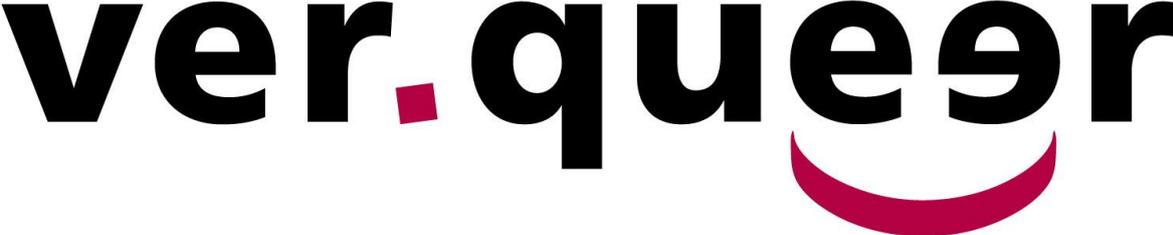


ver.queer



ver.di LGBT Group: General overview and history

ver.di is an abbreviation for *Vereinte Dienstleistungsgewerkschaft*, which means "United Services Union". ver.di is the largest German trade union. Its approximately 2.4 million members make it to one of the largest independent, individual trade union in the world.

In 2001 ver.di was formed when the German Salaried Employees' Union (DAG) merged with four unions of the German Confederation of Trade Unions (DGB) (DPG, HBV, ÖTV, IG Medien).

So what does the ver.di LGBT group do?

Of course, much the same as LGBT trade union groups in other west European countries do organize education seminars, agitate in and outside the union, get on the nerves of the union leadership, publish information in printed form as well as a web-site; take part in LGBT street festivals and Gay Pride Parades; protest to TV stations and the trade union publications at the encouragement of stereotyped thinking around LGBT issues; collect signatures to petitions in favor of the implementation of regulations against discrimination at the place of work; suggest "model" company agreements against workplace-discrimination. In short, represent the interests of lesbians, gays, bisexuals and transgender colleagues, whenever the opportunity, time and strength are available.

When was the group formed?

Like *UNISON* in Britain, **ver.di** is the result of an amalgamation. The original LGBT group within the then ÖTV was founded in 1978, so in 2008 it will be celebrating its 30th birthday.

Who are our members?

Underground railway (tube) workers, train-drivers and sales personnel, workers in public administration, banks, insurance companies, print & media, post, health and social workers, consultants.

<p>Abbreviations</p> <p>DAG* = German Clerical Workers Union</p> <p>DGB = Federation of German Trade Unions</p> <p>DPG* = German Post Office Workers Union</p> <p>GEW = Education & Science Workers Union</p> <p>HBV* = Trade, Banking and Insurance Union</p> <p>IG Medien* = then Union for Media Workers</p> <p>ÖTV* = Public Service, Transport and Traffic Union</p> <p>* 2001 they merged together to form ver.di</p>	<p>Contents:</p> <p>Page 2 Dates + Decisions – Trade Unions LGBT groups & TU support</p> <p>Page 7 verd.di's congress 2007</p> <p>Page 8 ver.di LGBT special conference</p> <p>Page 10 On discrimination at work</p> <p>Page 12 Contact Information, Editor</p>
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Important dates and decisions for lesbians and gays at work in Trade Unions — German Federal Republic —

Preliminary Comment

Paragraph 175 (known formally as §175 StGB; also known as Section 175 in English) was a provision of the German Criminal Code from 15 May 1871 to 10 March 1994. It made homosexual acts between males a crime, and in early revisions the provision also criminalized bestiality.

The statute was amended several times. The Nazis broadened the law in 1935 and increased §175 StGB prosecutions by an order of magnitude; thousands died in concentration camps, regardless of guilt or innocence. East Germany reverted to the old version of the law in 1950, limited its scope to sex with youths under 18 in 1968, and abolished it entirely in 1988. West Germany retained the Nazi-era statute until 1969, when it was limited to "qualified cases"; it was further attenuated in 1973 and finally revoked entirely in 1994 after German reunification.

1969

June 25 — Paragraph 175 was reformed, in that only the "qualified cases" that were previously handled in §175a — sex with a man less than 21 years old, homosexual prostitution, and the exploitation of a relationship of dependency (such as employing or supervising a person in a work situation) — were retained. Paragraph 175b (concerning bestiality) also was removed.

