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CONTENTS

Sr. No.	TITLE & NAME OF THE AUTHOR (S)	Page No.
1.	CONSUMER BEHAVIOUR TO PURCHASE ECO FRIENDLY CAR IN THE CITY OF PUNE AND AURANGABAD <i>DR. SURESH CHANDRA PADHY & AMEER HUSSAIN A</i>	1
2.	CUSTOMER EXPERIENCE AND CHURN MANAGEMENT IN ONLINE AND MOBILE COMMERCE COMPANIES <i>SUNIL PATIL, YATIN JOG, PUSHPENDRA THENUAN & PARVINDER SINGH VIRDI</i>	7
3.	SKILL GAP ANALYSIS IN GARMENT MANUFACTURING MSME SECTOR OF ANDHRA PRADESH <i>DR. MADHUSUDHAN RAO</i>	14
4.	THE IMPACT OF HUMAN RESOURCE MANAGEMENT ON ENVIRONMENTAL PERFORMANCE AT EMPLOYEE LEVEL: A REVIEW OF LITERATURE <i>ATO. ADEBA HUNDERA</i>	19
5.	STARTUP: FAILURE TO SUCCESS <i>DR. ASHA NAGENDRA, PANKAJ KUMAR SARANGI & ABHISHEK SINGH</i>	21
6.	MAKE IN INDIA POLICY OF 2014 AND THE SELF RELIANCE OBJECTIVE OF THE 1956 INDUSTRIAL POLICY: WILL THE OUTCOMES BE BASED ON INTRINSIC DIFFERENCES OR A TIME-CONTEXTUAL POSITIONING? <i>MRIDULA GOEL & MADHAV AGRAWAL</i>	24
7.	'STARTUP INDIA, STANDUP INDIA': AN OUTSTANDING DRIVE FOR EMPLOYMENT GENERATION AND WEALTH CREATION! <i>DR. SURYA RASHMI RAWAT, HARSHITA KAPOOR, AARUSHI SAHU & APPORVA JAIN</i>	28
8.	LGBT: DEGREE OF ACCEPTANCE IN ORGANIZATIONS OR WORKPLACES IN INDIA <i>DR. JAYA CHITRANSHI, ANKITA CHOUDHARY, DEEPIKA ULLATIL & RAMENDRA SHARMA</i>	36
9.	CONSTRAINTS AND OPPORTUNITIES OF AGRICULTURAL COOPERATIVES: THE CASE OF SELECTED PRIMARY DAIRY COOPERATIVES SOCIETIES IN TIYO DISTRICT, ARSI ZONE OF OROMIA REGION, ETHIOPIA <i>KEDIR AMARE FURO</i>	42
10.	MAKE IN INDIA AND FINANCIAL INCLUSION <i>PHIZA MOULAVI</i>	47
	REQUEST FOR FEEDBACK & DISCLAIMER	52

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LGBT: DEGREE OF ACCEPTANCE IN ORGANIZATIONS OR WORKPLACES IN INDIA

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ABSTRACT

LGBT (Lesbian, Gay, Bisexual, and Transgender) is a very sensitive issue in India, rather more sensitive than religion. Many countries in the world are accepting the LGBT (Lesbian, Gay, Bisexual, and Transgender) community and understanding the fact that it's their personal choice which has nothing to do with their professional career. Many initiatives are being taken by the countries as well as the multinational companies to include the LGBT in the main workforce to utilize their talent. Despite the number of initiatives taken by global Multinational Corporations and Indian Multinational Corporations, there has not been a significant improvement in India regarding inclusion of LGBT or LGBT friendly environment. One of the obvious reasons is article 377 of Indian Penal Code. As per section 377, "carnal intercourse is against the order of nature" and hence an illegal act. However, it does not criminalize the identity of being LGBT, nor does it prohibit organization efforts to create an inclusive workplace for LGBT employees. The inclusion of LGBT can prove a boon to Indian companies because it will attract good talent and will improve diversity in the organizations. It will not only help the companies to grow but also play an important role to sustain this community in a better way. The valuable feedback from the employees of different organizations would be helpful in identifying the requirements and challenges involved in inclusion of LGBT people. Alongside a rational approach, social & legal support might emerge a smooth path for companies as well as LGBT community.

