consistent formal policies – from the informal mechanisms through which discrimination occurs. These informal mechanisms affect hiring, firing, job assignments, promotion, and benefits (Lewis, 2009).

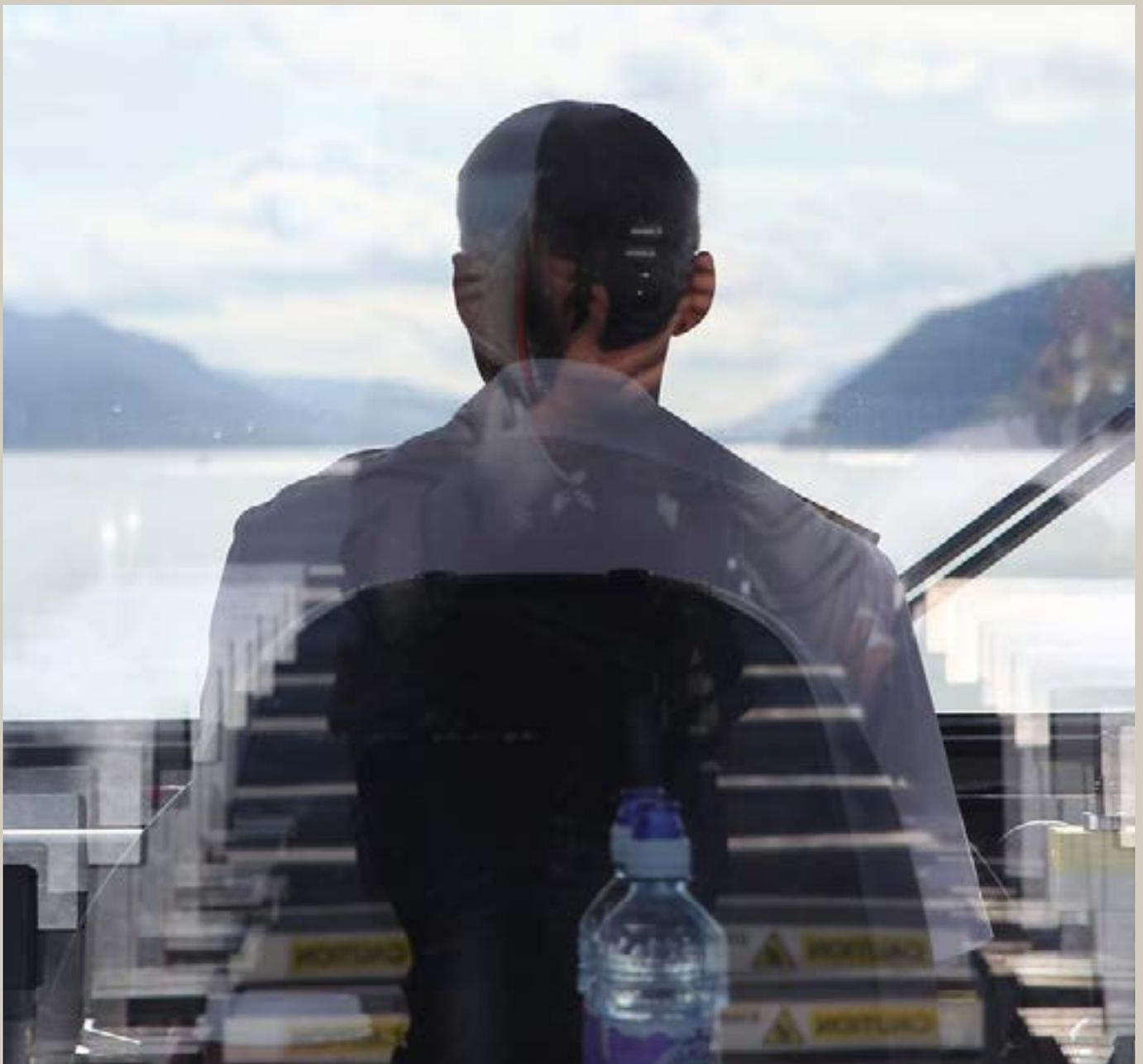
LGBT+ workers earn less than their heterosexual counterparts, and about 1 in 10 report having lost a job due to their sexuality (Waite & Denier, 2015; Sears & Mallory, 2011; Pinsker, 2015). In addition to the overt (and potentially illegal) instances of discrimination, 'repetitive, small injuries inflicted by microaggressions' (Baker & Lucas, 2017) are also common among LGBT+ workers. Nadal, Rivera and Corpus (2010) outlined seven common microaggressions that are specific to sexual orientation:

Fig. 1: Lifetime experiences of discrimination and harassment against LGBT+ employees based on sexual orientation or gender identity



Source: Sears et al., 2021

01. Using homophobic or transphobic language.
02. Endorsing heteronormative or gender-normative cultures (such as dress codes, implicit or explicit, that require gender conformity).
03. Assuming universal LGBT+ experiences or stereotyping based on sexuality/gender.
04. Exoticising LGBT+ people through questions about sex or genitalia.
05. Expressing discomfort or disapproval with LGBT+ experience.
06. Denying the existence of homophobia or transphobia.
07. Assuming sexual pathology (for example, believing that all gay men have HIV/AIDS) (Sue, 2010).



LGBT+ PUBLIC SECTOR WORKERS

Since this project investigates the public sector transportation industry, it is important to note literature specific to the experiences of LGBT+ workers in the public sector.

It has been found in multiple contexts that LGBT+ workers are overrepresented in the public sector workforce (Denier & Waite, 2017; Baker, 2017). In Canada, for example, 24 percent of gay men and 28 percent of lesbians work in the public sector, compared with 14 percent of straight men (Denier & Waite, 2017). Some have suggested that this overrepresentation is due to the increased equality in public sector work – which in the North American context is owed primarily to high levels of unionisation – including more equitable wages and increased protection from discrimination (Baker, 2017).

There are a handful of qualitative studies that focus specifically on the experiences of LGBT+ public services workers (Baker & Lucas, 2017; Ng & Rumens, 2017), including studies on policing (Couto, 2018), activist teachers (Wells, 2017), and trans men workers in health care (MacDonnell & Grigorovich, 2012). One qualitative study found that anti-gay discrimination undermined worker safety and security of LGBT+ workers, causing social harm, career harm, and even physical harm (Baker & Lucas, 2017). Even in this study on safety, however, workers were not without agency: they used what the authors call ‘four primary dignity protection strategies: avoiding harm by seeking safe spaces, deflecting harm with sexual identity management, offsetting identity devaluations by emphasizing instrumental value, and creating safe spaces for authenticity and dignity’ (Baker & Lucas, 2017). These studies attend to both the negative experiences of LGBT+ people at work, including threats to safety and career progression, and, notably, to the creative methods that LGBT+ workers use to fight against discriminatory behaviour.

PUBLIC-FACING ROLES AND CHALLENGES FOR LGBT+ WORKERS

In addition to being overrepresented in the public sector, LGBT+ workers are more likely than their heterosexual counterparts to be employed in low-wage service professions (Waite et al., 2020). Since transportation workers in both the public transportation and aviation industry also hold very visible public-facing roles, there are some interesting pieces of information to be gleaned from literature on service sector work more generally.

Mills and Owners (2021) used in-depth interviews with 30 LGBT+ low-wage service workers to explore the connection between customer abuse and management techniques, which conspire to enforce heteronormativity and cisnormativity (Mills & Owens, 2021). These authors found that customers worked in tandem with management to police workers’ gender expression and/or sexuality. The authors write that ‘customer abuse’ was a central reason for LGBT+ workers policing their own gender expression, and that ‘management was complicit in this dynamic, placing profitability and customer satisfaction over the safety of LGBT+ workers, only intervening in instances of customer abuse and aggression when it had a limited economic impact’ (Mills & Owens, 2021, pg. 776).

The interrelationship of management techniques and the behaviours of customers is an important area for further research, and the unions in the case study below have discussed multiple strategies for supporting workers in this context.