1973

November 23, 1973 the social-liberal coalition of the Socialists (SPD) and the Liberals passed a complete reform of the laws concerning sex and sexuality. The paragraph was renamed from "Crimes and misdemeanors against morality" into "Offenses against sexual self-determination", and the word *Unzucht* ("lewdness") was replaced by the equivalent of the term "sexual acts". Paragraph 175 only retained sex with minors as a qualifying attribute; the age of consent was lowered to 18 year of age (compared to 14 year of age for heterosexual sex).

1974

The Trade Union (TU) "Public Services, Transport and Traffic" (ÖTV) publishes in several issues of their members journal "*ÖTV-Dialog*" readers letters opposing job-bans ("Berufsverbot") for colleagues working in the church and schools in Berlin. (Berlin had a special international status at that time)

June — The national "*ÖTV-Magazin*" publishes under the headline "Stop holding back" ("Zurückhaltung aufgeben") a readers letter demanding the end of taboos as well as legal and social discrimination of homosexual men and women. The signatures' were Manfred Herz, later a founder of the ÖTV-LGBT Group, and the then deputy chairman of the Berlin ÖTV - Hans-Joachim Steputtis.

1975

August — The specialist group *Librarians in the ÖTV* Berlin puts forward a resolution for the Berlin ÖTV Congress demanding the absolute abolition of § 175 StGB (StGB = German Penal Code).

1977

June — The Berlin ÖTV journal "*ÖTV-Dialog*" publishes a demand for the trade union to represent the interests of homosexual colleagues. The reaction varied from "Scandalous!" to "Much to be greeted!"

1978

March — The first trade union specialist group for homosexuals was set up in the ÖTV-Social Workers Group.

May — Lesbians and gays have taken part regularly since this date in the May events organized by the trade unions in Berlin first with a banner and later with an information stand.

July — A long article entitled "The Fears of the Gay Teacher" is published in the journal of the Berlin Teacher's Trade Union (GEW).

September — Several members' representatives meetings in the Berlin ÖTV demand a Berlin-wide homosexual group covering all job groups.

December — The executive committee of the Berlin district teacher's union (GEW) sets up a group for homosexual teachers and trainers.

1980

June — The national ÖTV annual general meeting rejects the motion of the Berlin province demanding the setting up of an ÖTV group in Berlin for homosexuals covering all trades and professions with the excuse such an action does not need AGM approval.

June — The *HBV* Trade Union Youth Conference* demands the withdrawal of the sacking of a gay colleague and an end to the discrimination of homosexuals.

* Handel, Banken und Versicherungen = trade, banks, insurance companies

October — The provincial workers representatives meeting of the GEW demands, among other things the end of taboos about homosexuality in lessons and support for homosexual colleagues.

1983

September — Members of the Berlin ÖTV homosexual group publish the first *Rundbrief* (newsletter), which leads to the building of a network of TU member contacts and enables "uncensored" discussion of the opposition within the TU to LGBT activity. (Ceased publication in March 1993, as no longer necessary)

October — A group for homosexual men and women in the HBV Trade Union is founded.

November - The railway Trade Union youth conference demands the abolition of Paragraph 175

1984

November — The HBV AGM demands the abolition of Paragraph 175 and an end to discrimination against lesbians and gays.

1985

December — After the dangers of catching AIDS has been for months a matter of public discussion the trade unions begin to oppose the unfounded fears within their journals and with meetings.

1986

The Congress of the German Trade Unions demands of its 16 members that they oppose discrimination against homosexual women and men, rejects however the demand for opposing the Paragraph 175. In November, however, the GEW does decide at its AGM in favor of the abolition.

1987

December — A major report in the youth magazine of the German Trade Union Centre about the discrimination against homosexuals receives in following issues a positive echo.

1988

March — The HBV Berlin demands the British Government not pass the anti-homosexual Clause 28.

June — The ÖTV AGM decides to campaign for the rights of homosexuals including the abolition of Paragraph 175, and against the discrimination of HIV + people.