KEYWORDS

LGBT community, sexual discrimination, sexual orientation, LGBT workplace.

INTRODUCTION

As per the report submitted by Government of India to the Supreme Court in 2012, the number of people who identify themselves as lesbian, gay, bisexual, or transgender (LGBT) in India was 2.5 million. LGBT (Lesbian, Gay, Bisexual, and Transgender) is very sensitive issue, especially in India where homosexuality is considered a social crime. As per section 377 of Indian Penal Code, homosexual intercourse is a criminal offense. However as per latest judgment by the Supreme Court of India transgender is legally considered as a separate gender from men or women called third gender. The LGBT issue is getting attention globally and people are fighting for their rights as these rights will show allegiance to equality.

Equality, human rights and legal rights of LGBT persons is not limited to social issues but it is an economic issue too. Many countries in the world are accepting the LGBT community today and America is one such country which is accepting the LGBT community in mainstream corporate world. As LGBT people experience discrimination in the society, there should be policies and laws in place to safeguard them in the workplace. To ensure that LGBT individuals are not harassed in organizations changes have to be made in the policies in India to create a LGBT-friendly culture. However, the implementation of anti-discrimination policies alone will not help in bridging this gap, LGBT employees will have to be included in recruiting, training and development, networking and leadership opportunities ensuring unbiased opportunities are being presented to LGBT persons and non-LGBT persons equally.

The main reason for choosing LGBT for our research study is that, in India as the LGBT community is frowned upon, we wanted to know how having these individuals in the workplace impacts non-LGBT individuals. Secondly, to understand how organizations in India are embracing diversity and inclusion in the workplace by bringing in LGBT related policies. The research conducted will primarily be through a questionnaire to explore the situation in organizations today in this regard. The secondary data to be collected will be through internet articles, researches and journals for the analysis and study of people's behaviour towards LGBT individuals.

OBJECTIVES

1. To understand the perception of employees on LGBT individuals in different organizations across India.
2. To identify the trends and anticipate future directions and implications on LGBT employees in workplace.

REVIEW OF LITERATURE

Riley (2008) in her article "LGBT-Friendly Workplaces in Engineering" mentions that social trends and workplace policies which support inclusion have made LGBT people more visible, further driving diversity and equality efforts. As LGBT visibility increases, new strategies are needed to support this expression of diversity and ensure a workplace free from prejudice and an environment conducive to everyone's success. While large corporations have led the way in LGBT diversity efforts, it is now critical that smaller businesses follow suit in order to recruit and retain the most talented individuals.

Pizer, Sears, Mallory and Hunter (2012) in their journal "Evidence of persistent and pervasive workplace discrimination against LGBT people: The need for Federal Legislation prohibiting discrimination and providing for equal employment benefits" found that in the last decade, it has been seen that a large proportion of the

LGBT people faced discrimination in their workplace due to their sexual orientation. This Article begins by surveying the social science research and other evidence illustrating the nature and scope of the discrimination against LGBT workers and the harmful effects of this discrimination on both employees and employers. Ending all forms of unequal treatment based on sexual orientation or gender identity is warranted and feasible, and doing so will have positive effects for both employees and employers.

Narrain (2014) in his journal "Brazil, India, South Africa: Transformative Constitutions and their role in LGBT struggles" found out that there is a connection between LGBT rights and struggles for equality, dignity and human rights. It was pointed out that the role played by great leaders like Mahatma Gandhi, Nelson Mandela and Luis Gama in India, South Africa and Brazil respectively have led to transformation in their democracies. The research paper presented that the foundational struggle in those countries will make it possible for the Constitution to be transformative in the future.