NON-NORTH AMERICA/NON-EUROPE RESEARCH

There are only a handful of studies that explore the experience of workers in a non-North American and non-European context, but these are central to understanding the ways that LGBT+ life is similar and different in different socio-political environments.

First, many studies from the Middle East and North Africa (MENA) and Asia Pacific contexts found statistical and qualitative stories of discrimination among LGBT+ workers that mirrored discriminatory patterns in North America and Europe.

For example, a pioneering study by Öztürk (2011) explored the ways that anti-gay discrimination emerged in a variety of working situations in Turkey. In a follow-up study that compared the experiences of LGBT+ workers in the UK and Turkey, the authors found more commonalities between the two locations, but noted that legal actors and institutions played a crucial role in LGBT+ equality and (in)visibility at work (Özeren & Aydın, 2016).

A systematic review of the literature on LGBT+ experiences in Thailand found that 35 publications specifically addressed the economic well-being of LGBT+ people in Thailand (Newman et al., 2021), and, of these, 26 highlighted the pervasive discrimination faced by many LGBT+ people in the job market (*Economic Inclusion of LGBTI Groups in Thailand*, 2018; *Tolerance but Not Inclusion*, 2019; Ojanen et al., 2019). This review found a variety of types of discrimination occurring in Thailand, ranging from dress codes that affect non gender-conforming workers (Ojanen, 2009; Ojanen et al., 2019), required HIV testing as a condition of employment (*Economic Inclusion of LGBTI Groups in Thailand*, 2018; Ojanen et al., 2019), and workplace harassment or

refusing to hire or promote LGBT+ workers because of their gender identity/sexual orientation (Ojanen, 2009; Ojanen et al., 2019; Suriyasarn, 2016).

Discrimination can severely limit employment opportunities for LGBT+ individuals, constraining their opportunities to stereotypical (e.g., hairdressing) or risky professions (e.g., sex work) (Newman et al., 2021). Notably, discrimination against LGBT+ employees was more pronounced in the public sector in Thailand (Suriyasarn, 2016). At least one study looked at LGBT+ employment work in South Africa, but I was unable to locate others. This investigation into LGBT+ life at work in South Africa found that discrimination was common, despite pro-LGBT+ legislation (Mawambi, 2014).

In addition to similar forms and quantities of discriminatory activity, however, studies also point to specific challenges facing LGBT+ workers in MENA and Asia Pacific. Chief among these experiences is a heightened expectation that LGBT+ workers will remain in the closet. One empirical investigation of LGBT+ workers found that they were still largely invisible in Turkey, and that they subsequently experienced a substantial amount of minority stress that impacted their performance at work (Akgül & Güneş, 2023). Another study in Thailand found that although LGBT+ workers are tolerated as long as they stay in the closet, there are particularly steep costs to transgender workers, who have a very hard time finding employment (Suriyasarn, 2016).

LABOUR UNIONS, COLLECTIVE BARGAINING, AND OTHER STRATEGIES TO SUPPORT LGBT+ WORKERS

Labour unions have an important role to play in promoting the adoption of pro-LGBT+ policies, and there are many studies that investigate what prompts unions to be pro-LGBT+, and what the effects of pro-LGBT+ unions are on workers.

For example, at least two studies found that unions with more female representation were more likely to support pro LGBT+ policies (Everly & Schwarz, 2015; Hunt, 1997). Relatively high unionisation rates are also, as mentioned above, believed to lead many LGBT+ workers to seek employment in the public sector, since ‘unions are often better able to negotiate wage equity and ensure compliance with anti-discrimination legislation than individuals or non-unionized groups’ (Baker, 2017).



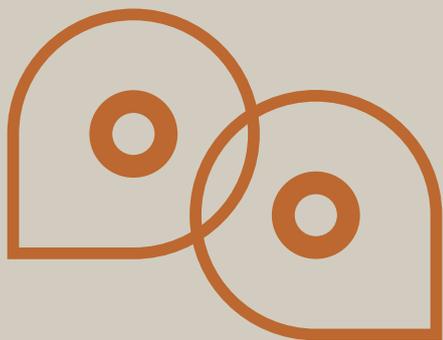
There is also evidence that a focus on coalitional politics, including LGBT+ organisations alongside labour unions, strengthens both the labour movement and the movement for LGBT+ rights (Kelly & Lubitow, 2014). One example of this includes the organisation Pride at Work, which operates in the US and Canada. It engages in a variety of advocacy measures, and publicises model contract language for members and others to use (*Model Contract Language*, 2014).

While collective bargaining is not the only way for the labour movement to effect change in the workplace, it is a broad and effective tool for unionised workers. In this section, I will outline some of the identified best practices for ways that unions can use collective bargaining to protect LGBT+ workers. Early in the literature, these contract provisions focused on family benefits; in recent years, these discussions have tilted towards identifying creative ways to support transitioning workers or nonbinary people at work.

LANGUAGE AND DEFINITIONS

Inclusive language for collective bargaining agreements is important (*Bargaining Equality for LGBT+ Workers*, 2015). Where gendered language was previously used (he, she), experts recommend using gender neutral language such as 'they', for example. These inclusive definitions are especially important for clauses and contractual areas that focus on families.

When defining relationships, certain words must be chosen with care to include the diversity of families and relationships found in the LGBT+ community. For instance, the definition of 'parent' should include a person with whom a child is placed for adoption, and a person who is in a relationship of some permanence with a parent of a child and who intends to treat the child as their own (*Bargaining Equality for LGBT+ Workers.*, 2015).



PROTECTION FROM DISCRIMINATION AND HARASSMENT

As the academic literature has made clear, LGBT+ workers are likely to experience discrimination and harassment from fellow workers, management, and/or the public. Good collective bargaining agreements should seek to protect workers from discrimination and harassment, and should outline reporting and investigation processes that protect reporting workers (and provide for due process).

Incorporating non-discrimination clauses that explicitly include protection for LGBT+ people is a powerful sign of inclusion. In particular, language that explicitly protects transgender people by negotiating a clause that includes 'gender identity' as well as 'sex' is helpful (*Bargaining Equality for LGBT+ Workers.*, 2015). In addition, explicitly incorporating language protecting LGBT+ workers from harassment is one way to signal support for LGBT+ individuals.

Harassment policies and procedures should explicitly name gender identity and gender expression as prohibited forms of harassment, and the bargaining process should include anti-harassment training that also calls out discrimination against gender identity and gender expression (*Workers in Transition: A Practical Guide for Union Representatives and Trans Union Members*, n.d.). When this is relevant, it is also important to consider the resolution process outlined in policy and to construct a process that does not unnecessarily out an LGBT+ employee and victim of harassment (*Bargaining Equality for LGBT+ Workers.*, 2015).

LGBT+ FAMILY PROVISIONS

One area of contract bargaining that takes special prominence in the lives of LGBT+ workers is in the definitions, benefits, and other provisions that accrue to workers on the basis of familial relationships.

Inclusive bargaining should include inclusive descriptions of partners, parent, and family relationships. Although there has been an increase in the prevalence of marriage rights for LGBT+ people, contractual language should be inclusive of LGBT+ partnerships and defined broadly, regardless of the status of marriage rights in a given country. Common-law relationships or civil partnerships should be defined for LGBT+ partnerships, just as they are for straight partnerships (*Bargaining Equality for LGBT+ Workers.*, 2015). These have repercussions in many separate bargaining issues, including pension benefits, health care eligibility, and survivor benefits, which should all contain inclusive language that treats LGBT+ families equally to straight families (*Bargaining Equality for LGBT+ Workers.*, 2015).

The need for inclusive definitions of family and other relationships also arise in a variety of leave provisions that are commonly bargained during a collective agreement, such as bereavement leave, adoption/parental leave, and family leave of absence. These should all contain inclusive language that treats LGBT+ families equally to straight families (*Bargaining Equality for LGBT+ Workers.*, 2015).