1989

April — The ÖTV chairwoman writes to the Minister of Justice demanding an end to Paragraph 175. The minister answers to defending the paragraph. In October the first nation-wide meeting of ÖTV Homo-groups meets in Cologne.

December — The first department for same-sex lifestyles is set up in the Berlin city administration and the first booklet about lesbians, gays, the work-place and trade unions is published to coincide with the DGB youth conference.

1990

September — The central administration of the ÖTV puts forward a model anti-discrimination law proposal covering the place of work and in June **1992** demands equality before the law and conditions of work.

1993

May — The Teachers Union (GEW) demands an unprejudiced treatment of homosexuality in the schools, as well as equality in education and profession.

June — The Berlin ÖTV on the occasion of Europride in Berlin organizes a 3-day international conference on "Lesbians and Gays at Work".

August — The 25th world congress of the Public Service Unions (Helsinki) passes numerous motions opposing discrimination of lesbians and gays at work. The resolution was put forward jointly by the ÖTV (Germany), Abva-Kabo (Netherlands) and NALGO (now UNISON) (Great Britain).

1994

July — The first national meeting of lesbian and gay police officers held.

November — The ÖTV takes part in the 2nd. International Conference of lesbian and gay trade unions in Glasgow organized by UNISON.

1995

According to research carried out at the request of the Social Ministry of Lower Saxony by Munich University 80% of lesbians and gays have experienced discrimination or disadvantaging in the working place.

June — the ÖTV-Cologne presents the city a memorial to the lesbian and gay victims of National Socialism. It is unveiled by the Lord Mayor. Also in June the first issue of *REPORT* appears to coincide with the *Christopher Street Day* in Berlin.

1997

April — The association of lesbian and gay journalists is founded in Berlin.

May — The ÖTV is awarded the first "Magnus-Hirschfeld-Emancipation Prize" for its work in support of lesbians and gays.

June — The EC of the ÖTV decides to support the International "Homosexuality Trade Unions and Work Conference" to be held in Amsterdam in July 1998.

1998

July — The 16th DGB federal congress approves a motion submitted by the ÖTV suggesting measures to reduce the discrimination against lesbians and gays. The 2nd World Congress of Education Trade Unions in Washington passes a motion demanding the nations concern themselves with creating a friendly atmosphere towards lesbians and gays at work places.

1999

June — For the first time the rainbow flag is raised over the ÖTV-Building to show solidarity on the occasion of Gay Pride in Berlin.

2000

February — The German Foreign Secretary issues an order that same-sex pairs are to be treated as married couples.

2001

March — The trade unions, DPG, HBV, IG Medien, DAG and ÖTV merged together to form **ver.di**.

16th June — Berlin (capital of Germany) gets the first openly gay mayor in Germany Mr. Klaus Wowereit (see pic). Since this time he is Governing Mayor of Berlin. Among other memberships he is a member of the *Social Democratic Party* (SPD), the *Workers' Welfare Association* (AWO) and *ver.di*.

1st August — the "*Lebenspartnerschaftsgesetz*" (LPartG — Life Partnership Act) comes into force. Many GLBT organizations criticized this law because it excludes important rights for registered partnerships.

2002

November — The international Trade Union Conference "Workers Out" held in Sydney demands that trade unions world wide to take effective action against the discrimination of lesbians, gays, bisexuals, Transgender and Intersex persons.



2003

August — The ver.di national Executive Committee condemns in a Press Statement the attitude of the Vatican opposing the recognition of homosexual partnerships, and demands the full equality same-sex partnerships with married couples as well as an anti-discrimination law.

2004

Europride in Hamburg. The ver.di group in Hamburg took part with a truck displaying demands for an implementation of the EU Anti-Discrimination Directive. The deputy chair of ver.di, Margret Möhnig-Rahne, took part.

November — The exhibition with photos of homosexual pairs holding hands (see pic) called "*They SHALL nevertheless see us*" which caused a storm of disapproval in Poland was opened in the ver.di headquarters by Frank Bisirske and Claudia Roth, a leader of the Green Party. The transportable exhibition was originally organised by the Campaign against Homophobia in Poland.



