

Spectrum of Change: Examining the LGBTQ + Inclusion in the Indian Corporate World

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Introduction

A community is a group of people with commonalities and similar mindsets such as norms, values, customs, religion, identity, etc. For example, a religious community constitutes people with the same religious ideas and values. Similarly, there exists the LGBTQ+ community which ties together people of various sexual orientations. They fall under community by Identity. LGBTQ+ is an umbrella term under which falls various subcommunities, namely the Lesbian, Gay, Bisexual, Transgender, asexual, and many more that are yet to be defined. The LGBTQ+ community as we see it today is widely accepted by many people in India but it hasn't always been this way, being identified as Queer was considered unnatural and shameful. It is not until recent years that society has developed acceptance for the LGBTQ community.

According to The Indian penal code, being queer was used to be illegal and a criminal offense. The LGBTQ community was considered as an unimportant minor group of the population who didn't deserve equal status or freedom within the society. After many years of Hiding and living a life that was controlled by orthodox views of society, the queer community started standing up for themselves. Over the years section 377 sparked many controversies and was challenged both in the high court and the supreme court. With the Turing and overturning of decisions related to section 377 several times, finally on 6th September 2018 in a unanimous verdict, the supreme court decided to scrap section 377, marking an end to a long struggle for justice by these people. The supreme court finally legalized homosexuality by overturning a 157-

year ban on consensual gay sex. Though all the legal battles won, there is still a lot of prejudice that this community has to fight to make society believe and accept that homosexuality is as valid and rational as heterosexuality.

This Research paper is based on a manifesto cum Memoir "Queeristan" written by Parmesh Shahani who himself belongs to the Queer community. The book talks about how our workplaces can be more inclusive towards the LGBTQ community and primarily Focuses on the Inclusivity of the Queer community in the Indian Corporate world.

The paper is a descriptive study that draws on findings made during attentive reading and interpretation of the selected material.

Review of Literature

M.V. Lee Badgett, in his report "The economic cost of stigma and the exclusion of LGBT people (2014)", talks about the stigma surrounding Indian society and gives statistical data on it. Being written pre 2018 abolishment of section 377 of IPC, the author also talks about the lack of government support to the community. Further, the author talks about how the economy is affected due to the exclusion of LGBT people from workplaces. The author recommends conducting more research and surveys on LGBT poverty, developing data on LGBTQ people, efforts to reduce homophobia, and anti-poverty interventions.

Neharika Vohra and Vijayalakshmi Chari, in the paper titled "Inclusive Workplaces: Lessons from Theory and Practice (2015)", talk about the importance of diversifying the workplaces in India and the paper is based on shifts seen in corporate sectors throughout the years, it talks about the benefits of including the LGTBQ community in workplaces and recommends a few suggestions for corporate sectors to be more inclusive such as having LGBT Employee Resource Groups, having ALLY network, including the LGBT community in equal inclusion policy, promoting awareness, and public support.

Nisha Nair and Neharika Vohra, in the dissertation titled "Diversity and Inclusion at the Workplace: A Review of Research and Perspectives

(2015)", aimed to research the existing workplace model in India and how can these workplaces be diversified by including people of different genders, races, castes, religion, etc. The authors talk about creating an inclusive workplace and identified the values, knowledge, and skills necessary to create inclusion and concludes with future agenda for inclusion.

The paper Titled "Inclusion of LGBT Community at Workplaces in the Indian Context (2018)" written by Apaar Singhal and Varun Paul has an objective to present the LGBTQ rights and provisions around the world and in India. Through flow charts, the research paper represents various firms worldwide that have inclusive policies for LGBTQ members, but still, there are not many policies present in Indian firms. The paper provides a contemporary Approach for Diversity and Inclusion and also touches upon the role of various stakeholders in the inclusion of LGBTQ at the workplace.

Joby Philip and Devi Soumyaja, in their research paper "Workplace diversity and inclusion: policies and best practices for organizations employing transgender people in India (2019)" gives an insight into the formation of policies and practices inside a workspace to protect the rights and ensure the welfare of transgender employees. The research is done interviewing Fifteen people to understand the perception of transgender employees about their well-being in the workplace. The publication acts as a guide to develop better inclusive policies and practices for the transgender community in the workplace.