LGBT+ HEALTH CARE CONSIDERATIONS

There is a wide swathe of LGBT+ specific considerations to be made during bargaining over health care benefits. Health care policy, of course, is wildly different depending on the national context. In the US, for example, unions view bargaining over health plans as a crucial component of collective bargaining, since national health care provision is almost exclusively mediated through the employment relationship. In most other places, the role of trade unions in determining the contours of health care provisions lies in unions' ability to influence broader political discussions about health care regimes.

Regardless, unions may explore the following best practices for health care provisions that support LGBT+ workers, including health care related to family planning, and transition care.

Inclusive health care benefits will provide for in vitro fertilisation for gay/lesbian couples, if it is offered to infertile heterosexual couples. Health care benefits should include sex reassignment surgery, hormone therapy, counselling, and electrolysis (*Bargaining Equality for LGBTQ Workers.*, 2015; *Workers in Transition: A Practical Guide for Union Representatives and Trans Union Members*, n.d.). Unions should encourage employers (if in charge of health care) and national health care agencies (if relevant) to understand that gender-affirming health care is not simply cosmetic and that it should be treated like other health care needs. In addition, regardless of the health care regime, bargaining should address the need to create a transition plan for workers, including a frank discussion of who to inform of a transition, how to inform people of a worker's transition, and how much to disclose.



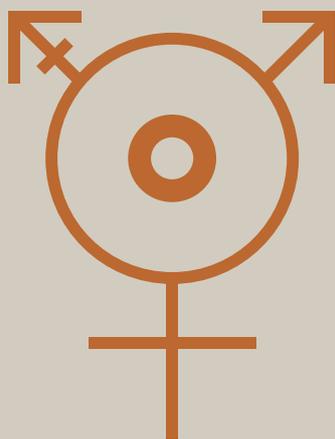


GENDER-RELATED BARGAINING CONSIDERATIONS

Gender-related collective bargaining considerations arise in areas beyond access to health care for transition-related reasons. These include:

- offering gender-affirming leave for trans workers who are pursuing medical transition,
- providing access to safe rest rooms and changing areas that correspond with a worker's gender identity,
- allowing workers to wear uniforms that correspond with their gender, and
- updating workplace records to reflect workers' names and genders.

Some documents suggest that unions should encourage employers to provide gender-inclusive bathrooms (which have the added benefit of being more inclusive of non-binary people) but allow trans people to choose the rest room that best corresponds to their gender. If there are uniforms worn in the workplace, and if uniforms are gendered (i.e., there is a men's uniform and a women's uniform), then the worker must be provided with the choice of which uniform to wear. Non-binary workers can choose which dress code to follow. If/when they opt for a new uniform, they must be supplied with uniforms that fit appropriately, or are tailored to fit appropriately. During the transition process, if the worker requests, employers should update workplace records to reflect the worker's name and gender – this may include seniority lists, name tags, email and phone directories, identification cards or badges, security lists, trade certificates, insurance records, pension records, and licenses.



TACTICS BEYOND COLLECTIVE BARGAINING PROVISIONS TO SUPPORT LGBT+ WORKERS

As mentioned above, collective bargaining is an important site of power-building for unions interested in supporting LGBT+ employees, but is not the only role that unions or other organising efforts can take to support LGBT+ workers.

One study explored how affinity groups among LGBT+ employees can be used to provide an organised platform from which to advocate for changes (even in the absence of unionisation) and also provide social support for LGBT+ workers (Githens & Aragon, 2009).

Another publication, by the Trades Union Congress (TUC) in the UK, suggested that union representatives work beyond bargaining priorities to make clear that anti-LGBT+ behaviour or comments are unacceptable in the workplace, to provide access to training about LGBT+ issues, and to find creative ways to support members who are experiencing difficulties because of their LGBT+ identity (*Transforming the Workplace: A TUC Guide for Trade Union Activists on Supporting Trans Members*, 2016).



A recent publication by the Global Council of Unions, which the ITF is part of, identified many ways that unions are involved in fighting for equality (*Fighting for Equality: Trade Unions and LGBTI Rights*, 2021). This publication highlighted the work of APUBA in Argentina, COSATU in South Africa, UNISON in the UK, the FNV (national trade union federation in the Netherlands), the Transport Salaried Staffs' Association (TSSA) in the UK and Ireland, the Turkish Union of Journalists, the UFCW OUTreach in the United States, Comisiones Obreras in Spain, various Australian Unions, and RENGO in Japan.

The TSSA example includes the goal of making British and Irish railways LGBT+ inclusive by 2025 through its Inclusive Rail campaign that was launched in 2018. This includes handing out #NoBystanders cards that ask workers to pledge to not stand by and watch bullying, and role model posters that feature TSSA members who are LGBT (*LGBT+ Inclusive Rail campaign*, 2018). These ideas for incorporating LGBT+ worker campaigns above and beyond collective bargaining are important areas of growth for international unions.



LGBT+ WORKERS IN THE AVIATION INDUSTRY



The aviation industry is well-known as a large employer of LGBT+ workers, especially in cabin crew roles (Wickman, 2013).

- US Airlines (including Alaska Airlines, American Airlines, Delta Air Lines, JetBlue Airways, Southwest Airlines, and United Airlines) frequently herald their 'perfect scores' on the LGBT+ Corporate Equality index, which purports to measure LGBT+ equality in a company (Taylor, 2016).
- Scandinavian Airlines (SAS) performed the first in-flight gay and lesbian wedding ceremonies in 2010 while running the promotion 'Love is in the air'. SAS is also a member of the Stockholm Gay and Lesbian Network, and partners with VisitSweden in the US, which promotes Sweden as a leading LGBT+ destination (Guy, 2015).
- Austrian Airlines specially branded a Boeing 777 from JFK in the US to Vienna for the Life Ball in 2014 to support HIV/AIDS research.
- Air New Zealand began its Pink Flight in 2007, which featured a drag queen stewardess, pink airplane food and a shirtless competition on its way from San Francisco to the Gay and Lesbian Mardi Gras in Sydney (Guy, 2015). After a homophobic scandal, it reclaimed 'gay friendly' consumer status by hosting an in-flight gay marriage when it was first legalised in New Zealand in 2013.



There is at least one organisation devoted to LGBT+ aviation workers: the National Gay Pilots Association, which is the largest organisation of lesbian, gay, bisexual, and transgender aviation professionals and enthusiasts from around the world. It aims to build, support, and unite the LGBT+ aviation community worldwide.

Recently, however, the status of some legacy US airlines as LGBT-friendly employers has been challenged by lawsuits on behalf of nonbinary workers (Smith, 2021).

In one case, a Seattle-based flight attendant filed a complaint with the Washington State Human Rights Commission alleging that they were forced to wear a uniform that requires conforming with gender stereotypes: while workers are allowed to choose which gender uniform they identify with, they are not allowed to mix and match (Smith, 2021).

Pride at Work, an American organisation of trade unionists devoted to LGBT+ rights at work, recently publicised its disappointment with American Airlines' efforts to delay a vote on unionisation for reservationists and gate agents. They pointed to a concern that if union rights are not observed, LGBT+ employees' benefits would be among the first cut, especially in non-LGBT-friendly US states like Texas, where employees have no protections based on sexual orientation or gender identity (Weston, 2012).

LGBT+ WORKERS IN PUBLIC TRANSPORTATION



Though not as publicly associated with hiring LGBT+ workers as the aviation industry, the public transportation sector has a long history of employing LGBT+ workers. Public transportation agencies were among the first industries that showed a willingness to employ openly LGBT+ workers. According to one history of LGBT+ people in American union life, public transportation agencies, such as public buses and school buses, were key sites of experimentation with gay rights organising in the 1970s (Frank, 2015). According to Frank:

“Bus service was one blue-collar occupation in which gay men and lesbians were likely to find less prejudice in the work culture. Bus drivers perform their jobs separately from one another, alone in the driver’s seat on their own routes; the common spaces of the bus yard are used for dispatching and downtime rather than for the tasks of transportation. Thus, friction among coworkers was typically less intense than on construction sites or among telephone crews. Bus jobs were plentiful in the 1970s, and queer workers formed a substantial and obvious minority in the workforce of several urban companies, where they led the organization and governance of bus drivers’ locals.”