2005

1st December (World Aids Day) until 28/02/2006. A photographic exhibition entitled *Love, Sex and Safe* of the Berlin/Brandenburg Group

The photo exhibition "*They SHALL nevertheless see us*" was shown in Cologne beginning with the Gay Pride Parade and ending on Catholic World Youth Day (Pope visiting) with contributions during the finissage on religion and homophobia.

2006

In order to support the local people and assist in the founding of new groups the federal group took part in the Gay Pride Parade in Frankfurt/Main. The situation in our neighboring country, Poland, was a main theme. A meeting on the theme *Human Rights and Homophobia in Poland* was held with participation from amnesty international, and ver.di's LGBT group.

During the two day event a ver.di LGBT info-stall was to be found among the many from local groups.

May — The chairman of ver.di support the LGBT- and Human Rights Movement in Russia occasioned by the first *Moscow Gay Festival 2006* and the *1st International Day against Homophobia (IDAHO)*. ver.di represented by Claus Brandt a member of the ver.di LGBT group.



2007

A one-day conference was organized by the federal ver.di LGBT group entitled *Human Dignity demands respect for diversity - Lesbians, Gays, Bisexuals and Transgender people at the work-place*, was held in Berlin in February.

The national group of LGBT people within ver.di was awarded the *Prize for Civil Courage* at the Berlin Gay Pride (called CSD = Christopher Street Day)

(www.csd-berlin.de/de/zivilcouragepreis/).

The national LGBT group of ver.di supported the German campaign for equal rights for same-sex couples.

2008

August – Seminar “Ways for more acceptance for LGBT-people at work” organized of the ver.di-LGBT group Berlin-Brandenburg.

Oktober—“Dialogue of the polish trade unions regarding LGBT-employee’s rights “ in Warsaw Dialog and workshop with gay & lesbian trade union members of West European Countries with polish trade unions about and to enhance employment rights of LGBT-people in Warsaw, organized of the LGBT-group of ver.di and the Freidrich Ebert Foundation, Warsaw Office.

ver.di's national Congress in 2007

At the beginning of October 2007, the nationwide Congress of ver.di will be held in Leipzig. It will discuss and decide on the main outlines of the future policies of the trade union. As at the Berlin Congress 4 years ago there will be well over 1,000 delegates present. They will decide upon almost 1,500 suggestions and motions which demand that ver.di adopt a standpoint, make demands, or suggest conceptions in order to confront the problems in the places of work, in the trade union and in society. The national LGBT group within ver.di will again be present.

In the report of work carried out the delegates will find a chapter about how far the basic decisions of the 2003 Congress which had the title "Respect Diversity: Oppose the discrimination of gays, lesbians, bisexuals and transgender people" have been realized. The decision demanded above all that the law and wage negotiations end discrimination against LGBT people and suggested means of integrating LGBT at work at all levels within the organization.

In front of the upcoming Congress are many suggestions in connection with the rights and life and working conditions of lesbians, gays, bisexuals and transgender people. In other motions "we" even if not always explicitly, are also included on the basis of our "way of life".



Thus in one of the leading motions on the new ver.di basic program, which our national group worked on intensively.

Our special conference on 17th February 2007 brought out some valuable ideas for the national LGBT group to take up in relation to where ver.di must develop initiatives. The group took up the suggestions, systematically prepared them and sent them on their way within the trade union in the form of proposed motions for the Congress.

We worked out applications for:

- The implementation of the General Law on Equality of Treatment (AGG - Allgemeines Gleichbehandlungsgesetz)
- The improvement of the AGG (it has some quite serious weakness)
- The implementation of equality for life-partnerships in wage negotiations and taxes
- Trade union against discrimination of people with HIV and AIDS
- Active participation in the "design" of the diversity process
- The extension of the "equality paragraph" in the constitution (to include LGBT people)
- International work by trade unions for the rights of LGBT people.

For those who read German the complete texts of the motions can be found on the national group's web-site under www.regenbogen.verdi.de .

Special Conference on LGBT matters in February 2007

In February 2007 we held an experts conference in ver.di's headquarters on the theme "Human Dignity demands respect for Diversity – Lesbians, Gay Bisexuals, and Transgender people at their work-place". The meeting was held before many of the different sector conferences and other groups at national level as a run-up to the nation-wide conference in October. These give the various groups within the TU a framework within which to take a stand on basic questions in the union and in society and to decide on the main points future activity in the next period – including Motions to Congress.