Priola, Lasio, De Simone, Serri (2014) in their research "The Sound of Silence. Lesbian, Gay, Bisexual and Transgender Discrimination in 'Inclusive Organizations'" found out that most of the studies on diversity and discrimination in the workplace focus on 'visible' minorities such as gender or race, often neglecting the experiences of invisible minorities such as lesbian, gay, bisexual and transgender (LGBT) workers. In this paper they explored the practices of inclusion/exclusion of LGBTs in the workplace in Italian social cooperatives. The study examines how organizations, which focus on inclusion and mainly employ workers from specific social minority groups, manage the inclusion of LGBT workers.

Allison, L (2015) in the article "Have you included LGBT people in your diversity planning?" mentions that without the support of major corporations, the U.S. Supreme Court would not have created the change in people's perception of the LGBT community in the workplace. It was found that problems arise in workplaces in situations where employers restrict access or segregate transgender people from other workers by requiring them to use gender-neutral or other specific restrooms. This may create health or safety concerns for the LGBT people. The article highlighted few important things that need to be looked at to treat LGBT people as a protected group. Firstly, ensure that the hiring policy reflects an organizations commitment to non-discriminatory hiring practices. Secondly, handle internal complaints with a documented review in case discrimination has occurred and if no discrimination has been uncovered, the complainant should be made aware of the results of the investigation.

RESEARCH METHODOLOGY

SELECTION OF TOPIC

The topic selected for the study was "LGBT: Degree of Acceptance in Organizations or Workplaces in India". The topic was selected to understand how the presence of LGBT individuals is affecting employers and employees.

SELECTION OF SAMPLE SIZE

The sample selected for this study comprises of 50 people who are working in different organizations from various sectors in India.

PILOT STUDY

To test the feasibility, a pilot study was administered to 10 respondents and the results were used to analyse, modify and prepare the final draft of the questionnaire.

HYPOTHESES

Based on the pilot study, the following hypotheses were formulated:

- H₀**. Employees are comfortable working with LGBT employees in their organization.
H₁. Employees are not comfortable working with LGBT employees in their organization.
- H₀**. Organizations are taking initiatives to bring awareness about LGBT community in the workplace.
H₁. Organizations are not taking initiatives to bring awareness about LGBT community in the workplace.

LIMITATIONS

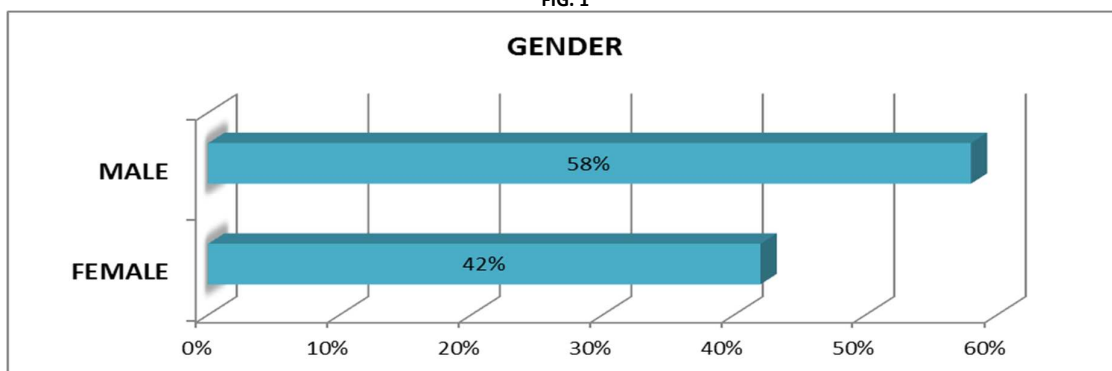
The limitations in this research

- The data is collected from the working professionals in India only.
- The questionnaire was sent to only 50 employees.