(Frank, 2015, pg 21–22)

One early example of the power of public transportation workers to organise on behalf of LGBT+ workers happened in the 1970s in the US. In 1974, in Ann Arbor, Michigan (a university town in the US midwest), activist lesbians in the union led a takeover of the elected positions, which then led the union to disaffiliate with Local 369 of the American Federation of State, County and Municipal Employees (AFSCME) and re-affiliate as Local 693. In the first contract the new leadership bargained, they were able to convince both



their membership and their employer to write 'sexual preference' into the contract's nondiscrimination section. This resulted in their union being the first recorded union to have collectively bargained a gay rights provision (Frank, 2015).

Following this literature review, it is clear that there is room for research into LGBT+ experience at work that focuses on the strategies and tactics associated with resistance and labour organising. In addition, much of the existing literature focuses on North America and (to a lesser extent) Europe, leaving much room for studying the experiences of LGBT+ workers in the Global South. The empirical findings below seek to add to the existing literature by including results from across the Global South – Asia, Africa, and South America – in addition to focusing on the ways that unions do and do not support LGBT+ workers in the transportation industry.

FINDINGS: TRADE UNIONS AND LGBT+ WORKERS IN THE TRANSPORTATION SECTOR

INTRODUCTION TO FINDINGS

This project finds that trade unions have the potential to use the strategies and tactics of union organising – collective bargaining, political/coalitional organising, and concerted efforts to develop the political potential of membership – to act as powerful agents of social change, working at the nexus of economic justice and societal progress for LGBT+ workers.

As the LGBT+ rights movement continues to make strides worldwide, the role of trade unions in advocating for the rights and wellbeing of their LGBT+ members has taken on more weight. Unions may serve as vehicles for amplifying LGBT+ worker voices, challenging systemic discrimination and fostering inclusive workplaces. This possibility is, however, unevenly expressed, and LGBT+ worker activists within unions face continued overt and covert expressions of hostility that limit the reach of potential reforms and activism.

This study uses a case study approach that will describe how transport sector unions in North America, South America, Africa, and the Asia Pacific, have (and have not) worked to advance LGBT+ rights with employers and within their union structures. By examining their strategies, successes, and ongoing challenges, we aim to contribute to a deeper understanding of the evolving relationship between labour advocacy and LGBT+ inclusion. These findings collectively illuminate the nuanced and multifaceted nature of the relationship between trade unions and LGBT+ workers within the transportation sector.

IF TRAVEL TAKES WORKERS ACROSS POLITICAL JURISDICTIONS, THEIR RIGHTS AND SAFETY MAY BE COMPROMISED, ESPECIALLY FOR HEAVILY POLITICISED IDENTITIES.

Laws protecting or criminalising LGBT+ workers vary dramatically from location to location. This includes both international travel and intra-country/ inter-jurisdiction travel in federalist systems such as the United States. For transportation sector workers who regularly travel across jurisdictions as a condition of their employment, the special pressures associated with shifting legal frameworks can increase both vulnerability to legal challenges and danger in interactions with the public.

This particular burden is best illustrated through a specific example of transgender aviation workers in the United States, where recent political activism has resulted in an increasingly complicated legal environment for transgender individuals from state to state.² In one specific case, the state of Kansas passed a law that restricted bathroom usage by transgender women (Conlon, 2023). A representative for cabin crew workers in the US shared this story:

“I met a trans woman, her name is [redacted]. I met her in the airport and I introduced myself... and she brought up a good point. She's like, ‘Hey, I have an overnight in Kansas City coming up, what if I have to step off into the plant and go to the bathroom because we're on maintenance, or we're delayed? What's going to happen?’ And so that's something that we're bringing up and we're asking anyone if they hear of these things to let us know, because then we're gonna have to put pressure on the company. Maybe we won't be able to fly into those places if their employees can't go to the bathroom and feel safe there.”

This example shows both the vulnerability that LGBT+ people face during moments of political change, but also hints at potent avenues for activism and organising. In recent years in the US, corporate activism has been a winning strategy to fight against anti-LGBT+ policies passed in specifically conservative jurisdictions.³ This particular interview recognised the power of this type of pressure campaign, centring the power of the voices of workers and worker institutions to pressure companies to then pressure unfriendly jurisdictions when opposing laws that create challenges for LGBT+ workers. That said, the possible campaigns are still emergent, as the political challenges are relatively new.



In another interview, a worker and union leader discussed several challenges associated with international travel. This worker discussed both the perceived danger in travelling to countries that are openly hostile to LGBT+ people, which includes potential criminalisation of LGBT+ behaviour and sexuality, and also discussed how employers might more fully support workers. In this case, the interviewee was pessimistic about the ability of airlines to fully support LGBT+ workers who were charged with crimes, for example, in countries distinct from their country of origin.

“There is nothing offered at all by the employer. And for instance, I'm rather careful when I'm abroad with outing myself. But in the end, it's a decision when you become a flight attendant that you will travel to countries where they could kill you if you find a partner there.”

While it might be extreme to suggest that an LGBT+ worker who chooses a career in aviation is risking death or arrest when accepting the position, this is a real understanding for many. In addition, in this same interview, the worker discussed a recent case in which a gay co-worker was arrested in a foreign country and received very little legal and logistical support from the airline. These types of instances leave workers feeling unsupported and in danger when traveling internationally.

Even when traveling from location to location does not result in crossing political jurisdictional lines, it may result in distinctly different levels of perceived safety for LGBT+ workers. Urban public transportation workers, for example, cross neighbourhood boundaries that have meaningful resonance for LGBT+ workers in other ways, and aviation workers might be expected to travel to countries with different levels of acceptance for LGBT+ people. As one union leader explained:

“I may be a [redacted nationality]... but I'm checking into a hotel in [another country] with my partner, and we work for the same airline and we want to share the room. What would the experience be? We'd probably have to occupy two separate rooms and sneak into each other's room. Would you raise the issue? 'I want a gay friendly hotel or a gay friendly establishment.' I seem to get that, right? Remember now you're in a serving profession, if you're in transportation, so your employer can protect you up to this far, and beyond that your employer doesn't have protection for you.”

These calculations about safety based on jurisdiction and time of day were discussed by most interviewees during this research. While some examples are specific to political organising and legal vagaries, others are related to general sentiment and the ability (or lack thereof) to advocate for oneself. Responses suggest that unions have some tools to combat this particular burden for LGBT+ workers, but lack a convincing path towards eliminating the risk.

PUBLIC-FACING WORKERS FACE SEVERAL OVERLAPPING CHALLENGES IN THEIR ROLE AS 'GO-BETWEEN'. SOME OF THIS WORK CREATES SPECIAL BURDENS FOR LGBT+ WORKERS WHEN EMPLOYERS ARE NOT SUPPORTIVE.

Transport workers in aviation and urban public transport directly engage with a wide variety of the public in their day-to-day working lives. At times, this leaves workers vulnerable to poor behaviour from the public, including discrimination due to LGBT+ identity, which can manifest in various forms, from microaggressions to overt harassment. During the height of the Covid-19 pandemic, as various jurisdictions crafted public safety mechanisms that they relied on public-facing workers to enforce, these dividing lines were stark, and increased stress and unclear regulations combined to increase harassment and threats directed towards all transportation workers.

Within this climate, in interviews LGBT+ workers discussed navigating a difficult terrain made more complicated by being visible in their LGBT+ identities. In interviews, union staff and worker activists discussed how the unique nature of their position vis a vis the public was influenced by their LGBT+ identities, but emphasised the key role of the employer in creating boundaries and support systems for workers facing hostility. One interviewee, for example, suggested that the lack of company support for employees in such situations can exacerbate these challenges.

