

Spain is a frontrunner for LGBTI rights at work

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On 8 October 2024, the Sánchez government passed a law to guarantee equal treatment for LGBTI people at work. The law requires that companies with more than 50 workers negotiate measures to select, hire and promote employees of different sexual orientation, as well as to prevent harassment. The main goal is to establish diverse and inclusive workplaces.

The social partners in the country have been involved in the process since the signing of a tripartite agreement in June this year. The trade union confederations, CCOO and UGT, signed on behalf of the workers. Companies have three months to incorporate measures and the protocol for action against harassment and violence against LGBTI people, into their collective agreements (or six months if they do not already have a collective agreement). Companies with fewer than 50 workers will not be obliged to do this. For them, the process is voluntary.

Provisions in collective agreements must be designed to ensure awareness and knowledge of the regulations that detect and prevent discrimination, in areas such as access to employment, job classification and promotion, and training to create diverse, safe and inclusive work environments. Training of those involved in recruitment will be needed to avoid prejudice and to ensure equal opportunities for candidates. All staff, including management, must know how to prevent discriminatory practices.

LGBTI people should have access to professional development according to their abilities. Their families, spouses and partners, should be guaranteed leaves and social benefits laid down in collective and company agreements.

Monitoring by labour inspectorates might be necessary as well as possibilities of imposing fines in cases of violations.

The new rules have already been incorporated into CCOO Industria's collective agreement deal for chemical workers in Spain valid for the years 2024-2026. This agreement covers some 300,000 workers. They will now see that protection of LGBTI people in the sector is strengthened. In addition, it extends the rights of workers who have proved their status as victims of gender-based violence as they will be able to reduce their working hours by up to 50% without a proportional reduction in pay for a maximum of six months.

Edited by industriAll Europe