Many highly competent people could be won to take part and make speeches at the conference, which was organized by the nation-wide ver.di LGBT working group. Participants came from trade unions, politics, and the academic world in addition to TU representatives from Great Britain, the Netherlands and Austria for an intensive program with

themes from the world of work, and what determines the social conditions for LGBT people at present.

After the meeting was opened by Klaus Timm, the Chair of the national LGBT group in ver.di, Frank Bsirske (ver.di chairman) gave an opening speech on topical events and the necessity for lesbians and gays to participate in TUs. He criticized sharply a decision by the Federal Constitutional Court (BGH) against the interests of a ver.di member living in a recognized partnership. He had protested against his being disadvantaged in comparison to married couples in relation to pensions and death benefits under the workplace insurance. Frank underlined the demands of the colleague, whose process had been guided and paid for by ver.di. The demand for equal treatment was "an absolutely obviously justified demand!" The judgment continued Frank showed that the judges of the BGH, with their decision wanted to give a signal that homosexual life-partnerships were of less value. Self-critically he indicated that ver.di had not used all the opportunities, concerning cases like this case in collective bargaining. Therefore in the coming negotiations ver.di must demand in relation to workplace pensions must be adjusted to meet the justified needs of people living in a life-partnership, also in relation to other matters such as days-off for important matters – as had already been achieved in public services.



Frank mentioned that ver.di would review the judgment and take over the legal representation of the colleague who had started the case at the Constitutional Court. Bsirske also referred to other matters that need action for instance in connection with the General Law on Equality of Treatment (AGG). The whole field of the churches as employers was excluded from the AGG. The exception is for ver.di unacceptable, since that continues to allow, under legal protection, the punishment of homosexual employees down to dismissal. A special round of applause was to Frank as he demanded the extension of the Equality Paragraph (No.3) in the constitution to include the "sexual identity", so that in the future discrimination on this ground would no longer be allowed. (The complete speech as a video, can be found under www.regenbogen.ver.di , as well as other documents which are relevant to the conference) For this reason we only indicate here the individuals themes which were dealt with and discussed in the plenary session.

The first speaker, Michael Krone from the German AIDS-Hilfe spoke on a project for employers on HIV and Aids at the place of work. The project (Link-Up) attempts under his guidance to reduce the disadvantaging of people with HIV/AIDS on the job market, with as many employers as possible on the basis of an agreed offer of further education and advice for people responsible for personnel and work-place co-operation among multipliers. Experience shows there is a high level of need to explain the objectively real capabilities of people with HIV/AIDS, and that there are many unfounded anxieties on the part of employer and employees and convincing successes by a discrimination-free integration of the colleagues. Examples of solidarity by ver.di as well as factory and personnel committees were given by several participants, along with valuable suggestions for trade union initiatives in the field of HIV/AIDS and Work, including cooperation with Link-UP.

Hartmut Schönknecht spoke about the rights of LGBT people at the place of work and the role of international organizations. The work and effectiveness of the representation interlinked with local organizations up to the highest ones at international level was

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shown in relations to the anti-discriminations work. In addition to this Michael Odijk (Speaker of the Gay-Lesbian Organization of the Dutch trade union for the public services (Abva Kabo) showed how the work in the individual countries as well as internationally could be effective. Despite very different structures Lesbian and gay trade unionist in the relatively young nations, is the international cooperation really effective. Thus Abva-Kabo (NL), Unison (GB) und ver.di (D), via the International of the Public Services (IÖD) by working together at international TU-congresses have contributed to significant improvements in positions in the anti-discrimination work and affected also countries and governments who pursue inhuman policies towards lesbians and gay citizens.

After the midday meal the conference went on to the "Implementation of the EU's Equality Directive and the AGG at the place of work". At first Dominic Frohn dealt with the topical results of an on-line questionnaire about the work situation of lesbians and gays in Switzerland, Austria and Germany, then Elisabeth Schroedter (MEP) about the demands of the European Parliament on the EU-Member-states – whereby it became clear that Federal Germany in both content and time contexts of the EU was an example of grave disregard of the Directives. Unfortunately the leader of the national anti-discrimination Office set up as part of the AGG (Antidiscrimination Law) did not accept an invitation to take part due to her just having taken over the job. In her place Manfred Bruns (retired federal attorney at the German Supreme Court) and now member of the board of the LSVD (The Lesbian and Gay Federation in Germany), member of the AGG advisory council explained the law and evaluated its practical implementation in regard to sexual identity.