DATA ANALYSIS AND RESULTS

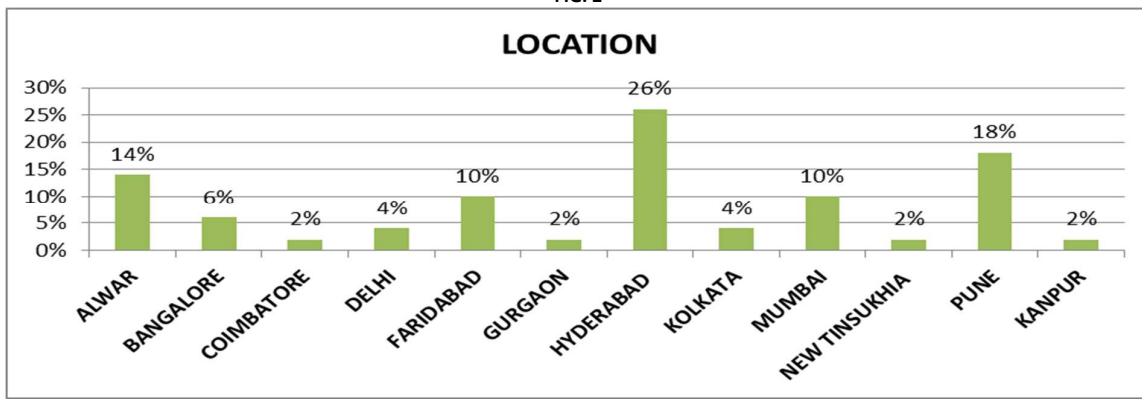
Fifty employees in different types of organizations were reached out to fill up our questionnaire which mainly focused on the LGBT community in the workplace. The questionnaire was sent with the intention to get the best possible understanding of how organizations are bringing changes to cultivate a healthy work environment for LGBT as well as Non-LGBT employees.

FIG. 1



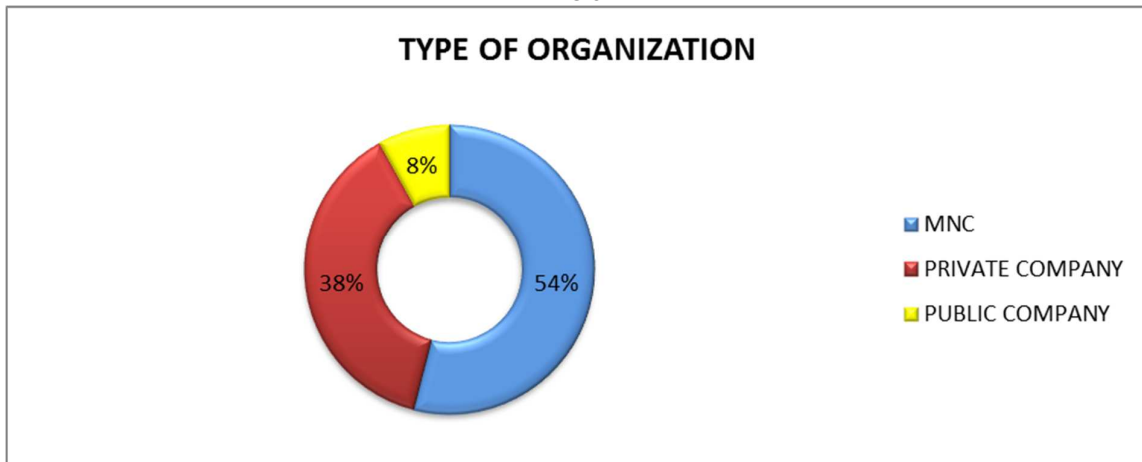
Among survey respondents, majority (58%) was male and the remaining (42%) were female who are working in different organizations in India.