Sasmita Palo and Kumar Kunal Jha, in their publication titled "Queer at work (2019)", mainly talk about various genders, the discrimination and identity crisis faced by them, and their coping mechanism. Then the author further points out the heteronormativity in the workplace and the degree of secure environment provided to the LGBT community. This book is based on five years of research, interaction, and observation of the LGBTQ community in India. This book gives an insight into the condition of the work environment of the LGBT community in the country.

Nikhil Kewal Krishna Mehta in the Paper Titled "Synergistic Use of Bourdieu's Theory of Practice, Queer Theories, and Employment Relation Theories: A Perspective for Sustainable Transgender Inclusion at the Workplace (2020)" has used Bourdieu's theories and integrated them with queer perspectives and employment relations theory, the theories play a significant role in transgender inclusion in the workplace. He concludes that integrative model in the future can be explored for observational confrontation and synergistic use to check workplace reality and to seek sustainable transgender inclusion at the workplace.

Jui Kadvekar and Vedant Shinde in the paper Titled "Dive into Queer Diversity: Comparative Analysis of Diversity and Inclusion Initiatives in the Indian Workplace (2020)" talks about sexual orientation as a prominent diversity dimension in the Indian workplace. The paper does a comparative analysis of the diversity and inclusion initiatives within three global firms in India including (KPMG), Deutsche Bank, and Capgemini it also examines three major Indian- origin organizations, Tata Consultancy Services (TCS), Godrej Group, and Infosys and shows how all these big firms and organizations have policies for LGBTQ inclusion.

Vaishali Trivedi and Vikas Trivedi, in the paper titled "Abrogation of Section 377 - A Business Case for Pinkwashing (2021)", starts by talking about the estimation of the untapped economy of the LGBT community and provides examples of the leading companies and how they have created an LGBT-friendly workplace. The paper aims to analyse the impact of abolishment of section 377 of the IPC on the Indian economy and for the overall wellbeing of the society, and give suggestions to various stakeholders for bringing out the inclusion of the community in a true sense.

Analysis

Workplaces are a very important part of a person's life. On average people spend proximately nighty thousand hours of their lifetime at work which is about one-third of their life. So, it is safe to say that work and

workplaces make a huge impact on a person's life, general happiness, quality of life, and life outcomes.

The Book 'Queeristan' which is a memoir cum manifesto Written by Parmesh Shahani who is the vice president of Godrej Industries Ltd, uses his journey in the corporate world as a proud Gay man, to make a case for LGBTQ inclusion in Indian workplaces and gives guidance to reshape the policies and behaviour of Indian offices so that they can be more inclusive and diverse. Parmesh in the book gives examples of various big old and trusted companies of India like Godrej, Tata Steel, Wipro, IBM, KPMG, Goldman Sachs, The Lalit Group of Hotels, and many more who with their decision to be LGBTQ inclusive have set a milestone for other companies, they have shown how to make Queer friendly policies and see the power of diversity. Parmesh Shahani has also shared the stories of many LGBTQ employees who were benefited from the support of their workplaces and were able to live a life of equality and respect. Queeristan as a book points out that there is a brighter, more profitable, and better future for our country and workplaces if we become more diverse and inclusive for the LGBTQ community.

Status of Queer Community in Indian Workplaces

Inclusion

Parmesh Shahani describes in the book how he turned the 120-year-old firm Godrej LGBTQ inclusive in a single working day thanks to the full support of Godrej's upper executives, including Nisa, who was then supervising HR for the entire group, and Sumit Misra, the group's HR chief. The story goes that when Paresh joined Godrej, he went to Nisa and asked her about the specific HR policies for LGBTQ employees. She called Sumit Misra to confirm, and it was discovered that there was no mention of sexuality or gender expression in the anti-discrimination policy, which disappointed Shahani. Nisa and Sumit agreed and asked him for changes, and by the end of the working day, Godrej's policies were amended. Parmesh Shahani points out, "Over the years, we have accomplished a lot on the policy front at Godrej. From starting