The tasks of the trade unions and works-committees in relation to antidiscrimination was dealt with by Hartwig Mallmann who works in the appropriate department of ver.di's national structure. He also worked on the creation of the "Model Workplace Agreement for Equality and Partnership, against Discrimination and for Diversity in the Workplace" which ver.di has produced.

The last speaker was a psychologist, Annette Hecker, member of the executive committee of the LSVD on antidiscrimination, equality of treatment and diversity management. She spoke mainly about the experiences of large companies with "Diversity Management", where the social and cultural differences of the work force are seen as valuable and innovative elements in the atmosphere of the workplace, antidiscrimination practices are rigorous, and "Rainbow group" are supported by the management which also sponsors extra-work-place activity for the recognition of lesbians and gay equality. Since ver.di has not dealt much with Diversity Management so far - in distinction to gender mainstreaming - was this contribution of great interest.

On Discrimination at the place of work – latest research

As we reported in the first edition of the then-named "ÖTV-Report for lesbians and gays" – issued to mark the Gay Pride 1996 – on the topical scientific research about gays and lesbians in the world of the workplace, the results were shattering.

80,9 % of the lesbians and gays asked had been discriminated at their place of work on grounds of their sexual orientation. Only 11,9 % spoke with their colleagues about being homosexual and only 3,8 % of those questioned stated that they never hid their sexual orientation. However, it must be remembered that only two years before had the last remnants of the infamous Paragraph 175 been deleted from the law book and thus brought to an end the official criminalization of same-sex love.

The 1995 study requested by the Lower Saxony Ministry of Social Affairs also showed on the basis of 3,500 questionnaires (17,000 had been distributed) some alarming facts.

On the basis of these conditions the trade unions were not the least called to action. They, it was shown, needed to come to grips with the topic and make clear statements as to how they wanted to achieve improvements in the working conditions for lesbians and gays. Unfortunately not all trade unions have shown the necessary activity in this field, but at least the ÖTV and HBV (Trade, Banking and Insurance TU), both of whom merged into ver.di did so, along with the Teachers Union (GEW), the Police Union (GdP), the Railway Unions and the German Trade Union Federation (DGB).

The latest research on same-sex experience at the work-place took place in Internet in September and October 2006. More than 2,700 fully completed questionnaires are its basis. 30% are from women and 70% from men. Dominic Frohn from the Psychological Institute of the University of Cologne presented his findings at the specialist conference.

Unexpected for Frohn was that the improved legal conditions for lesbians and gays and the clear reduction of taboos about homosexuality was not reflected in the experiences of people at their place of work and on the self-confident assertion of their own lifestyles in professional life. Whereas ten years ago 67% of lesbians and gays kept their orientation a secret at their place of work, his study shows that 52% still do so. There are still big differences in the readiness to come out in connection with the job and career: workers in the cultural world have the least difficulties in admitting their sexuality; in industrial jobs and in agriculture it is still most problematic. Quite clearly people at the beginning of their careers had the most difficulties with "coming out". As people become more secure in their job and feel safer their openness towards colleagues increases; most open are the age group 35 – 50.

About three quarters of those questioned had experienced discrimination or being disadvantaged on the basis of their sexual identity; one in ten reported physical violence or psychological terror. Nevertheless there was a clear majority who are today more open about their sexuality at their work place than was the case ten years ago. But only 13% are completely open about being lesbian or gay at the work place – which does NOT represent an increase over the last ten years. There are still too many fears that homosexuality can be a break on a career, and the incalculable question of animosity is difficult to assess – which can also be tolerated by some "superiors".

To the question of how colleagues and "chiefs" had reacted to a coming out, only the answers of those people who answered they openly talk about it with at least 50% of their colleagues were evaluated. 85.1% of the management reacted positively and among colleagues the rate was as high as 92%.

Further details of the study can be get directly at our home page www.regenbogen.verdi.de



“Vielfalt ist bunt” (Diversity is colorful)



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