FIG. 2



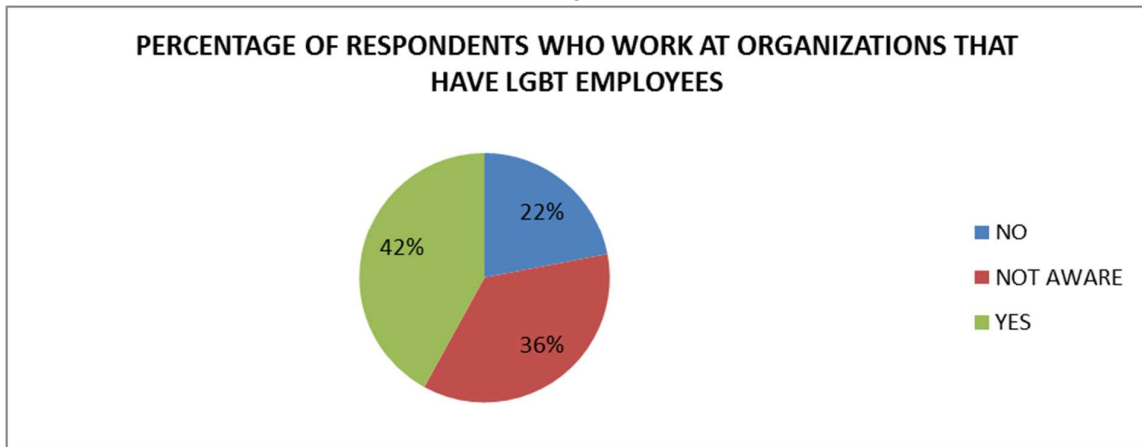
As the research was aimed to study the acceptance of LGBT in the workplace in India, the questionnaire was sent to individuals across different cities in India. Most of the responses came from Hyderabad (26%) followed by Pune (18%).

FIG. 3



The questionnaire sent to the employees was mostly from three different types of organization. The highest response was received from MNC's (54%) and the least from Public companies.

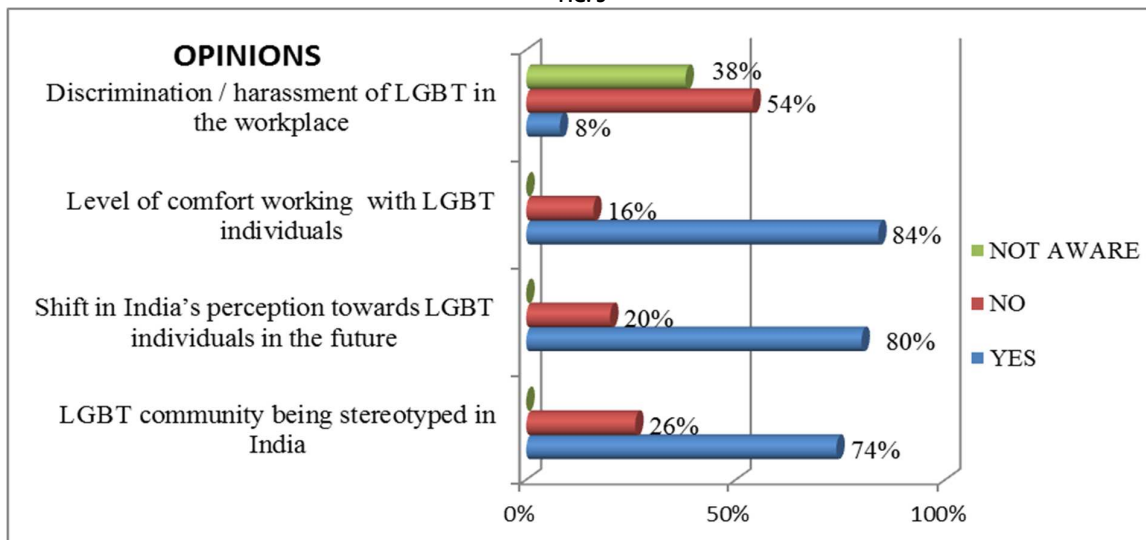
FIG. 4



OPINION

42% of the respondents work in organizations where they have LGBT employees. About 36% of the respondents were not aware if LGBT individuals work in their organizations. One of the major reasons for that is, in India, as the LGBT community is still not accepted by the society, LGBT individuals restrict themselves from identifying them as one of the LGBT individuals. The perception of the society is the reason for them being silent.