“I know there's one flight attendant who wears a dress... and also wears a scarf, and also a beard. And the company's like you cannot mix and match beards and all that. He's going to continue to do whatever he wants to do, you know what I mean? And then it's going to be the backlash of the company or the passengers, but then the company is not going to back you up and support you... If a company is not going to respect you and support you, how do you expect the flying public to do that? If the company is not backing you up?...”

At times, interviewees discussed the ways that negative reactions from the public were for reasons related to other forms of oppression, such as racism or sexism. At the core of these complaints remain, however, a distinction between the reactions of the public and the reactions of the employer.



"I've had people this year who refuse to get on my bus because I'm a woman. Really! 'It's a woman driver, I'll wait for the next bus!' The next two buses are also women, weirdly enough, but good luck, right? I've been called a dyke, I know other drivers who have too... but I don't think it's worse than any other things – we have a lot of racism on the bus and I'll hear people say that to other people. Even if it's not directed at me, I hear homophobia, I hear transphobia..."

"In the 18 years I've been here, there's much less support than we used to have, just in general... It's a much much more disciplinary type of workplace than it used to be. Way more focused on eliminating workers and firing workers and just not supporting in all sorts of ways. So around all of those issues, I absolutely don't feel supported."

In the context of experiencing homophobic and/or transphobic abuse by the public, LGBT+ workers and union leaders acknowledge that among the most difficult aspects of this is being uncertain whether the employer will be on your side or will side with customers. As one aviation worker explained, there was a lack of internal processes used by airlines to sanction passengers who harass or outright attack workers.

"If a passenger gets unruly, you're filing a report... Normally if I'm attacked, I need to go to the police and file a report there, and it depends on the law where you're landing. And the chances to reach something are very low. We asked the company, even knowing that it's also hard for the company, to find a way to censure passengers. I want the company to be more serious about such cases, communicating that we have a low tolerance for hate speech on board, communicating in detail to passengers, 'look, if you can't behave on board, we will put you on a blacklist or you won't be allowed to travel anymore'. But I learned that it's very hard due to all this data protection stuff."

Although efforts to change the way airlines support workers in their disputes with unruly passengers was difficult in this particular case, there are some examples of positive initiatives to hold passengers accountable for discriminatory behaviour and harassment. In one such effort, the organiser found success because the airport, government, and airlines were all in agreement and found the issue important to work on; if just one of these stakeholder groups were hesitant, it would have been very difficult to make progress.

As public-facing workers, transport workers also interact with LGBT+ members of the public. For workers who identify as LGBT+, this is a welcome opportunity: in one of the case study locations, for example, LGBT+ workers noted that they would volunteer for shifts in transport that would correspond with local LGBT+ festivals.

However, LGBT+ workers also noted that their non-LGBT+ co-workers have at points made it clear that they disliked taking part in shifts that brought them into close proximity with LGBT+ passengers. In these moments, especially in countries where being closeted is the norm, LGBT+ workers

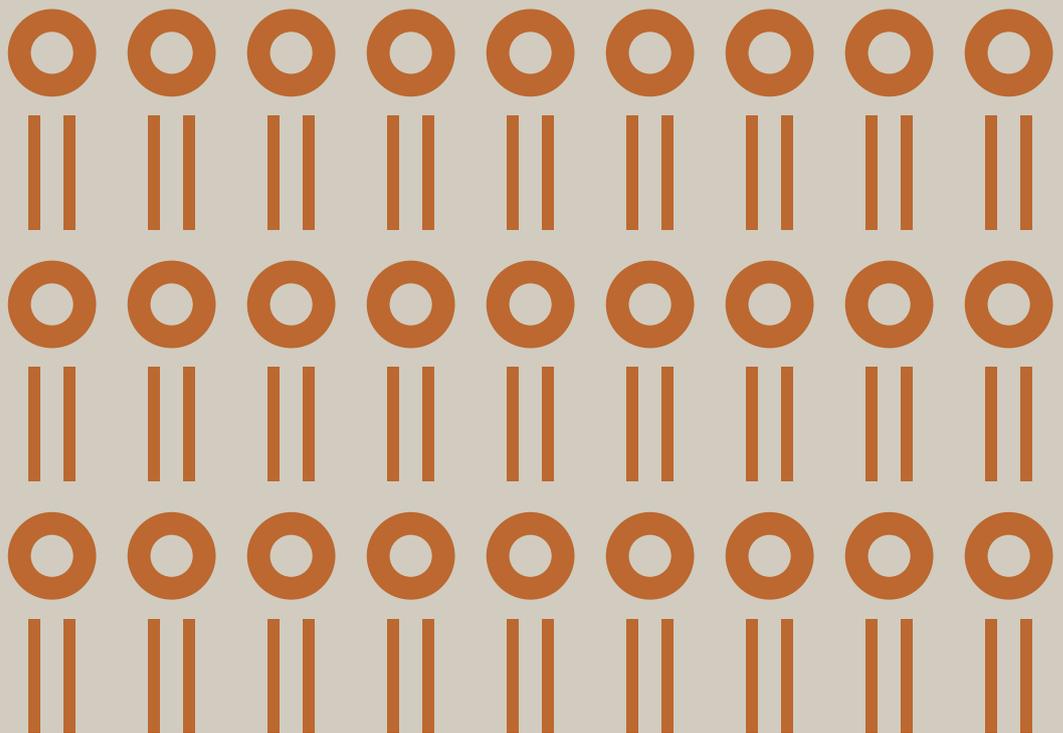
experienced comments surrounding the LGBT+ public as veiled harassment from fellow workers, which made them less likely to be open with their own sexuality. In one example, one worker activist discussed how reading the comments written by their coworkers who had driven a route through a queer festival had exposed them to unanticipated hatred:

“So whenever they are writing reports, they have to listen to what other workers write about LGBT+ people in general, which is based on hatred. So yeah, it's kind of difficult for them to endure those kinds of situations.”

These experiences are difficult for LGBT+ workers because they are faced with clear evidence of their co-workers' anti-LGBT+ sentiments, without clear opportunities for redress. It should be noted that none of the interviewees called for explicit punishment for workers in these situations, but rather encouraged more explicit and proactive educational content from unions about how these types of comments might be perceived.

Another interviewee discussed sitting around the breakroom with coworkers who were questioning and openly mocking a transitioning worker's gender.

Despite these complaints, however, workers who we interviewed saved their anger for the employers that allowed these conditions to flourish by not supporting workers who were targeted for harassment. Aside from suggesting the implementation of educational campaigns by union structures – which we will discuss at length below – no interviewees suggested implementing strict punishments for coworkers or even passengers who were found to have harassed LGBT+ workers.



LGBT+ CHALLENGES ARE DEEPLY INTERSECTIONAL, INTERSECTING ESPECIALLY WITH ISSUES RELATED TO GENDERED OPPRESSION AND TO RACE/ETHNICITY.

For many interviewees, it was difficult to assess the differences between mistreatment, harassment, and violence directed at workers due to gender, gender identity, or sexuality. Many interviewees noted that the transportation industry as a whole has a reputation as being hyper-masculine, with corresponding pressures to conform to specifically masculine expectations. In some contexts, race also emerged as a key site of struggle that overlapped and intersected with LGBT+ activism. These nuances were important for the representatives during interviews, even though they sometimes resulted in the perception that rights for people with certain identities were won at the expense of others.

One union representative talked at length about the importance of bathrooms for drivers in public transit, and discussed how access to bathrooms is more vital for women workers in traditionally male-dominated fields. This interviewee discussed how the issue of bathrooms had changed over time, beginning with the drive to create gender segregated bathroom options for women drivers and moving towards advocating for more and better options for bathrooms overall. Finally, according to this interviewee, the advocacy surrounding bathroom issues became more complicated as more transgender workers began entering the workforce in recent years and sought guidance on what bathrooms to use along a given route.