with a basic statement on non-discrimination to paying for a same-sex partner's health insurance, from replacing the word 'spouse' with 'partner' across communication and documents to having a gender-neutral adoption policy, the changes have happened slowly and steadily." Most of these policies were adopted in Godrej even when Section 377 existed. But after the abolishment of Section 377, in a small period, Godrej became even more inclusive, as Parmesh writes, "A few months later, in January 2019, our corporate HR team sent out an email to all the employees announcing the landmark 'Godrej gender affirmation policy'. It stated that employees wanting to undergo gender transition could claim up to Rs 500,000 as one-time reimbursement for non-cosmetic surgeries and Rs 60,000 per annum for hormone replacement therapy within a few minutes. The screenshot of this email went viral on WhatsApp and was shared across the other corporate business groups as well as student groups in the country. We were not the first company to have this policy, but the fact that it was Godrej created a sensation.". Godrej has been one of India's most LGBTQ-friendly workplaces, and it also maintains an India culture lab, which is directed by Parmesh himself. Godrej has constructed all-gender restrooms and even participates in LGBTQ job fairs to recruit new staff. Godrej was one of the first firms in India to embrace LGBTQ workplace inclusiveness, paving the path for others to follow.

Tata Steel, another old and trusted company in India, is LGBTQ inclusive and supports the community. It happened when Parmesh visited the Tata Centre for a panel discussion in Kolkata and had a heated argument with one of Tata Steel's senior HR leaders, who asked Parmesh that they were considering starting the inclusion process linearly, by focussing on gender first, such as women and people with disabilities, and then focussing on LGBTQ inclusion in the next one to two years, to which Parmesh told him that "don't you want to work for acompany that considers all kind of inclusion the same? For how long LGBTQ people will wait in line for our turn to come?" and he agreed, Following that, trans employee Anubhuti Banerjee, who was not yet fully out, gained the courage to take the lead in bringing about changes at Tata Steel, and

less than two years after Parmesh's visit, Tata Steel launched Wings, their LGBTQ support ERG (employee resource group), and announced queer-inclusive policies even Anubhuti gradually converted to complete independence as a result of the support and respect she received at work. Tata Steel repaid Anubhuti for her surgery. The corporation now covers the cost of surgery and even provides a month off for them.

IBM is another very important and progressive company, which is also considered as the first global movers for LGBTQ inclusion, they included sexual orientation as a part of their global non-discrimination policy in 1984 and they have only evolved since then globally as well as in India. IBM always had a support system for queer people even when section 377 existed. Parmesh tells the story of Ritesh Rajani, who, due to his fear and anxiety, was unable to come out of his closet and would attend IBM pride events in secret. However, as he met other out and proud queer people, they became his mentors and he began coming out. One day, Ritesh was asked to lead the IBM LGBTQ group because the previous group leader had to leave, so he mustered the courage to take on the role and eventually joined IBM's official D&I team in 2015-16. The tale of Ritesh demonstrates how a person who was afraid to come out is now out and proud because he has a supportive organisation like IBM to foster him.

Other significant Indian LGBTQ-inclusive companies include VIP Industries, the Lalit Group of Hotels, Wipro, KPMG, Oyo Hotels, Uber, and more, all of which have stated their support for and stand by the LGBTQ community. These progressive organisations attend job fairs such as RISE (Reimagining Inclusion for Social Equality), an annual event dedicated to providing equitable opportunities and workplace inclusion to the queer community. RISE was initially conducted in Bangalore in 2019, and after its overwhelming success, it was repeated again in New Delhi in 2020, providing job possibilities to a huge number of LGBTQ candidates. So, in this way, with help of these major companies and their guidance for LGBTQ inclusion, they are paving the path for other workplaces to consider Queer inclusion as a mandatory part and make the Indian workforce more diverse and talented.