FIG. 5



Discrimination/ harassment in workplace: Discrimination in workplaces can potentially lead to loss of human capital. This is true in general for Non-LGBT as well as in the case of LGBT employees. Although wages and employment may not be directly affected, productivity will be hampered when employees are treated differently in their workplace.

In this study, 54% of the respondents feel that there is no discrimination or harassment in their workplace towards LGBT individuals. 38% of the respondents however were unaware of this situation and about 8% feel that there is discrimination in their workplace. This statistic indicates that employees have to be made aware about LGBT so as to bring in diversity and inclusion.

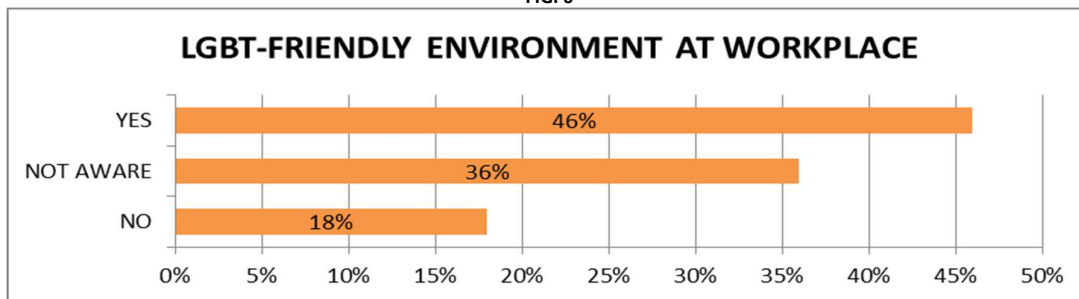
Level of comfort with LGBT employees: 84% of the respondents in this survey said that they are comfortable working with LGBT employees. Only 16% of the respondents are not comfortable with working with LGBT employees. This shows an overall positive impact towards the attitudes of the working population in our country.

The above data addresses the first hypotheses of this research which states that “Employees are comfortable working with LGBT employees in their organization”. This indicates that most of the employees are comfortable with having LGBT individuals as their colleagues. Hence, the null hypotheses “Employees are comfortable working with LGBT employees in their organization” is accepted.

Shift in India's perception towards LGBT individuals in the future: Majority (80%) of the individuals feel that there will be a positive shift in perception in India towards LGBT in the future. However, 20% still feel that the LGBT community will still not be accepted by our society.

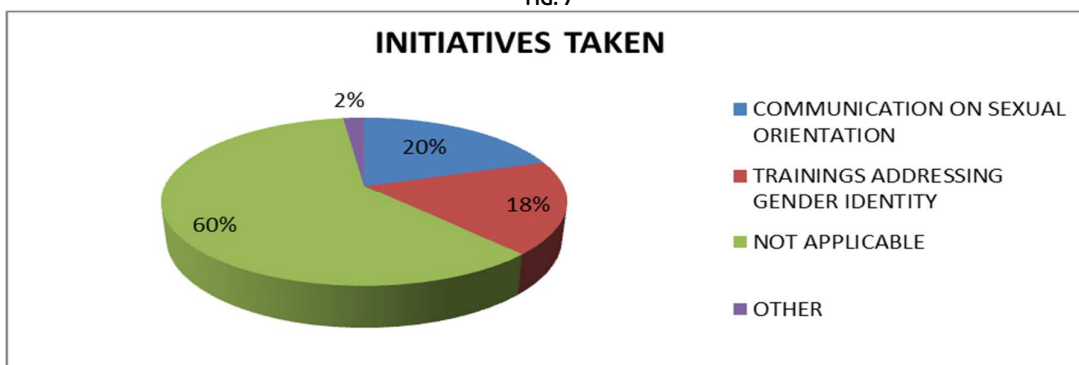
LGBT community being stereotyped in India: In India, it is not easy to change people's opinion over a sensitive issue like LGBT. Therefore, the LGBT individuals are stereotyped as people who have unusual sexual preferences. 74% of the respondents agree with this and 26% disagree that they are being stereotyped.