Bathrooms are a complicated issue for women workers and for gender nonconforming workers. Because bathrooms are rare along public transportation routes, it becomes difficult for transgender workers who need to find bathrooms that are safe for them. As one worker activist put it:

“What am I going to choose? I had a friend who doesn't drive anymore who is trans – assigned female at birth, but facial hair, right? ... So no safe bathroom; neither of these are safe. They've been confronted in both of the bathrooms. We started some grievance process around that but then they ended up actually leaving the company and went back to school.”



In this union's case, the efforts to establish genderless bathrooms during negotiations with a private contractor created political divisions within the union membership. Some women workers fought to maintain separated bathrooms, believing that they had won the right to them during earlier struggles and that women-only bathrooms were preferable to genderless bathrooms. Others, including the worker activist I spoke with, advocated for the construction of simple bathrooms without segregating by gender: "toilet, a sink, a door that locks".

As the union began to grapple with these complicated bathroom issues, its relationship with management was strained. Renovations to existing bathroom structures are expensive and time consuming, and while the company was willing to proceed, they did so without much engagement with workers. Once women union members started expressing discontent and division from within the ranks, management quickly retreated. In situations like these, the real political divisions among workers create issues for unions attempting to push forward new ideas for equity.

In other places, especially where LGBT+ rights and activism is less visible, the union structures that might be tasked to deal with LGBT+ worker issues are typically the gender structures that were built out of the feminist movement within the trade union movement. This allows opportunities for action, but is dependent on the people who are active within gender structures. In one case, the person in charge of a gender committee was a member of the LGBT+ community, and because of this, the gender committee's projects and action plans were expanded to include LGBT+ worker issues. In another case, however, a union activist discussed feeling like issues that were not taken seriously would be shunted off to the gender committee.

While there are important differences in the ways that anti-LGBT+ oppression and marginalisation works when compared to the oppression and marginalisation faced by (cis) women, the similarities are instructive. Importantly, in locations with less LGBT+ visibility, trade unions have used institutional structures built to promote the rights of women to tackle LGBT+ issues as well.

VISIBILITY, AFFINITY SPACES, AND LGBT+ SPECIFIC ORGANISING REMAIN IMPORTANT.

The case study participants vary greatly in the general climate for LGBT+ workers in their home countries. On one end of the spectrum, LGBT+ people are often open, out, and visible in the workplace, and there are varying levels of workplace protections already in place to protect workers from harassment and violence in the workplace. On the other end of the spectrum, LGBT+ workers are more frequently closeted, do not have access to workplace protections, and are often afraid to come out due to the potential repercussions. Despite being situated in different political and cultural climates for LGBT+ workers, nearly every interview discussed the importance and power of visibility and/or solidarity activism within the union.

First, it is important to outline some of the ways that LGBT+ workers experience stress and harassment related to their sexuality, both within their workplaces and during their work in their unions. Interviewees discussed the stress that LGBT+ workers face in many different types of ways. Some of these stresses were from direct and overt harassment, others were more subtle. One interviewee described how dangerous outing was for workers, and how much stress the threat of being outed caused:

“Some people were victimised by their colleagues, by outing... and some of them had to face dismissal because of their sexual identities. A lot of LGBT+ workers, regardless of whether they are coming out or not, they're under very heavy stress. Like we call it ‘mask syndrome’ or ‘falsehood syndrome’ or something like that, because they cannot be themselves because of all the cultural things and discrimination and harassment in the workplace in a society.”

In another interview, the union structures themselves were highlighted as unfriendly for LGBT+ workers. One interviewee told a story about a gender fluid individual active in their union, who was open about their shifting gender identity, and described a time they were humiliated by labour leaders:

“In a meeting this person was ridiculed by one of the most senior leaders in the organisation. You know when people use a derogatory term to refer to you, but it's in a meeting and this person is powerful and everybody laughs? Yeah.”

This interviewee also shared the story of political retribution against a member of the LGBT+ community, who was decommissioned as a steward in the union after coming out as gay.

In response to these issues, it is perhaps not surprising that many people identified some of the most challenging issues for LGBT+ workers in union work were related to recognition and visibility.

“It is very difficult for them to come out, so the trade union movement hardly recognises that LGBT+ workers are actually existing in their workplaces. So... when it comes to negotiation with the employer, usually the trade union doesn’t consider LGBT+ workers issues in the workplace during the negotiation with the employer. So that's the most difficult situation that sexual minority workers are facing.”

This lack of visibility discourages LGBT+ workers from organising to negotiate for needed contract language changes.

In one country, LGBT+ workers “don't want to cause any problems in the workplace when it comes to the negotiation process because all benefits and welfare things for the trade union members are based on a normal family in [country]... When they start asking for their demands, things will become more complex, so they don't want to cause any problems in that sense.”

At times, unions themselves are actively opposed to being seen as institutions that will organise along identity lines. Another interviewee in a different country mentioned a similar experience listening to an up-and-coming leader in their organisation state, “we organise workers, we don’t organise gays and lesbians”.

Because of this key challenge, the union has focused its efforts in two key areas: promoting visibility by showing solidarity at regional queer festivals, and creating an LGBT+ worker network. This network is most active during the union’s annual congress. “During the national annual congress, the LGBT+ worker network does lots of publicity campaigns to let sexual minority workers know that they are there so you have someplace to be safe, you have friends here.” These activities are central to promote visibility and help LGBT+ workers feel safer about coming out and being active in the union.



This particular union also engaged in two explicitly pro-visibility actions, one relating to publicising the stories of LGBT+ workers on the union website, and one that was essentially a sticker campaign in which LGBT+ workers and their allies could publicly express their support for LGBT+ workers. As the organiser of this campaign put it:

“In this campaign, even sexual minority workers don't have to come out themselves, because everyone can be allies. That way you can open the door to those sexual minority workers in the industry union movement, and they don't have to feel threatened... The kind of space where sexual minority workers can feel safer... and then also can build their strength... That's one way to organise a more comforting environment, a safe environment for sexual minority workers.”

This organising – creating both organising and social spaces for LGBT+ workers to come together and share stories – is not limited to countries in which workers are more likely to be closeted or feel stress around coming out.

Many worker activists in countries that did not identify the same level of cultural pressure to remain closeted discussed in their interviews the value of specific LGBT+ spaces to combat feelings of isolation and build leadership among LGBT+ worker activists. One example is a regularly run Pride Conference, which is a few extra days of training and education that follows the regular union annual conference. This conference builds on leadership among LGBT+ workers who are already active in their union structures, offering content on union organising structures, parliamentary procedure within union structures, and other leadership building activities. In this conference space, while the educational content is important, the connections between people that were built as a result of the community were seen as equally important:

“Because of the type of class it is, right? You're all queer, you're together for a full week. They build even more bonds than the other 40 hour classes. [Following the conference] we would build Facebook groups or WhatsApp groups or whatever, and just keep following each other. Lot of people run for leadership, right in their unions, whether or not they get elected, but they run, they create committees. They start community groups, they run politically. The last class had two motions to change our national constitution that resulted in two changes to our constitution last summer, so they're actually getting shit done, which is very, very exciting.”

Formal political education by and for LGBT+ people (the example above is taught only by LGBT+ instructors) builds capacity and community within union structures. However, efforts to build networks and community among LGBT+ workers can take more informal paths as well.

CRITICISMS OF UNION WORK

One theme that was present in a majority of interviews was a tension between the high ideals surrounding human rights for LGBT+ workers espoused by national and international governing bodies and the way these ideals were imperfectly implemented on the ground level. To put it simply, as one interviewee did, “they might wear a rainbow pin, but that doesn’t mean they will support us.”

This took on a specific cadence during bargaining, according to one interviewee:

“Like industrial level trade unions in other countries we have our own model CBA languages, and we normally include an agenda like no one should be discriminated by their sexual orientation, no one should be excluded based on sexual orientation. So that’s there. And the global trade unions like ITF and PSI, they’re working very hard to ensure rights for sexual minority workers in the workplace. But when you go to your own workplace – we have different councils and different affiliates – and when you go to the field it never works. It’s there, up in the air, but it’s never implemented, implemented in the field level, the ground level. So that makes sexual minority workers suffer the most, because they know the language is there.”