Exclusion

Parmesh Shahani points out in the book that, despite the fact that Section 377 regulations favour the LGBTQ community, society lags far behind. Every day, there is news of queer people committing suicide as a result of persistent homophobia and transphobia, family pressure, loneliness, unemployment, or a lack of respect in the workplace. Parmesh writes in the book about a headline from Mumbai mirror on 24th July 2018 about Aniket Patel "twenty-five- year-old MBA graduate ends life over "Gay" jibes, suicide note Alleged He was Taunted at Workplace." So, yes this is where many Indian workplaces stand. "Pinkwashing is a term that is used to describe companies that promote themselves as queer-friendly in an attempt to tap into the LGBTQ consumer market without authentically championing the rights of the community." Parmesh discusses the underlying incentives that organisations and businesses have for faking LGBTQ inclusivity. Following the repeal of Section 377, the corporate sector showed tremendous support, posting photos with rainbows, pride filters, and so on, but this is simply to demonstrate that these companies are also forward-thinking in their approach in order to attract LGBTQ customers and present themselves as progressive. But that is all on the exterior; within, these organisations have no HR policies, non-discrimination laws, partner benefits, or surgical benefits; in certain cases, they do not even recruit Queer individuals, and that's the bitter truth as Parmesh writes, "Are you creating an internal culture of inclusion? Are you valuing your LGBTQ customers? If yes, then all the rainbow-themed 'meme' that companies hope would go viral are inauthentic; the queer community sees it like that, and we will call out the hypocrisy." Parmesh recounts his own experience, when he and his spouse were in Pondicherry and decided to visit the bar at the Promenade hotel, which is operated by the Hidesign group. When they attempted to enter the bar, two bouncers stopped them and stated that only a couple is permitted. Parmesh informed them that they are a couple, but both sneered and rejected admittance. Parmesh immediately contacted Hidesign's head of marketing, Dipen Desai. He immediately came over and apologised, assuring him that Hidesign is LGBTQ

inclusive, but when Parmesh and his partner enquired about their rules regarding LGBTQ staff, Dipen had no response. Parmesh writes, "I was surprised. In 2013, after the horrible Supreme Court verdict, Hidesign posted a wonderful image on Facebook of their bags in the colours of the rainbow, one for each of the seven colours. The post read, 'Every colour, every shape, and every size is beautiful.' In a world full of diversities, we are equal. #Sec377'." and this was the sad reality, that an employee at Hidesign didn't know anything about the policies or whether they existed or not, as Parmesh writes "if you haven't sensitized your employee and they have no clarity on whether you have inclusive policies and benefits, then what is the point, seriously?" Parmesh also talks about an ad agency, interactive avenues that reached out to him to feature in a video that they wanted to make, he asked the agency to contact the Humsafar trust for the same and to contribute to one of their queer welfare programs after a few months, Parmesh along with Humsafar trust agreed to do the video, but when they all reached the location, nothing was ready, there were only a few vanity vans that were already filled with other participants. Parmesh went to A. Sajeed, the director of the video, and asked him a few questions, "Did he know any of the queer people he was going to shoot? He didn't. Was the queer himself? He wasn't. Did he have any experience working on queer issues? No, his experience was in making music videos, and he had gotten this project a week ago. Was he paid? Of course. Was his unit being paid? Of course. Do you know who wasn't being paid? All of us queer people who were being featured in the video, who were contributing our free labour just so some company could claim to be LGBTQ friendly."The people were also not provided with transportation, and Humsafar's trust was also not paid, and even the agency didn't make any donations to Humsafar. This shows how the agency didn't have any respect for the community; all they were trying to do was benefit themselves by showing that they believe in equality. Another company, Zomato, in one of its Zomato Gold restaurants, refused to serve a gay couple on a date. The same company that advertised, 'Let's get one thing straight, love is love' with a rainbow-coloured burger graphic.

The gay couple tweeted, and after a lot of backlashes, Zomato now marks LGBTQ-friendly restaurants with tags. There are many more such examples of companies just showing off and not doing anything for the community, as Parmesh writes, "The main complaint I have heard, and the complaint continues to stay in the space of diversity and inclusion panels I have done, is that it becomes all about rainbows and flags, but when will it translate to on-ground change?" This is still the harsh reality that persists. Still, many companies and organisations are not LGBTQ inclusive; still, they don't get equal pay for the amount of work they do. This community still faces a homophobic and transphobic environment. A lot is to be changed, a lot of policies need to be introduced, and a lot of education is to be provided. Being LGBTQ inclusive just doesn't mean to educate the major main employees of the company you have to work with from the base level, even the peons that work there to the guards to every other helping member of the workplace, and let them know that the company that they work with is LGBTQ inclusive so that no more queer people will have to take their lives by the violence and embarrassment that they face.