FIG. 6



46% of the respondents feel that their workplace has an LGBT-friendly environment. This indicates that 46% of the organizations in India are taking this seriously and in the future it is expected that more organizations will make their workplace LGBT-friendly. However, 18% of the organizations are currently not encouraging an LGBT inclusive environment. This scenario has to change in the coming years as the sexual preference of an employee does not have an impact on the work that the individual does.

FIG. 7



Companies across India have taken initiatives to promote a diversified environment in their organizations like communication on sexual preference (20%), trainings addressing gender identity (18%) and other (2%) where the company has conducted sessions on inclusion and diversity. 60% of the respondents feel that no initiatives have been taken in their respective organizations.

The above data addresses the second hypotheses of this research which states that “Organizations are taking initiatives to bring awareness about LGBT community in the workplace”. This clearly indicates that employees feel that their respective companies are not taking initiatives to educate employees about LGBT individuals. This rejects the null hypothesis 2. Hence, the alternative hypotheses “Organizations are not taking initiatives to bring awareness about LGBT community in the workplace” is accepted.

Looking into the above data, we asked respondents to give their recommendations or opinions so as to identify some key takeaways. Below two tables gives us an insight into that.

TABLE 1

Thoughts/ Opinions on LGBT community		%
Personal choice of sexual preference. Hence, should not be targeted.	20	40%
Equal opportunities should be presented to them	9	18%
Opinion needs to be changed about LGBT individuals in a positive manner.	6	12%
Has a very long battle ahead	4	8%
No comments	3	15%
Others	8	16%

TABLE 2

Measures to be taken		%
Awareness	13	26%
Communication	6	12%
Trainings	2	4%
Change in organization policies to benefit LGBT individuals	6	12%
Treat them equally	10	20%
Encouraged to open up	4	8%
No comments	4	8%
Others	5	10%

CONCLUSION

The LGBT community is statistically one of the most discriminated against demographics in the world today. Arguments on LGBT acceptance in society as well as workplace have been raging over the years. It has been driven by debates and speeches, court decisions and also implementation of new laws for the LGBT community. Behind each and every one of those events, there were real people, fighting for their rights and opinions. Fear keeps LGBT employees secluded at workplace and talented employees leave the organisation because they do not feel welcomed. LGBT employees are not only discriminated for their sexual orientation and gender identity but also during their hiring, promotions and pay. Strangely, these factors have no impact on an individual's ability to perform in a workplace. And so, it would be ideal if organizations understand this and make provisions to encourage them in their workplace. Sexual orientation doesn't distinguish a person; it is the ideology and outlook that discriminates people in the organization.

The responses or opinion from few of the employees working among the top notch organisations from different cities showed us the recent acceleration in the progress of the human mind-set. In order to develop a comprehensive understanding of the current state of LGBT employees, we sent questionnaires to employees from different organizations across India and have received an overall positive response about the LGBT community in workplace.

FUTURE DIRECTIONS

- There should be no anti-discrimination laws in the workplace, where employers openly discriminate against LGBT employees.
- Companies should take efforts and train employees to prohibit discrimination based on sexual orientation and gender identity.
- Organisations should become proactive in offering non-discrimination policy benefits to their LGBT employees like protection for sexual orientation and gender identity.
- At a broader level, employees should discuss the need to educate the general public about LGBT issues, share research findings with encouragement, and reduce negative stereotypes and discrimination.
- Measures need to be taken in the current situation to influence social norms in order to make equality a legal right and a lived reality for LGBT people in society as well as in the workplace.

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