Here, it is clear that model CBA language is seen as useful, but also as difficult for LGBT+ workers on the ground level. Since these workers know that their overarching structures support them in theory, they bring expectations with them to their local-level negotiations, only to be frustrated when their issues are not put on the agenda in a real way during bargaining.

This feeling of frustration was relatively common.

On the other hand, there were other union activists who sensed a reluctance on the part of national-level unions to adopt pro-LGBT+ policies or collective bargaining aims. In this example, the union leader I spoke with believed that the appetite for changes to union structure or collective bargaining was not seen as organic to the union movement. This union leader shared a long story of struggle in working to institutionalize union work on gender and LGBT+ issues by passing a policy surrounding, first, sexual harassment, but eventually working to encompass other issues. In 2023, here’s her description of the work:

“There is just no policy in place. And I know if I were to raise that I will be told the constitution treats everybody equally. Right. And the danger for me as a feminist is we will always have to rely on how the current administration or leadership interprets the Constitution. Whereas if we had a specific policy and intention at the policy, we can always leg it out... It’s been a draft since 2008 and it remains a draft up to today. There is no intention of adopting it. It’s now outdated. It’s still a draft today, there’s no appetite for it.”

Here, you see a real scepticism that leaders in unions would not always prioritize gender issues or LGBT+ worker issues because there was no real “appetite” beyond appealing to international (Western) funding sources.

“I talked about this with other women trade union leaders who have been in the union since the early 90s. [Redacted] Unions have always adopted something progressive – let’s say establishing women’s structures – because that’s what the Global Union Federation wanted, and the Global Union Federation provided for money, or there was a donor with a lot of money.”

Chasing funding in this way came with a risk, however, because lacking real will to accomplish specific goals once agreed with the funders meant that some funding relationships became strained. This activist shared the story of receiving funding to produce a training booklet, which was meant to be accompanied by eight training sessions for regional organizers while the organization only managed to provide a single session due to hostility coming from men in the organization. This damaged the relationship with the funder, but leaders within the organization failed to take accountability. In this story, it becomes clear that international funders and Global Union Federations do have a role to play in supporting more divisive issues from women’s issues to LGBT+ issues, but that it remains difficult to truly influence the deeper goals and political will within an organization.

Even in very LGBT+ friendly union structures political pushback for governance innovations designed to create increasingly inclusive union structures can be experienced. In one interview, a union leader described the backlash that occurred after a queer caucus proposed and passed new language to the constitution that changed a familiar “brother and sister” language to “brother, sister, and sibling” (in two languages, as this was a bilingual union). While the support at the constitutional convention was overwhelming, and the change passed easily, there was quickly discontent that seeped out in online message boards and local meetings:

“And the pushback on it was very interesting too, right? Not necessarily from anyone there, but just you know, Facebook discourse, local meetings, whatever. But that’s what they believe.”



NEW HORIZONS FOR LGBT+ FRIENDLY UNIONS: BUILDING A GENDER-NEUTRAL WORKPLACE AND CREATE LASTING UNION STRUCTURES



The final set of findings revolve around some concrete changes that unions have made to support LGBT+ workers, from changing union structures to promote LGBT+ organising to finding creative ways to bargain that include accommodations for new classes of LGBT+ workers. As LGBT+ rights evolve, a new horizon for workplace policies surrounds various accommodations for transgender, gender-nonconforming, and nonbinary workers. In industries in which uniforms and a generalised difficulty accessing bathrooms are two persistent issues and contentious areas of bargaining, a new charge towards gender-neutrality requires novel strategies.



GENDER-NEUTRAL CONSTITUTIONAL CHANGES AND CREATION OF LGBT+ RELATED UNION STRUCTURES

A new mandate towards gender-neutral language and access was not present in every interview, and issues related to uniforms and bathrooms were more common. But particularly in anglophone and bilingual countries, language inclusion emerged as a key site of contention.

One example of how unions are working to incorporate new inclusion for nonbinary workers involved a constitutional change to historical language addressing the membership as 'brothers and sisters'. Following an affinity and political organising workshop for LGBT+ workers, a worker activist submitted a motion to add to this common language so that it would read 'brothers, sisters, and siblings'. The worker described the change like this: "We're not taking stuff away, we're adding... There's not less for you, right?" This proposed change was initially uncontroversial, with only about 12 percent of voting members voting against it, although it prompted some backlash at the local level, as described above.

Meanwhile, most unions in the case study organised their LGBT+ work under union structures that were created for other purposes. Several used gender-related structures that had been designed to promote the rights of women. Others used broader, human rights committees and councils to address issues specific to LGBT+ workers. These structures were key to the longevity and persistence of organising efforts targeted towards LGBT+ workers.

"I hold the monthly human rights and equity call, in which I say come on let's talk about the things going on in the month. Last month we talked about the different [anti] trans bills that are happening... then it's up to you to recruit new members. And it's up to you to educate your members. But it's all about bringing awareness... Like I said, it's action. So you're gonna educate them, but you're also gonna give them tangible tasks: this is what we need you to do. And a lot of what we do is we go out, we picket, and we support... that's showing support and solidarity. And then you lobby whoever you need to or, you know, apply pressure wherever it's needed."

As this interviewee makes clear, the structure of a monthly human rights call leads to persistent mobilising around issues that affect multiple different identity groups depending on the need. It's about "showing support and solidarity", they said, which was created through the monthly structure. Other unions have similar structures or sites for affinity-group organising, and each of these discussed the structure in positive ways, despite sometimes needing to organise to maintain and protect the structure from external enemies.

BATHROOMS AND CHANGING AREAS

As one worker activist and union leader put it when the subject of bathrooms came up, “I could talk about bathrooms all day!”

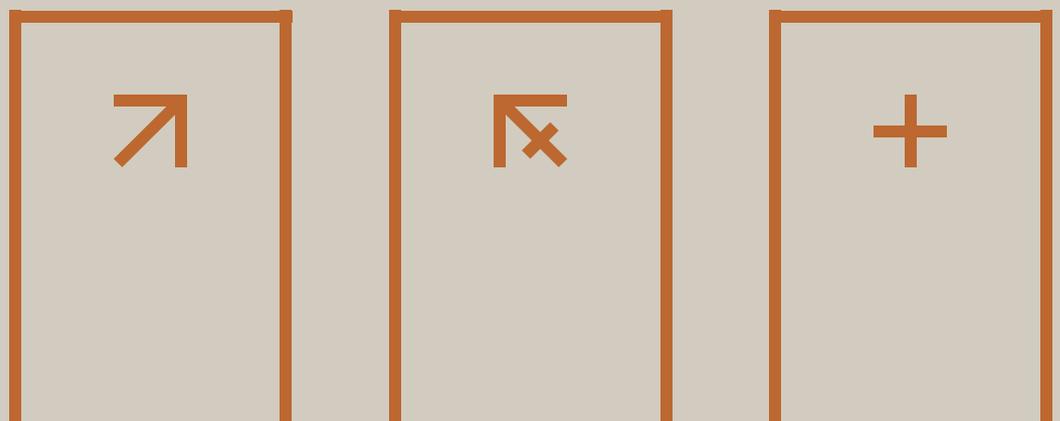
The practical bodily requirements of day-to-day living as a transport industry worker are a constant area of anger, stress, and mobilisation among unions in the sectors.

One interviewee described the problem for women and gender-non-conforming people this way:

“The transport sector is a very man-centered industry, so they don't have appropriate rest areas. They have very limited access to rest areas and restrooms. Sometimes in many transport companies, they have their own shower room, but in the shower, there's no cubicles, so they have to expose their whole body to others. So, there's a lack of privacy issue.”