Why should and how can Indian workplaces be LGBTQ inclusive

WHY?

There are never enough reasons to emphasise the importance of LGBTQ inclusion because it is simply the right thing to do. Inclusion must begin with a basic awareness that queer individuals account for around 4 to 10 percent of the potential workforce, and corporations must treat them with dignity and respect. As a result, claiming that being inclusive is necessary for specific profit reasons is incorrect. However, several extra elements can encourage you to be more inclusive. Parmesh points out many such reasons: LGBTQ inclusion can make you money, but discrimination against the community costs a lot of money as well. Lee Badgett, an economist, estimated that homophobia could have cost India up to the US \$30.8 million in 2012.

LGBTQ inclusion makes your company more innovative and helps to attract and retain talent, because the more diverse your team is, the more points of view and ideas you will get. Studies have shown that LGBTQ individuals are seven times more likely to innovate in a more equal work culture. This means more money can be made due to these innovations, more potential employees with skills and talents will get attracted to your company, etc. Also, because of the discrimination, most of India's queer talent migrates to other countries, but why should we lose on our brightest queer people or straight allies who support queer inclusion? Hence, we should be inclusive.

LGBTQ inclusion also attracts international workforces as well as an international investment because they can see the quality-of-life factors. An increase in foreign investment can turn out to be very beneficial.

HOW?

Again, there are not enough ways to list out how you can be LGBTQ inclusive, because it is a company's ways and ideas that make it queer-inclusive, but Parmesh has given a five-step guide using which a workplace can be LGBTQ inclusive:

The first step is setting up strong policies like POSH (prevention of sexual harassment), anti-discrimination, gender-neutral dress code, relocation policies, etc., and also giving specific benefits to LGBTQ employees like health insurance for employee's partners, gender affirmation support, adoption, parental involvement leave, etc.

Step two is actively recruiting LGBTQ employees by participating in job fairs, working with LGBTQ organisations, etc.

The third step involves creating an LGBTQ-friendly work culture within the company by conducting workshops, roundtables with senior leaders, and making LGBTQ ERGs.

The fourth step includes addressing the specific circumstances of trans employees because they are the most vulnerable and violated section of the community; they should be provided with gender-neutral restrooms, help with housing, financial support for the ones transitioning,

giving them proper leaves, and being flexible with their documentation and qualifications.

The last step suggests being an advocate for LGBTQ inclusion outside your company by participating in external forums, Pride marches, events, campaigns, etc. and also sponsoring LGBTQ events and NGOs.

These are the ways to be more inclusive in the workplaces and there can be many more ways as we start moving forward with the inclusion process. This gives us scope for future research where we can identify the areas that need more attention leading to better inclusivity.

Conclusion

We as an India are already living at the beginning of Queeristan, where everyone is treated equally and where there is no discrimination based on sexuality, where no gender is seen differently. The process is slow and a lot of work is needed to be done, but we'll get through, like how the big Indian companies have taken their required steps to be inclusive. Soon others will follow their steps. We already have an India in which constable Lalita Salve can rejoin the police force as Lalit Salve, an India where we have Swati Bidhan Baruah appointed as the first transgender Lok Sabha judge. In an India in which M. Minisha has become the first trans person to be appointed as a state secretariat in Karnataka, and there will be many such constables, government members, and secretaries in the coming future, we as a country have started the process and will make it happen. A lot of work is to be done so that society understands and accepts the queer community. So that LGBTQ inclusion just doesn't work as a way to show off that the companies are progressive, and instead they become internally inclusive so that no more queer people end their lives due to discrimination and unemployment, no more LGBTQ people leave India just so that they can be free of the prejudices, as Parmesh writes, "This is the time for all of us to step up, gravitate towards hope, use our agency, and participate in the re-imagination and co-creation of a more just and equal world. It is our collective action right now that is going to eventually determine Queeristan's future." India's future.

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