This particular union did not describe a campaign to address this issue, but clearly marked it as an item for future work. In another union's case, the efforts to establish genderless bathrooms during negotiations with the private contractor created political divisions within the union membership. This, combined with a poor rollout of newly designed bathrooms by the contracted employer, led the bargaining committee to rescind the original plan and return to sex-segregated options.

As unions continue to explore ways to support LGBT+ members, the issue of bathrooms – their availability, their cleanliness, and workers' feelings of safety in using them – will continue to require special consideration. Despite the inherent complexity of the issue, unions in the transport sector have spoken explicitly about the need to engage their membership in an effort to improve current bathroom offerings.

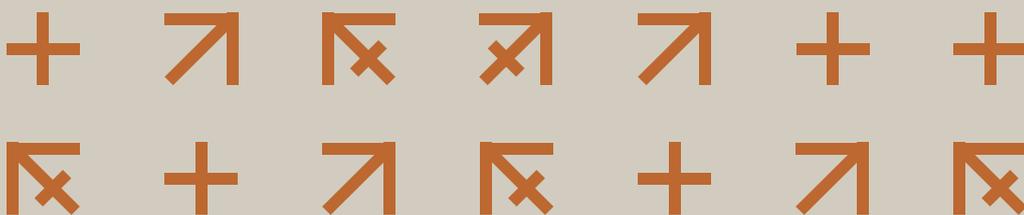


UNIFORMS

Transportation workers are frequently subject to uniform requirements that present challenges for gender expansive individuals. In highlighting the importance of inclusive uniform policies, interviewees discuss how some LGBT+ workers may face challenges related to wearing uniforms that do not align with their gender identity. At times this means that workers seek access to uniforms that will affirm a gender to which they are transitioning; at other times, nonbinary workers seek access to flexible uniform policies that do not enforce binary gender standards.

In the aviation industry in North America, for example, airlines have begun allowing transgender workers to access regulation uniforms of the sex that match their identities. In other places, these reforms are in progress, but have required years of organising work: one interviewee discussed how a two-year campaign to increase uniform flexibility with one airline has resulted in meaningful changes to the woman's uniform (including not requiring shaved legs or specific length heels) but that the broader goal of a gender neutral uniform was many years off.

However, even in workplaces that have responded to requests by transgender workers to wear uniforms associated with a different gender, workplaces have maintained their enforcement of binary dress code – disallowing, for example, a male-bodied person from wearing a scarf tied to the regulation female uniform while otherwise wearing the male regulation uniform. Several interviewees discussed the ways that unions are involved in negotiations (both formal and informal) with employers to ensure that employees have options when it comes to uniforms. Support includes lawsuits alleging discrimination on the basis of gender for non-binary employees. The interviewee emphasises the need for options and preferences in uniform choices, promoting comfort and authenticity at work.





USING EDUCATION AND/OR IMPLEMENTING POLICIES TO STOP ANTI-LGBT+ HARASSMENT

As mentioned above, there are many ways that harassment and violence affect LGBT+ workers in the transport sector. This includes harassment and violence from the general public as well as harassment and marginalisation from co-workers and union brethren. In this research, unions and worker activists discussed several proactive steps that they and their institutions are taking to eliminate harassment and protect workers.

First, several unions from across the sample emphasised the continued importance of education and training for union members, both in a broad sense and in a specific anti-harassment sense. Importantly, however, some interviewees make a distinction between the type of education that is union-sponsored and the type of anti-harassment training that is sometimes required by corporations. In one example, a union representative talked about bringing up issues with harassment to major airlines, only to hear this response:

“You call the hotline, and they're like, 'oh, we have to bring attention to this!' So what do they do? They make a training, but they make it so you can click through responses, and you're not actually caring about the training... Because you can do education all the time, but if you're not actively participating in not being a homophobe, what are you doing? You're learning about how to talk about gender and pronouns and things like that, but what are you doing? You're just taking the class and that's a box that they can check.”

In contrast, union-led education efforts throughout the case study sites endeavoured to combine education with action. This might take the form of an awareness campaign, as mentioned above, or about more-specific campaigns surrounding awareness issues, like creating pins or encouraging people to take part in solidarity actions with other interest groups.

“But on our end, we're really educating people. And we're not just educating, we're doing action... We can actually hold the companies accountable because the fighters are speaking and they have a voice and have power.”

That said, however, there is still the desire on the part of unions to work explicitly with employers and local or national governments to make it clear that the working environment aspires to an inclusive environment. As one person put it, especially in relation to anti-harassment initiatives directed towards the general public, “that has to come from the employer side. They need to say ‘we are not accepting intolerance in our company’”.

This brings us to the next discussion, which is efforts to develop enforceable policies with respect to harassment, both harassment that happens within a union context and on the job. One worker said if he were attacked or harassed for his sexuality during his work, “they would offer me employee counselling and such things, but they are not doing enough on the legal aspect of the issue”. While this was the case in his country, he also knew of another area where a colleague had found success. In this anecdote, an airline, an airport, and a national-level government had worked together to craft enforceable policy language on the issue of “unruly passengers”, which he said was a potential model for other unions to follow. However, he was realistic about the possibility and suggested that the particular victory was only possible because there was political will on the part of all parties.



CONCLUSION

In conclusion, this project examines the dynamics between trade unions and LGBT+ worker rights in the aviation and public transport sectors.

Although there are many problems that LGBT+ workers face in the transportation industry, the unions that represent them have found both novel and traditional ways to address these issues. Transport worker unions must handle issues that arise from the nature of the industry: namely traversing political jurisdictions with different laws pertaining to LGBT+ individuals, and supporting workers who deal with a sometimes-hostile public. Certain forms of organising, such as visibility and education campaigns, were central throughout the case study sites, regardless of location or overall queer-friendliness of the national environment. These initiatives remain important, and visibility initiatives, the formation of LGBT+ affinity groups, and targeted organising efforts were all described as crucial components of advancing LGBT+ worker rights. However, support is uneven – international and national level union structures are more likely to be active on behalf of LGBT+ worker issues than local or enterprise levels, which creates forms of resentment within union structures. Critiques of union involvement in LGBT+ advocacy often centre on accusations of hypocrisy and tensions between different levels of organisational leadership. These criticisms reflect the complex balancing act required when addressing both labour advocacy and LGBT+ inclusion, particularly within hierarchical organisations.

Notably, the research identifies promising developments in the form of a shift towards gender-neutral workplaces, including negotiations around uniform policies and the use of gender-neutral pronouns. Furthermore, some unions are experimenting with changes in their organisational structures to better incorporate the voices and concerns of LGBT+ workers.

This study sheds light on the complicated relationship between trade unions and LGBT+ workers within the aviation and public transport sectors. Ultimately, it underscores the ongoing importance of promoting equality and fostering respect for LGBT+ workers in these industries.

ENDNOTES

01. This project uses the acronym “LGBT+ ” to describe the population of lesbian, gay, bisexual, transgender and other people with non-majoritarian genders/sexualities who are of interest to this report. Throughout, interviewees, academic literature, and documents use a variety of different terms to describe this population, but this report will use LGBT+ to standardize descriptions of this broad and diverse population.
02. As a note, while laws protecting individuals have always varied substantially throughout the US, recent political shifts have increased the variation across states for people who can become pregnant (with access to abortion and other reproductive care being restricted) and for transgender individuals.
03. The most relevant example for this form of corporate activism in the US was in response to a 2012 law in North Carolina commonly known as the “Bathroom Bill” or “HB2.” This effort to restrict bathroom usage to bathrooms that corresponded with birth sex was widely controversial and prompted several large companies withdrawing planned workforce expansions in North Carolina or threatening to withdraw from the state. It also prompted large, high-profile sporting events (such as various National Collegiate Athletic Association championship tournaments) to withdraw from the state. This, along with political organizing, played a large role in the state electing new executive leadership and repealing the bill.

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49-60 Borough Road
London SE11DR
+44 (0)20 7403 2733